

Growing Up Green Charter Schools

Discipline Policies, Law Violation, DASA, + Formal Complaint Procedures

(Updated 2.25.25)

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GUGCS1 Elementary School

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 (typically a maximum of ten minutes, but it can vary). 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.

Dean Referrals: If classroom management strategies are unsuccessful in helping a student fix behavior, or a student is unsafe, a Dean Referral may be warranted. Teachers complete a Dean Referral by checking off the behavior or incident that occurred and communicating with the dean. Students may 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 Dean Referral, 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 Dean Referrals in the course of a school year the Dean of Students will consult with the 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 Dean Referrals, students may have reflection time either before or after 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 themselves 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 their 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 . This is different from taking a break out in a buddy classroom.
Short-Term Suspension	Determined by the 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.
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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 dean referral.	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.
Examples: <ul style="list-style-type: none"> • Verbally disruptive. • Unwillingness to follow directions. • Refusal to participate or complete work. • Unsteady body in the classroom. • Verbally hurt a classmate's feelings or intentionally said something unkind to others. • Any other negative behaviors that a classroom teacher feels distracts from the learning 	Examples: <ul style="list-style-type: none"> • Threatened or was verbally aggressive towards another person. • Repeated unwillingness to follow directions that has not been corrected after in classroom consequences have been applied. • Cheated on quizzes/ tests/projects. • In unassigned area without permission. • Physically harmed another as a result of being unsafe. • Repeated behaviors listed 	Examples: <ul style="list-style-type: none"> • Intentionally physically harming others. • Stole or knowingly used stolen property. • Left assigned room without permission. • Using inappropriate or offensive language towards a teacher or a peer. • Vandalizing school property causing minor damage. • Engaging in behavior that is considered bullying or 	Examples: <ul style="list-style-type: none"> • Attempting to run out of the building, • running around the school, or running away from adults • without stopping. • Physically assaulting staff members or • threatening to assault staff members. • Endangering the physical safety of • another by the use of force or threats of • force, which

environment.	<p>in Tier 1.</p> <ul style="list-style-type: none"> Any other negative behaviors that a staff member believes violates the school's code of conduct or create a disrespectful environment. 	<p>harassing towards other students.</p> <ul style="list-style-type: none"> Refusal to be in the classroom Steal, attempt to steal, or possess property known by the student to be stolen Trespass on school property Abuse school property or equipment Engage in acts of sexual harassment, including but not limited to physical contact or offensive sexual comments Repeated behaviors listed in Tier 1 & Tier 2. 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 	<ul style="list-style-type: none"> reasonably places the victim in fear of imminent bodily injury Possessing tobacco, electronic cigarettes, or alcohol Making a false bomb threat or pulling a false emergency alarm 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 Commit or attempt to commit arson on school property Possess, sell, distribute or use any alcoholic beverage, controlled substance, imitation, or marijuana on school property or at a school-sponsored event Vandalize school property causing major damage Repeated behaviors listed in Tier 2, or 3. Any other negative behaviors that a staff member feels create a serious threat to the safety or students.
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Potential Consequences

TIER 1	TIER 2	TIER 3	TIER 4
<p>Take a break</p> <p>Buddy Break.</p> <p>Logical Consequences in the classroom</p>	<p>Dean Referral and automatic visit to Dean of Students Office</p> <p>Logical Consequence as deemed appropriate</p>	<p>Automatic Dean Referral</p> <p>Time spent out of classroom setting</p> <p>In School or Out of School</p>	<p>Automatic Dean Referral</p> <p>Time spent out of classroom setting</p> <p>Out of School Suspension</p>

Loss of privilege of class trip or activity	Time spent out of the classroom setting	Suspension	Immediate pick up by parent
Parent phone call or meeting request	Parent phone call or meeting request	Loss of privilege or repair as warranted	Expulsion
Problem Solving Conference	Early pickup		
Mediation			

*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 in writing to Matthew Greenberg, Executive Director at 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 the Board of Trustees. In accordance with Education Law §28554, the decision of the Board may be appealed to GUGCS' authorizer, the Board of Regents, New York State Education Department's Charter School Office using the information below:

Charter School Office
NYS Education Department
89 Washington Avenue
Room 5N Mezz,
Albany, NY 12234

or via email to: charterschools@nysed.gov

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 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.

A student not specifically identified as having a disability but about whom the school, prior to the behavior which is the subject of the disciplinary action, has a basis of knowledge—in accordance with 34 CFR 300.534—that a disability exists may also be disciplined in accordance with the due process and other provisions applicable to students identified as having a 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 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.

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 students without disabilities.

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.

Special Circumstances

Whether or not the behavior was a manifestation of the child's disability, school personnel may remove a student to an Interim Alternative Educational Setting, or 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 who has a 504 plan 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.

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 storage and desks remain the property of the school, though the school is not responsible for books, clothing, or valuables left in student storage areas or desks. A student shall not place or keep in a storage area 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.

The following rules shall apply to the search of school property assigned to a specific student and the seizure of illegal items found therein:

- School authorities will make an individual search of a student's locker or desk only when there is reasonable suspicion to believe that a student 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.
- Searches shall be conducted under the authorization of the School Leader or his/her designee.
- Items, which are prohibited on school property, or which may be used to disrupt or interfere with the educational process, may be removed from student lockers or desks by school authorities.

INTERNET POLICY

GUGCS recognizes the rights of students, faculty, staff, and employees who want to participate in online social networking. Our social networking and internet guidelines are designed to create an atmosphere of goodwill, honesty, and individual accountability. GUGCS students should always keep in mind that information produced, shared, and retrieved is a reflection on them and the school community. When accessing, creating or contributing to any blogs, wikis, podcasts, or other social media relating to the school or school activities, we expect students to keep the following guidelines in mind. **Failure to meet or follow these guidelines may result in disciplinary action.**

Taking photos or videos with cellular devices, or cameras that are unapproved by the school, during the school day or during school activities and functions, is prohibited. In addition, students uploading or posting photos or videos to the Internet, that were taken on school premises and without the school's prior written permission, will be subject to disciplinary action at the school level and the student will be asked to remove those images. Concerns regarding "cyber bullying" or inappropriate use of the Internet impacting the school will also be addressed at the school level, and students involved may be subject to disciplinary action. It is a parent's responsibility to monitor their child's use of the Internet and social media, outside of school. Actions by a student online that break school rules and negatively impact the school environment may subject the student to disciplinary consequences by the school. Please refer to New York State Laws regarding cyber bullying and harassment on the Internet, as certain situations may be subject to punishment by law. It is a parent's right to report any Internet behavior, in school or out of school, to law enforcement.

Social Media/ Internet Guidelines

We expect GUGCS students to set and maintain high ethical standards in their use of social networking and internet searches. Since social media reaches audiences far beyond the community, students must use social sites responsibly and be accountable for their actions. Social media use, including use outside of school hours, has the potential to disrupt the school learning environment and can be in violation of GUGCS policies.

If a student has a concern regarding a social networking page or account, they should immediately contact the Dean of Students, School Counselors, School Leaders, or another adult within the GUGCS community.

GUGCS students should be mindful of their behavior on social media and should conduct themselves with respect for themselves and others in the GUGCS community. Failure to meet or follow these guidelines may result in disciplinary action.

1. GUGCS reserves the right to request school-related images or content posted without written permission to be removed from the internet.
2. Do not misrepresent yourself by using someone else's identity, i.e. changing or posting on someone's social media account.
3. When responding to others, remember to be respectful and avoid comments that may be hurtful.
4. Avoid profane, obscene, or threatening language.
5. Users should keep their passwords secure and never share passwords with others. If someone tampers with your blog, email, or social networking account without you knowing about it, you could be held accountable.
6. Cyber bullying is considered an act of harassment, if the school is made aware of repeated online harassment students will be subject to disciplinary action.
7. Students should exercise caution when conducting online searches, making sure that they are not seeking out inappropriate sites and information when using school computers and laptops.

HARASSMENT, INTIMIDATION, BULLYING, AND DIGNITY FOR ALL STUDENTS ACT POLICY

GUGCS is a community in which respect for others is an integral value. In accordance with state and federal law, the school provides equal educational opportunities for all of our students without regard to race, religion, nationality, gender, gender identity, sexual orientation, disability or socio-economic condition.

We believe strongly in the inherent dignity of each member of the community. Therefore, we cannot tolerate any instance of harassment, intimidation, or bullying that targets or impacts any member of our community.

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in any educational program or activity. It protects victims of sexual or gender-based bullying and harassment and survivors of gender-based violence. Protection from the discrimination on the basis of sex includes protection from being retaliated against for filing a complaint of discrimination or harassment.

Growing up Green is committed to complying with Title IX and enforcing school policies prohibiting discrimination on the basis of sex. Matthew Greenberg, the Executive Director of Growing Up Green Charter Schools, serves as the Title IX Coordinator for Growing Up Green Charter Schools.

If a student feels that he or she has been a victim of any sexual harassment, he or she or his or her parent/legal guardian should contact the Title IX Coordinator using any of the following information:

Matthew Greenberg Executive Director Phone: 347-642-4306

Email: greenberg@gugcs.org

Or to the Department of Education Office of Civil Rights
<https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>
Office for Civil Rights, New York Office
U.S. Department of Education 32 Old Slip, 26th Floor
New York, NY 10005-2500
Telephone: 646-428-3800
Fax: 646-428-3843
Or email: OCR.NewYork@ed.gov

G1 ES (LIC) Dignity Act Coordinators
Bari Mimoun
mimoun@gugcs.org
Natalia Gomez
gomez@gugsc.org

G2 ES (Jamaica) Dignity Act Coordinators
Casey Smith
csmith@gugcs.org

Sexual Harassment

The U.S Department of Education defines sexual harassment in the following terms: “Sexual harassment is conduct that: 1. is sexual in nature; 2. is unwelcome; and 3. denies or limits a student’s ability to participate in or benefit from a school’s education program.

Sexual harassment can take different forms depending on the harasser and the nature of the harassment. The conduct can be carried out by school employees, other students, and non-employee third parties, such as a visiting speaker. Both male and female students can be victims of sexual harassment, and the harasser and the victim can be of the same sex.

The conduct can occur in any school program or activity and can take place in school facilities, on a school bus, or at other off-campus locations, such as a school-sponsored field trip or a training program at another location. The conduct can be verbal, nonverbal, or physical. Examples of sexual harassment may include but are not limited to:

- Unwanted touching or pinching
- Brushing up against someone deliberately
- Blocking or other physical intimidation
- Taunting, making slurs, or making jokes
- Making condescending remarks based on a person’s gender, gender identity or sexual orientation
- Following or stalking
- Gesturing obscenely or suggestively
- Leering or giving sexually suggestive looks

- Asking inappropriate or intrusive questions
- Making repeated and unwanted sexual propositions
- Displaying or transmitting offensive images or words
- Using the Internet for harassment

Response Procedures to Sexual Harassment Informal Procedures

Informal Procedures

Any student who believes he or she is being sexually harassed is encouraged to clearly and promptly notify the offender that his or her behavior is unwelcome. If for any reason a student does not wish to confront the offender directly, or if such confrontation does not successfully end the harassment, the student should notify any one or more of the following persons:

- A trusted adult staff member
- The school counselor
- The Dean of Students

Any student who is uncomfortable for any reason in bringing the matter to the attention of the above persons, should report the matter to the Title IX Coordinator or the Dignity Act Coordinator, or if that is not deemed possible, to the President of the Board of Trustees of Growing Up Green Charter School.

The best course of action in any case will depend on various factors. However, a student reporting sexual harassment under the informal procedures should be aware that the school may decide it is necessary to take action to address the harassment beyond an informal discussion.

Formal Complaint Procedures

Notification: A student who believes he or she has been subjected to sexual harassment by any employee, agent, or other student of Growing Up Green Charter School should report the incident to the Dean of Students or School Leader. Any student who is uncomfortable for any reason in bringing the matter to the attention of the above persons, should report the matter to the Title IX Coordinator; the Dignity Act Coordinator; or the Executive Director. If that is not deemed possible, then the incident should be reported to the President of the Board of Directors of Growing Up Green Charter School.

Students are permitted to be accompanied by a friend, relative, guardian, or parent when making a claim of sexual harassment. If a parent of a student believes that his/her son/daughter has been subjected to sexual harassment, then (s)he should follow the above referenced reporting procedure.

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 School 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.

The Dignity for All Students Act ("DASA"), defines incidents of discrimination or harassment as a single incident or a series of related incidents where a student is subjected to harassment and/or discrimination by a student or school employee on school property or at a school function that creates a hostile environment of such a severe or pervasive nature that it unreasonably interferes with a student's educational performance, opportunities, mental or

emotional well-being, or causes a student to fear for his or her physical safety.

Growing Up Green Charter School strictly prohibits incidents of bullying, harassment and/or discrimination including, but are not limited to: threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity or expression), sex, or any other protected characteristic. This restriction applies to school employees, students, parents, school contractors, or visitors on School Property and at School Functions. In addition, any act of bullying, cyberbullying, discrimination and/or harassment at School Functions, which can reasonably be expected to materially and substantially disrupt the education process or a student's education, is strictly prohibited.

Definitions under DASA

School Property means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus.

School Bus means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.

School Function means a school-sponsored extracurricular event or activity.

Disability means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.

Discrimination means discrimination against any student by a student or students and/or employee or employees on school property or at a school function including, but not limited to, discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

Emotional harm that takes place in the context of “harassment or bullying” means harm to a student’s emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student’s education.

Employee means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title 9-B of article 5 of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact.

Gender means a person’s actual or perceived sex and includes a person’s gender identity or expression.

Sexual Orientation means actual or perceived heterosexuality, homosexuality, or Bisexuality.

Harassment/bullying means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying as defined in Education Law §11(8), that

- (a) has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being;
- (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or
- (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or
- (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

For purposes of this definition, the term “threats, intimidation or abuse” shall include verbal and non-verbal actions.

Cyberbullying means harassment/bullying, as defined above, through any form of electronic communication.

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

GUGCS has designed a multi-faceted approach to reducing bullying. Components include ongoing classroom practices, curricular intervention, and documentation. These measures are

intended to help children build positive social skills, and are not intended simply to punish or take revenge.

However, when bullying behavior persists, disciplinary consequences will be enacted. All acts of bullying are prohibited. (See Tiers of Misconduct, above. Bullying is at a minimum a Tier 3 violation)

GUGCS makes documentation forms available for parents and students on the school's website. Students are invited to submit confidential reports of bullying incidents that they have been victims of or witnessed. Parents are encouraged to report bullying incidents that they hear about or observe, and those reports are further investigated by school staff.

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 designated the school counselors as the Dignity Act Coordinators (DAC), also known as the Dignity for All Students Act (DASA) Coordinator. 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.

If you have been the target of such behaviors listed above or know someone who has, we encourage you to speak to a teacher, the school leader, or school employee. You may also reach out to the DAC for your child's GUGCS campus. School administrators, teachers, and other staff members, students or community members who have witnessed or have reliable information that a

student has been subject to harassment, intimidation or bullying are required to report the incident to the DAC immediately.

GUG1 Elementary, LIC	GUG1 Middle, LIC	GUG2 Elementary, Jamaica	GUG2 Elementary, Jamaica
Natalia Gomez gomez@gugcs.org	Amira Sharif sharif@gugcs.org	Casey Smith csmith@gugcs.org	Anastasia Khasanova khazanova@gugcs.org
Bari Mimoun mimoun@gugcs.org	Diana Lopez dlopez@gugcs.org		Nakia Richardson richardson@gugcs.org

Reporting and Investigating

Any person who has been a victim or who knows of a potential incident of bullying, discrimination, or harassment is required to report it to the DAC. School employees who witness harassment, bullying, or discrimination, or receive a report of such harassment, bullying, or discrimination must verbally notify the DAC or the School Leader no later than one school day after the employee witnesses or receives a report of harassment, bullying or discrimination. School employees must also file a written report with the DAC and School Leader no later than two school days after making the verbal report. The content of the written report should be sufficient to allow the School or the DAC to investigate the allegation or report of violations of the Act. All school employees are expected to participate in the investigation of any allegation of violations of the Act.

Students may make reports of harassment, bullying, or discrimination to the DAC in person, by e-mail, or confidentially through other means.

After receiving a report of potential violation of the Act, the DAC will promptly investigate all complaints of bullying, either formal or informal, and take prompt corrective measures, as necessary. If, after an appropriate investigation, the School finds that this policy has been violated, prompt corrective action will be taken to end the harassment, bullying or discrimination, and eliminate any hostile environment. The School may also implement other remedial measures to ensure the existence of a positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the students. Measured, balanced, and age-appropriate responses to incidents of harassment, bullying or discrimination by students will be implemented and may vary in method according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors, if any. The school leader and DAC will promptly notify the appropriate local law enforcement agency if any harassment, bullying or discrimination constitutes criminal conduct.

Training and Awareness

The School will establish guidelines for training all staff about the requirements of the Act. Training will be provided each school year to raise staff awareness and sensitivity of bullying, discrimination and/or harassment directed at students that are committed by students or school employees on School Property or at a School Function. Training will include ways to promote a supportive school environment that is free from bullying, cyberbullying, discrimination and/or harassment, emphasize positive relationships. Any training or education about the Act will include demonstrations on prevention and intervention techniques to assist employees in recognizing and responding to bullying, cyberbullying, discrimination and/or harassment as well as ensuring the safety of the victims, and reducing and addressing problems of exclusion, bias, and aggression in the School.

Upon incidents of bullying, the School may hold additional training or disseminate educational material concerning the Act.

Teachers and students are encouraged to suggest to the DAC other methods and procedures for training and raising awareness about the Act.

School technology and School Functions may be employed to disseminate awareness of the Act.

Rules against bullying, discrimination and/or harassment will be included in the Parent-Student Handbook, publicized School-wide and disseminated to all staff and parents each year.

The School will annually review its Parent-Student Handbook and update it if necessary, taking into consideration the effectiveness of its provisions and consistency and fairness of its administration.

Teaching Students about Bullying

School instruction will include a component on civility, citizenship and character education. Such component shall instruct students on the principles of honesty, tolerance, personal responsibility, respect for others, observance of laws and rules, courtesy, dignity and other traits which will enhance the quality of their experiences in, and contributions to, the community. The School will also incorporate instruction designed to reduce any instances of harassment, discrimination, or bullying into extracurricular or school-sponsored programs and activities.

Instruction will also be provided during the School year in the safe, responsible use of the Internet and electronic communications, which will be designed to reduce instances of bullying and cyberbullying.

Prohibition on 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.

Reporting Requirements

The School will annually report material incidents, data and trends related to bullying, discrimination and/or harassment which occurred during the school year to the Board of Trustees, and to the State Education Department. Such report shall be submitted in a manner prescribed by the Commissioner, on date as determined by the Commissioner

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.

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

Section 504 Coordinator, for concerns regarding discrimination on the basis of a disability: Matthew Greenberg, Executive Director/347-642-4306; greenberg@gugcs.org

VIOLATION OF LAW OR CHARTER COMPLAINT

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.

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 individual or group is dissatisfied with the Executive Director's decision, they may appeal directly to the Board of Trustees. If the complaint is against or involves the Executive Director, the complaint shall be made directly to the Board of Trustees of the School.

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 Interim Board Chair, Marc Greenberg and emailed to magreenberg@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 (within 7 days of the next board meeting), 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, the Board of Regents, using the information below for the New York State Education Department's Charter School Office.

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
Room 5N Mezz,
Albany, NY 12234

or via email to: 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.

1. DISCIPLINE

At Growing Up Green Middle School we have adopted the Developmental Designs program. Developmental Designs focuses on building relationships and working with students to set and achieve goals. GUGMS 1 & 2 will be following the Developmental Designs processes to help students who are having difficulties following our school expectations. 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:

Clear and consistent classroom expectations are essential in order to maintain a safe learning environment. Every classroom will establish clear classroom expectations and all classrooms will follow the Developmental Designs framework for behavior interventions. The following interventions are utilized in each classroom to help support students reflect on their choices and correct behaviors:

Reminders – Students will first be given a reminder of the classroom expectations and instructions on how to correct their behaviors.

In-Classroom Break – If a behavior continues after reminders are given, a student may be asked to take a brief break in the classroom and return once he or she has reflected on their behavior.

Out-of-Classroom Break (Tab-Out) – If a behavior persists after an in-classroom break, then a student may be asked to take a break out of the classroom (tab-out). During a tab-out, a student is directed to another classroom and asked to complete a short reflection aimed at helping the student make better choices upon returning. The student will also debrief with their own classroom teacher before rejoining the class when possible.

Problem Solving Conferences – Students that are struggling with meeting behavioral expectations in the classroom setting may be asked to engage in a problem solving conference with a 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.

Lateness to Class

It is the student's responsibility to arrive to their next class before the end of the transition period. Teachers will document any student who arrives late to a class without a pass. Teachers will write discipline referrals for students who are repeatedly late to their class and logical consequences will apply.

Hallway Passes/Hallway Behavior

It is mandatory that students have a pass when traveling in the hallways during class time. It is the student's responsibility to obtain either a classroom pass or a note from a staff member before entering

the hallways. School staff will document any students who are in the hall without a pass. Parents will be notified if a student is repeatedly traveling without a pass and logical consequences may be warranted. Additionally, students are expected to travel in the hallways during transition times in a safe manner and refrain from engaging in behaviors that are not compliant with our code of conduct. If students are making poor behavioral choices during transition times then logical consequences may be warranted and loss of hallway privileges may be implemented.

Discipline Referrals

If the classroom management interventions are unsuccessful in helping a student fix a behavior or a student is unsafe, a discipline referral may be warranted. The Dean of Students will meet with students after they have received a discipline referral to provide students with the space to reflect on their actions, and provide logical consequences for their behaviors. These meetings will occur during non-academic times of the day, when possible. If a student is being unsafe in the classroom the student will be immediately removed from the classroom and escorted to the discipline office, a counselor's office, or the office of another leadership team member.. If a student receives a discipline referral the student's parents will be contacted by the referring teacher about the behavior infraction. If the behavior is serious or the student has received multiple referrals for a similar infraction, then the dean of students will set up a mandatory meeting to discuss the student's actions and logical consequences.

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 corresponding 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.

In-School Reflection Period

Students who receive a discipline referral may be required to serve an in-school reflection period. The length of this reflection will be determined by the Dean of Students and will take place during lunch and/or recess periods. Students may be required to serve multiple in-school reflection periods if the offense warrants a longer reflection, or if it is a repeated behavior. In-school reflection periods are geared towards helping students think through their actions and work on action plans for ensuring better choices.

After-School Reflection Period

Students who receive a discipline referral **may** be required to serve an after-school reflection depending on the behavior infraction. After-school reflection periods will be served at the earliest possible time once a parent or guardian has been notified. After-school reflections are mandatory, and alternate

transportation may be required for students utilizing the bus or being picked up. After-school reflection periods will be held two times a week, and students will be required to serve anywhere between 30 minutes to an hour depending on the seriousness of the offense. Students may be required to serve multiple after-school reflection periods if the offense warrants a longer reflection, or if it is a repeated behavior.

Reflection periods are a time for students to reflect on their actions and as a result, all students will be given an academic assignment connected to the behavioral infraction that occurred. These academic assignments will help students reflect on choices and develop a plan for how they can make more responsible decisions during learning time. After-school reflection periods are considered logical consequences for actions given that students have taken away from their own and others valuable learning time. At the conclusion of reflection periods, students meet with a dean to debrief and discuss actionable next steps for changing behaviors in the future.

Student Culture Skill Building and Conflict Mediation Sessions

Students who are engaging in repetitive disruptive behaviors and/or who are experiencing conflicts with their peers that are leading to contentious situations may be required to attend a student culture skill building circle or conflict mediation session with our Dean 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.

GUGCS Discipline Code

GUGMS clearly states the school's 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. GUGMS 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 GUG MS code of conduct/discipline policy provides due process while allowing GUGMS 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.

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 reflection periods 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
Exclusion from Extracurricular activities	Determined by the staff member running the extracurricular activity, Dean of Students and School Leader.
Afterschool Reflection Period	Determined by the Dean of Students and School Leader; a student may have to stay for up to an hour after school to reflect on school expectations.
Short Term Removal	Determined by the Dean of Students and School Leader; a student may be removed from the classroom environment for a period of up to two hours.
Short Term Suspension	Determined by the Executive Director, School Leader, 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 Leader, 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 Leader, 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.

Tiers of Misconduct

Tier 1	Tier 2	Tier 3	Tier 4
Behaviors that are more minor in nature but detract from the learning of students and negatively impact the classroom community.	Behaviors that are more serious in nature that violate the school's code of conduct or create a disrespectful environment and may warrant a discipline referral.	Serious behaviors that endanger the safety of others or the student and demonstrate disrespect for staff, students, and/or school community.	Behaviors that are extreme in nature and create a serious threat to the safety of students or others in the school.

Examples: <ul style="list-style-type: none"> ● Verbally disruptive. ● Unwillingness to follow directions. ● Refusal to participate or complete work. ● Unsteady body in the classroom. ● Verbally hurt a classmate's feelings or intentionally said something unkind to others. ● Any other negative behaviors that a classroom teacher feels distracts from the learning environment. 	Examples: <ul style="list-style-type: none"> ● Threatened or was verbally aggressive towards another person. ● Repeated unwillingness to follow directions that has not been corrected after in classroom consequences have been applied. ● Cheated on quizzes/tests/projects. ● In unassigned area without permission. ● Physically harmed another as a result of being unsafe. ● Repeated behaviors listed in Tier 1. ● Any other negative behaviors that a staff member believes violates the school's code of conduct or create a disrespectful environment. 	Examples: <ul style="list-style-type: none"> ● Intentionally physically harming others. ● Stole or knowingly used stolen property. ● Left assigned room without permission. ● Using inappropriate or offensive language towards a teacher or a peer. ● Vandalizing school property causing minor damage. ● Engaging in behavior that is considered bullying or harassing towards other students. ● Refusal to be in the classroom/ skipping class. ● Stealing, attempting to steal, or possess property known by the student to be stolen. ● Trespass on school property. ● Abuse school property or equipment. ● Engage in acts of sexual harassment, including but not limited to physical contact or offensive sexual comments ● Repeated behaviors listed on Tier 1 & Tier 2 ● 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. 	Examples: <ul style="list-style-type: none"> ● Attempting to run out of the building, running around the school, or running away from adults without stopping. ● Physically assaulting staff members or threatening to assault staff members. ● 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. ● Possess tobacco, electronic cigarettes, or alcohol. ● Make a false bomb threat or pull a false emergency alarm ● Possess, use, attempt to use, or transfer any firearm, knife, razor blade, explosive, mace, tear gas, or other dangerous object of no reasonable use to the student at school. ● Commit or attempt to commit arson on school property. ● Possess, sell, distribute, or use any alcoholic beverage, controlled substance, imitation, or marijuana on school property or at a school-sponsored event. ● Vandalize school property causing major damage. ● Repeated behaviors listed in Tier 1, 2, or 3. ● Any other negative behaviors that a staff member feels create a serious threat to the safety of students.
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***Consequences**

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

TIER 1	TIER 2	TIER 3	TIER 4
<ul style="list-style-type: none"> ● Take a Break ● Take a Break Out ● Logical Consequences in the Classroom ● Loss of privilege of class trip 	<ul style="list-style-type: none"> ● Potential Discipline Referral ● Logical Consequence as deemed appropriate. ● Reflection Period(s) assigned during lunch, recess, and/or 	<ul style="list-style-type: none"> ● Automatic Discipline Referral ● Reflection Period(s) during lunch, recess, and/or after-school. ● Parent meeting request. 	<ul style="list-style-type: none"> ● Automatic Discipline Referral. ● Reflection Period(s) during lunch, recess, and/or after-school.

or activity <ul style="list-style-type: none"> ● Parent phone call or meeting request. ● Problem Solving Conference. 	after-school. <ul style="list-style-type: none"> ● Parent phone call or meeting request. ● Student Culture Skill Building Sessions or Conflict Mediation Sessions. ● Short term removal. 	<ul style="list-style-type: none"> ● Problem Solving Conference. ● Immediate need to be picked up by parent. ● In School or Out of School Suspension. ● Loss of privilege, community service project, or repair as warranted. ● Student Culture Skill Building Sessions or Conflict Mediation Sessions. ● Short term removal. 	<ul style="list-style-type: none"> ● Mandatory parent meeting. ● Out of School Suspension. ● Immediate need to be picked up by parent. ● Possible Expulsion. ● Short term removal.
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Due Process for Suspensions

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 academics process the informal conference shall take place as soon as possible after the suspension is reasonably practicable. You may not be represented by legal counsel at this conference. Parents/Guardians will have the opportunity to discuss the relevant facts pertaining to the suspension, and present their child's defense to the allegations leading to the suspension. Ultimately, the school will make the final decision on the suspension. An appeal process is explained below.

Students who have been suspended for more than ten days have a right to a formal hearing. At the formal hearing, you and your child may be represented by legal counsel, may offer evidence and challenge evidence submitted by the school, present witnesses and cross-examine witnesses against your child. You must notify GUGCS 2 days in advance if you intend to bring a lawyer. 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. The hearing office may be the School Leader or another member of leadership. 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 the decision rendered at this hearing. If you wish to appeal, you must do so within five business days of the hearing in writing to Matthew Greenberg,

Executive Director at 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 the Board of Trustees. In accordance with Education Law §28554, the decision of the Board may be appealed to GUGCS' authorizer, the Board of Regents, New York State Education Department's Charter School Office.

Charter School Office
NYS Education Department
89 Washington Avenue
Room 5N Mezz,
Albany, NY 12234

or via email to: charterschools@nysed.gov

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.

Provisions to Implement Alternative Instruction Options:

Students removed for all suspensions will receive all classroom assignments and a schedule by which to complete missed assignments and/or tests during the time of the suspension. Students will also receive an educational assignment to complete related to the behavior that led to a suspension. GUGMS will provide additional alternative education instruction for a minimum of two hour for each school day during out of school suspensions. Instruction for each student shall be sufficient to enable the student to make adequate academic progress.

Provisions for Students with Disabilities:

GUGMS 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). As described above, 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 Disabilities:

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. School personnel may also impose additional removals of the child of not more than 10 school days in a row in that same school year for separate incidents of misconduct.

Before a student with an IEP 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.

Determination that Behavior was a Manifestation of the Child's Disability

If the school district, the parent, and relevant members of the CSE determine that the conduct was a manifestation of the child's disability, the CSE or CPSE must either:

1. Conduct a functional behavioral assessment, unless the school district 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.

Services

A child with a disability who is removed from his or her 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.

After a child with a disability has been removed from his or her current placement for 10 school days in that same school year and if the current removal is for 10 school days in a row or less and if the removal is not a change of placement (see definition below), then school personnel in consultation with at least one of the child's teachers, determine the extent to which services are needed 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.

If the removal is a change of placement, the child's CSE determines the appropriate services 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.

Special Circumstances

Whether or not the behavior was a manifestation of the child's disability, school personnel may remove a student to an IAES 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;
2. Knowingly has or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, on transportation to or from school, or at a school function; or 3. Has inflicted serious bodily injury upon another person while at school, on school premises, on transportation to or from school, or at a school function

1. HARASSMENT, INTIMIDATION, & BULLYING POLICY

GUGMS is a community in which respect for others is an integral value. In accordance with state and federal law, the school provides equal educational opportunities for all of our students without regard to race, religion, nationality, gender, gender identity, sexual orientation, disability or socio-economic condition.

We believe strongly in the inherent dignity of each member of the community. Therefore, we cannot tolerate any instance of harassment, intimidation, or bullying that targets or impacts any member of our community.

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in any educational program or activity. It protects victims of sexual or gender-based bullying and harassment and survivors of gender-based violence. Protection from the discrimination on the basis of sex includes protection from being retaliated against for filing a complaint of discrimination or harassment.

Growing Up Green Middle School is committed to complying with Title IX and enforcing school policies prohibiting discrimination on the basis of sex. Matthew Greenberg, the Executive Director of Growing Up Green Charter Schools, serves as the Title IX Coordinator for Growing Up Green Charter Schools.

If a student feels that he or she has been a victim of any sexual harassment, he or she or his or her parent/legal guardian should contact the Title IX Coordinator using any of the following information:

Matthew Greenberg
Executive Director
Phone: 347-642-4306
Email: greenberg@gugcs.org

Or to the Department of Education Office of Civil Rights
<https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>
Office for Civil Rights, New York Office
U.S. Department of Education
32 Old Slip, 26th Floor
New York, NY 10005-2500
Telephone: 646-428-3800

Fax: 646-428-3843

Or email: OCR.NewYork@ed.gov

G1 MS (LIC) Dignity Act Coordinators

Diana Lopez

dlopez@gugcs.org

Amira Sharif

sharif@gugcs.org

G2 MS (Jamaica) Dignity Act Coordinators

Nakia Richardson

richardson@gugcs.org

Anastasia Khazanova

khazanova@gugcs.org

Board of Trustees Interim Chair

Marc Greenberg

magreenberg@gugcs.org

Sexual Harassment

The U.S Department of Education defines sexual harassment in the following terms: “Sexual harassment is conduct that: 1. is sexual in nature; 2. is unwelcome; and 3. denies or limits a student’s ability to participate in or benefit from a school’s education program.

Sexual harassment can take different forms depending on the harasser and the nature of the harassment. The conduct can be carried out by school employees, other students, and non-employee third parties, such as a visiting speaker. Both male and female students can be victims of sexual harassment, and the harasser and the victim can be of the same sex.

The conduct can occur in any school program or activity and can take place in school facilities, on a school bus, or at other off-campus locations, such as a school-sponsored field trip or a training program at another location. The conduct can be verbal, nonverbal, or physical.

Examples of sexual harassment may include but are not limited to:

- Unwanted touching or pinching
- Brushing up against someone deliberately
- Blocking or other physical intimidation
- Taunting, making slurs, or making jokes
- Making condescending remarks based on a person’s gender, gender identity, or sexual orientation
- Following or stalking
- Gesturing obscenely or suggestively

- Leering or giving sexually suggestive looks
- Asking inappropriate or intrusive questions
- Making repeated and unwanted sexual propositions
- Displaying or transmitting offensive images or words
- Using the Internet for harassment

Response Procedures to Sexual Harassment

Informal Procedures

Any student who believes he or she is being sexually harassed is encouraged to clearly and promptly notify the offender that his or her behavior is unwelcome. If for any reason a student does not wish to confront the offender directly, or if such confrontation does not successfully end the harassment, the student should notify any one or more of the following persons:

- A trusted adult staff member,
- The school counselor,
- The Dean of Students

Any student who is uncomfortable for any reason in bringing the matter to the attention of the above persons, should report the matter to the Title IX Coordinator or the Dignity Act Coordinator, or if that is not deemed possible, to the Chair of the Board of Trustees of Growing Up Green Charter School. The best course of action in any case will depend on various factors. However, a student reporting sexual harassment under the informal procedures should be aware that the school may decide it is necessary to take action to address the harassment beyond an informal discussion.

Formal Complaint Procedures

Notification: A student who believes he or she has been subjected to sexual harassment by any employee, agent, or other student of Growing Up Green Charter School should report the incident to the Dean of Students. Any student who is uncomfortable for any reason in bringing the matter to the attention of the above persons, should report the matter to the Title IX Coordinator or the Dignity Act Coordinator, or if that is not deemed possible, to the Chair of the Board of Trustees of Growing Up Green Charter School.

Students are permitted to be accompanied by a friend, relative, guardian, or parent when making a claim of sexual harassment. If a parent of a student believes that his/her son/daughter has been subjected to sexual harassment, then (s)he should follow the above referenced reporting procedure.

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 Middle 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 Middle School will not retaliate against anyone 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.

The Dignity for All Students Act ("DASA"), defines incidents of discrimination or harassment as a single incident or a series of related incidents where a student is subjected to harassment and/or discrimination by a student or school employee on school property or at a school

function that creates a hostile environment of such a severe or pervasive nature that it unreasonably interferes with a student's educational performance, opportunities, mental or emotional well-being, or causes a student to fear for his or her physical safety.

Growing Up Green Charter School strictly prohibits incidents of bullying, harassment and/or discrimination including, but are not limited to: threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity or expression), sex, or any other protected characteristic. This restriction applies to school employees, students, parents, school contractors, or visitors on School Property and at School Functions. In addition, any act of bullying, cyberbullying, discrimination and/or harassment at School Functions, which can reasonably be expected to materially and substantially disrupt the education process or a student's education, is strictly prohibited.

Definitions under DASA

School Property means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus.

School Bus means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.

School Function means a school-sponsored extra-curricular event or activity.

Disability means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.

Discrimination means discrimination against any student by a student or students and/or employee or employees on school property or at a school function including, but not limited to, discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual

orientation, gender or sex.

Emotional harm that takes place in the context of “harassment or bullying” means harm to a student’s emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student’s education.

Employee means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title 9-B of article 5 of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact. Gender means a person’s actual or perceived sex and includes a person’s gender identity or expression.

Sexual Orientation means actual or perceived heterosexuality, homosexuality, or Bisexuality.

Harassment/bullying means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying as defined in Education Law §11(8), that

- (a) has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being;
 - (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or
 - (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or
 - (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.
- For purposes of this definition, the term “threats, intimidation or abuse” shall include verbal and non-verbal actions.

Cyberbullying means harassment/bullying, as defined above, through any form of electronic communication.

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

GUGCS has designed a multi-faceted approach to reducing bullying. Components include ongoing classroom practices, curricular intervention, and documentation. These measures are intended to help children build positive social skills, and are not intended simply to punish or take revenge.

However, when bullying behavior persists, disciplinary consequences will be enacted. All acts of bullying are prohibited. (See Tiers of Misconduct, above. Bullying is at a minimum a Tier 3

violation)

GUGCS makes documentation forms available for parents and students on the school's website. Students are invited to submit confidential reports of bullying incidents that they have been victims of or witnessed. Parents are encouraged to report bullying incidents that they hear about or observe, and those reports are further investigated by school staff.

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 designated the school counselors as the Dignity Act Coordinators (DAC), also known as the Dignity for All Students Act (DASA) Coordinator. 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.

If you have been the target of such behaviors listed above or know someone who has, we encourage you to speak to a teacher, the school leader, or school employee. You may also reach out to the DAC for your child's GUGCS campus. School administrators, teachers, and other staff members, students or community members who have witnessed or have reliable information that a student has been subject to harassment, intimidation or bullying are required to report the incident to the DAC immediately.

DASA Coordinators at GUGCS

GUG1 Elementary, LIC	GUG1 Middle, LIC	GUG2 Elementary, Jamaica	GUG2 Elementary, Jamaica
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Natalia Gomez gomez@gugcs.org	Amira Sharif sharif@gugcs.org	Casey Smith csmith@gugcs.org	Anastasia Khasanova khazanova@gugcs.org
Bari Mimoun mimoun@gugcs.org	Diana Lopez dlopez@gugcs.org		Nakia Richardson richardson@gugcs.org

Reporting and Investigating

Any person who has been a victim or who knows of a potential incident of bullying, discrimination, or harassment is required to report it to the DAC. School employees who witness harassment, bullying, or discrimination, or receive a report of such harassment, bullying, or discrimination must verbally notify the DAC or the School Leader no later than one school day after the employee witnesses or receives a report of harassment, bullying or discrimination. School employees must also file a written report with the DAC and School Leader no later than two school days after making the verbal report. The content of the written report should be sufficient to allow the School or the DAC to investigate the allegation or report of violations of the Act. All school employees are expected to participate in the investigation of any allegation of violations of the Act.

Students may make reports of harassment, bullying, or discrimination to the DAC in person, by e-mail, or confidentially through other means.

After receiving a report of potential violation of the Act, the DAC will promptly investigate all complaints of bullying, either formal or informal, and take prompt corrective measures, as necessary. If, after an appropriate investigation, the School finds that this policy has been violated, prompt corrective action will be taken to end the harassment, bullying or discrimination, and eliminate any hostile environment. The School may also implement other remedial measures to ensure the existence of a positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the students. Measured, balanced, and age-appropriate responses to incidents of harassment, bullying or discrimination by students will be implemented and may vary in method according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors, if any. The school leader and DAC will promptly notify the appropriate local law enforcement agency if any harassment, bullying or discrimination constitutes criminal conduct.

Training and Awareness

The School will establish guidelines for training all staff about the requirements of the Act. Training will be provided each school year to raise staff awareness and sensitivity of bullying, discrimination and/or harassment directed at students that are committed by students or school employees on School Property or at a School Function. Training will include ways to promote a

supportive school environment that is free from bullying, cyberbullying, discrimination and/or harassment, emphasize positive relationships. Any training or education about the Act will include demonstrations on prevention and intervention techniques to assist employees in recognizing and responding to bullying, cyberbullying, discrimination and/or harassment as well as ensuring the safety of the victims, and reducing and addressing problems of exclusion, bias, and aggression in the School.

Upon incidents of bullying, the School may hold additional training or disseminate educational material concerning the Act.

Teachers and students are encouraged to suggest to the DAC other methods and procedures for training and raising awareness about the Act.

School technology and School Functions may be employed to disseminate awareness of the Act.

Rules against bullying, discrimination and/or harassment will be included in the Parent-Student Handbook, publicized School-wide and disseminated to all staff and parents each year.

The School will annually review its Parent-Student Handbook and update it if necessary, taking into consideration the effectiveness of its provisions and consistency and fairness of its administration.

Teaching Students about Bullying

School instruction will include a component on civility, citizenship and character education. Such component shall instruct students on the principles of honesty, tolerance, personal responsibility, respect for others, observance of laws and rules, courtesy, dignity and other traits which will enhance the quality of their experiences in, and contributions to, the community. The School will also incorporate instruction designed to reduce any instances of harassment, discrimination, or bullying into extracurricular or school-sponsored programs and activities.

Instruction will also be provided during the School year in the safe, responsible use of the Internet and electronic communications, which will be designed to reduce instances of bullying and cyberbullying.

Prohibition on 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.

Reporting Requirements

The School will annually report material incidents, data and trends related to bullying,

discrimination and/or harassment which occurred during the school year to the Board of Trustees, and to the State Education Department. Such report shall be submitted in a manner prescribed by the Commissioner, on date as determined by the Commissioner

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
<ul style="list-style-type: none">• 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 explicit or disparaging of another's culture, race, ethnicity, gender, disabilities, or sexual identity.

1. STATEMENT OF NON-DISCRIMINATION

Growing Up Green Middle 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

Section 504 Coordinator, for concerns regarding discrimination on the basis of a disability: Matthew Greenberg, Executive Director/347-642-4306; greenberg@gugcs.org

2. 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 the 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 Interim Board Chair, Marc Greenberg and emailed to magreenberg@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, the Board of Regents, using the information below for the New York State Education Department's Charter School Office.

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

Room 5N Mezz,
Albany, NY 12234

or via email to: 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.

GUGCS2 Elementary School

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.

Dean Referrals: If classroom management strategies are unsuccessful in helping a student fix behavior, or a student is unsafe, a Dean Referral may be warranted. Teachers complete a Dean Referral by checking off the behavior or incident that occurred and communicating with the dean. Students may 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 Dean Referral, 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 Dean Referrals in the course of a school year the Dean of Students will consult with the 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 Dean Referrals, 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 themselves 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 their 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 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	TIER 2	TIER 3	TIER 4
Behaviors that are more minor in nature but detract from the learning of students and negatively	Behaviors that are more serious in nature that violate the school's code of conduct or create a disrespectful	Serious behaviors that endanger the safety of others or the student and demonstrate disrespect for	Behaviors that are extreme in nature and create a serious threat to the safety of students or others in the

impact the classroom community.	environment and warrant a dean referral	staff, students, and/or school community.	school.
<p>Examples:</p> <ul style="list-style-type: none"> ● Verbally disruptive. ● Unwillingness to follow directions. ● Refusal to participate or complete work. ● Unsteady body in the classroom. ● Verbally hurt a classmate's feelings or intentionally said something unkind to others. ● Any other negative behaviors that a classroom teacher feels distracts from the learning environment. 	<p>Examples:</p> <ul style="list-style-type: none"> ● Threatened or was verbally aggressive towards another person. ● Repeated unwillingness to follow directions that has not been corrected after in classroom consequences have been applied. ● Cheated on quizzes/ tests/projects. ● In unassigned area without permission. ● Physically harmed another as a result of being unsafe. ● Repeated behaviors listed in Tier 1. ● Any other negative behaviors that a staff member believes violates the school's code of conduct or create a disrespectful environment. 	<p>Examples:</p> <ul style="list-style-type: none"> ● Intentionally physically harming others. ● Stole or knowingly used stolen property. ● Left assigned room without permission. ● Using inappropriate or offensive language towards a teacher or a peer. ● Vandalizing school property causing minor damage. ● Engaging in behavior that is considered bullying or harassing towards other students. ● Refusal to be in the classroom ● Steal, attempt to steal, or possess property known by the student to be stolen ● Trespass on school property ● Abuse school property or equipment ● Engage in acts of sexual harassment, including but not limited to physical contact or offensive sexual comments ● Repeated behaviors listed in Tier 1 & Tier 2. ● 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>Examples:</p> <ul style="list-style-type: none"> ● Attempting to run out of the building, ● running around the school, or running away from adults ● without stopping. ● Physically assaulting staff members or threatening to assault staff members. ● 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 ● Possessing tobacco, electronic cigarettes, or alcohol ● Making a false bomb threat or pulling a false emergency alarm ● 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 ● Commit or attempt to commit arson on school property ● Possess, sell, distribute or use any alcoholic beverage, controlled substance, imitation, or marijuana on school property or at a school-sponsored event ● Vandalize school property

			causing major damage • Repeated behaviors listed in Tier 1, 2, or 3. • Any other negative behaviors that a staff member feels create a serious threat to the safety or students.
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Consequences

TIER 1	TIER 2	TIER 3	TIER 4
Take a break Buddy Break. Logical Consequences in the classroom Loss of privilege of class trip or activity Parent phone call or meeting request Problem Solving Conference	Dean Referral and automatic visit to Dean of Students Office Logical Consequence as deemed appropriate Time spent out of the classroom setting Parent phone call or meeting request Early pickup	Automatic Dean Referral Time spent out of classroom setting In School or Out of School Suspension Loss of privilege or repair as warranted	Automatic Dean Referral Time spent out of classroom setting Out of School Suspension Immediate pick up by parent Expulsion

*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. 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 the Board of Trustees. In accordance with Education Law §28554, the decision of the Board may be appealed to GUGCS' authorizer, the Board of Regents, New York State Education Department's Charter School Office.

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 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.

A student not specifically identified as having a disability but about whom the school, prior to the behavior which is the subject of the disciplinary action, has a basis of knowledge—in accordance with 34 CFR 300.534—that a disability exists may also be disciplined in accordance with the due process and other provisions applicable to students identified as having a 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 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.

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.

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 storage and desks remain the property of the school, though the school is not responsible for books, clothing, or valuables left in student storage areas or desks. A student shall not place or keep in a storage area 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.

The following rules shall apply to the search of school property assigned to a specific student and the seizure of illegal items found therein:

- School authorities will make an individual search of a student's locker or desk only when there is reasonable suspicion to believe that a student 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.
- Searches shall be conducted under the authorization of the School Leader or his/her designee.
- Items, which are prohibited on school property, or which may be used to disrupt or interfere with the educational process, may be removed from student lockers or desks by school authorities.

INTERNET POLICY

GUGCS recognizes the rights of students, faculty, staff, and employees who want to participate in online social networking. Our social networking and internet guidelines are designed to create an atmosphere of goodwill, honesty, and individual accountability. GUGCS students should always keep in mind that information produced, shared, and retrieved is a reflection on them and the school community. When accessing, creating or contributing to any blogs, wikis, podcasts, or other social media relating to the school or school activities, we expect students to keep the following guidelines in mind. **Failure to meet or follow these guidelines may result in disciplinary action.**

Taking photos or videos with cellular devices, or cameras that are unapproved by the school, during the school day or during school activities and functions, is prohibited. In addition, students uploading or

posting photos or videos to the Internet, that were taken on school premises and without the school's prior written permission, will be subject to disciplinary action at the school level and the student will be asked to remove those images. Concerns regarding "cyber bullying" or inappropriate use of the Internet impacting the school will also be addressed at the school level, and students involved may be subject to disciplinary action. It is a parent's responsibility to monitor their child's use of the Internet and social media, outside of school. Actions by a student online that break school rules and negatively impact the school environment may subject the student to disciplinary consequences by the school. Please refer to New York State Laws regarding cyber bullying and harassment on the Internet, as certain situations may be subject to punishment by law. It is a parent's right to report any Internet behavior, in school or out of school, to law enforcement.

Social Media/ Internet Guidelines

We expect GUGCS students to set and maintain high ethical standards in their use of social networking and internet searches. Since social media reaches audiences far beyond the community, students must use social sites responsibly and be accountable for their actions. Social media use, including use outside of school hours, has the potential to disrupt the school learning environment and can be in violation of GUGCS policies.

If a student has a concern regarding a social networking page or account, they should immediately contact the Dean of Students, School Counselors, School Leaders, or another adult within the GUGCS community.

GUGCS students should be mindful of their behavior on social media and should conduct themselves with respect for themselves and others in the GUGCS community. Failure to meet or follow these guidelines may result in disciplinary action.

1. GUGCS reserves the right to request school-related images or content posted without written permission to be removed from the internet.
2. Do not misrepresent yourself by using someone else's identity, i.e. changing or posting on someone's social media account.
3. When responding to others, remember to be respectful and avoid comments that may be hurtful.
4. Avoid profane, obscene, or threatening language.
5. Users should keep their passwords secure and never share passwords with others. If someone tampers with your blog, email, or social networking account without you knowing about it, you could be held accountable.
6. Cyber bullying is considered an act of harassment, if the school is made aware of repeated online harassment students will be subject to disciplinary action.
7. Students should exercise caution when conducting online searches, making sure that they are not seeking out inappropriate sites and information when using school computers and laptops.

HARASSMENT, INTIMIDATION, BULLYING, AND DIGNITY FOR ALL STUDENTS ACT POLICY

GUGCS is a community in which respect for others is an integral value. In accordance with state and federal law, the school provides equal educational opportunities for all of our students without regard to race, religion, nationality, gender, gender identity, sexual orientation, disability or socio-economic condition.

We believe strongly in the inherent dignity of each member of the community. Therefore, we cannot tolerate any instance of harassment, intimidation, or bullying that targets or impacts any member of our community.

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in any educational program or activity. It protects victims of sexual or gender-based bullying and harassment and survivors of gender-based violence. Protection from the discrimination on the basis of sex includes protection from being retaliated against for filing a complaint of discrimination or harassment.

Growing up Green is committed to complying with Title IX and enforcing school policies prohibiting discrimination on the basis of sex. Matthew Greenberg, the Executive Director of Growing Up Green Charter Schools, serves as the Title IX Coordinator for Growing Up Green Charter Schools.

If a student feels that he or she has been a victim of any sexual harassment, he or she or his or her parent/legal guardian should contact the Title IX Coordinator using any of the following information:
Matthew Greenberg Executive Director Phone: 347-642-4306
Email: greenberg@gugcs.org

Or to the Department of Education Office of Civil Rights
<https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>
Office for Civil Rights, New York Office
U.S. Department of Education 32 Old Slip, 26th Floor
New York, NY 10005-2500
Telephone: 646-428-3800
Fax: 646-428-3843
Or email: OCR.NewYork@ed.gov

G2 ES (Jamaica) Dignity Act Coordinator
Casey Smith
csmith@gugcs.org

Sexual Harassment

The U.S Department of Education defines sexual harassment in the following terms: "Sexual harassment is conduct that: 1. is sexual in nature; 2. is unwelcome; and 3. denies or limits a student's ability to participate in or benefit from a school's education program.

Sexual harassment can take different forms depending on the harasser and the nature of the harassment. The conduct can be carried out by school employees, other students, and non-employee third parties, such as a visiting speaker. Both male and female students can be victims of sexual harassment, and the harasser and the victim can be of the same sex.

The conduct can occur in any school program or activity and can take place in school facilities, on a school bus, or at other off-campus locations, such as a school-sponsored field trip or a training program at another location. The conduct can be verbal, nonverbal, or physical. Examples of sexual harassment may include but are not limited to:

- Unwanted touching or pinching
- Brushing up against someone deliberately
- Blocking or other physical intimidation
- Taunting, making slurs, or making jokes
- Making condescending remarks based on a person's gender, gender identity or sexual orientation
- Following or stalking
- Gesturing obscenely or suggestively
- Leering or giving sexually suggestive looks
- Asking inappropriate or intrusive questions
- Making repeated and unwanted sexual propositions
- Displaying or transmitting offensive images or words
- Using the Internet for harassment

Response Procedures to Sexual Harassment Informal Procedures

Informal Procedures

Any student who believes he or she is being sexually harassed is encouraged to clearly and promptly notify the offender that his or her behavior is unwelcome. If for any reason a student does not wish to confront the offender directly, or if such confrontation does not successfully end the harassment, the student should notify any one or more of the following persons:

- A trusted adult staff member
- The school counselor
- The Dean of Students

Any student who is uncomfortable for any reason in bringing the matter to the attention of the above persons, should report the matter to the Title IX Coordinator or the Dignity Act Coordinator, the School Leader, Executive Director, or if that is not deemed possible, to the President of the Board of Trustees of Growing Up Green Charter School.

The best course of action in any case will depend on various factors. However, a student reporting sexual harassment under the informal procedures should be aware that the school may decide it is necessary to take action to address the harassment beyond an informal discussion.

Formal Complaint Procedures

Notification: A student who believes he or she has been subjected to sexual harassment by any employee, agent, or other student of Growing Up Green Charter School should report the incident to the Dean of Students. Any student who is uncomfortable for any reason in bringing the matter to the attention of the above persons, should report the matter to the Title IX Coordinator or the Dignity Act Coordinator, or if that is not deemed possible, to the President of the Board of Directors of Growing Up Green Charter School.

Students are permitted to be accompanied by a friend, relative, guardian, or parent when making a claim of sexual harassment. If a parent of a student believes that his/her son/daughter has been subjected to sexual harassment, then (s)he should follow the above referenced reporting procedure.

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.

The Dignity for All Students Act ("DASA"), defines incidents of discrimination or harassment as a single incident or a series of related incidents where a student is subjected to harassment and/or discrimination by a student or school employee on school property or at a school function that creates a hostile environment of such a severe or pervasive nature that it unreasonably interferes with a student's educational performance, opportunities, mental or emotional well-being, or causes a student to fear for his or her physical safety.

Growing Up Green Charter School strictly prohibits incidents of bullying, harassment and/or discrimination including, but are not limited to: threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity or expression), sex, or any other protected characteristic. This restriction applies to school employees, students, parents, school contractors, or visitors on School Property and at School Functions. In addition, any act of bullying, cyberbullying, discrimination and/or harassment at School Functions, which can reasonably be expected to materially and substantially disrupt the education process or a student's education, is strictly prohibited.

Definitions under DASA

School Property means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus.

School Bus means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.

School Function means a school-sponsored extra-curricular event or activity.

Disability means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.

Discrimination means discrimination against any student by a student or students and/or employee or employees on school property or at a school function including, but not limited to, discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

Emotional harm that takes place in the context of "harassment or bullying" means harm to a student's emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education.

Employee means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title 9-B of article 5 of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact.

Gender means a person's actual or perceived sex and includes a person's gender identity or expression.

Sexual Orientation means actual or perceived heterosexuality, homosexuality, or Bisexuality.

Harassment/bullying means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying as defined in Education Law §11(8), that

(a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being;

(b) reasonably causes or would reasonably be expected to cause a student to fear

for his or her physical safety; or

(c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or

(d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

For purposes of this definition, the term “threats, intimidation or abuse” shall include verbal and non-verbal actions.

Cyberbullying means harassment/bullying, as defined above, through any form of electronic communication.

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

GUGCS has designed a multi-faceted approach to reducing bullying. Components include ongoing classroom practices, curricular intervention, and documentation. These measures are intended to help children build positive social skills, and are not intended simply to punish or take revenge.

However, when bullying behavior persists, disciplinary consequences will be enacted. All acts of bullying are prohibited. (See Tiers of Misconduct, above. Bullying is at a minimum a Tier 3 violation)

GUGCS makes documentation forms available for parents and students on the school's website.. Students are invited to submit confidential reports of bullying incidents that they have been victims of or witnessed. Parents are encouraged to report bullying incidents that they hear about or observe, and those reports are further investigated by school staff.

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 designated the school counselors as the Dignity Act Coordinators (DAC), also known as the Dignity for All Students Act (DASA) Coordinator. 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.

If you have been the target of such behaviors listed above or know someone who has, we encourage you to speak to a teacher, the school leader, or school employee. You may also reach out to the DAC for your child's GUGCS campus. School administrators, teachers, and other staff members, students or community members who have witnessed or have reliable information that a student has been subject to harassment, intimidation or bullying are required to report the incident to the DAC immediately.

GUG1 Elementary, LIC	GUG1 Middle, LIC	GUG2 Elementary, Jamaica	GUG2 Elementary, Jamaica
Natalia Gomez gomez@gugcs.org	Amira Sharif sharif@gugcs.org	Casey Smith csmith@gugcs.org	Anastasia Khasanova khazanova@gugcs.org
Bari Mimoun mimoun@gugcs.org	Diana Lopez dlopez@gugcs.org		Nakia Richardson richardson@gugcs.org

Reporting and Investigating

Any person who has been a victim or who knows of a potential incident of bullying, discrimination, or harassment is required to report it to the DAC. School employees who witness harassment, bullying, or discrimination, or receive a report of such harassment, bullying, or discrimination must verbally notify the DAC or the School Leader no later than one school day after the employee witnesses or receives a report of harassment, bullying or discrimination. School employees must also file a written report with the DAC and School Leader no later than two school days after making the verbal report. The content of the written report should be sufficient to allow the School or the DAC to investigate the allegation or report of violations of the Act. All school employees are expected to participate in the investigation of any allegation of violations of the Act.

Students may make reports of harassment, bullying, or discrimination to the DAC in person, by e-mail, or confidentially through other means.

After receiving a report of potential violation of the Act, the DAC will promptly investigate all complaints of bullying, either formal or informal, and take prompt corrective measures, as necessary. If, after an appropriate investigation, the School finds that this policy has been

violated, prompt corrective action will be taken to end the harassment, bullying or discrimination, and eliminate any hostile environment. The School may also implement other remedial measures to ensure the existence of a positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the students. Measured, balanced, and age-appropriate responses to incidents of harassment, bullying or discrimination by students will be implemented and may vary in method according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors, if any. The school leader and DAC will promptly notify the appropriate local law enforcement agency if any harassment, bullying or discrimination constitutes criminal conduct.

Training and Awareness

The School will establish guidelines for training all staff about the requirements of the Act. Training will be provided each school year to raise staff awareness and sensitivity of bullying, discrimination and/or harassment directed at students that are committed by students or school employees on School Property or at a School Function. Training will include ways to promote a supportive school environment that is free from bullying, cyberbullying, discrimination and/or harassment, emphasize positive relationships. Any training or education about the Act will include demonstrations on prevention and intervention techniques to assist employees in recognizing and responding to bullying, cyberbullying, discrimination and/or harassment as well as ensuring the safety of the victims, and reducing and addressing problems of exclusion, bias, and aggression in the School.

Upon incidents of bullying, the School may hold additional training or disseminate educational material concerning the Act.

Teachers and students are encouraged to suggest to the DAC other methods and procedures for training and raising awareness about the Act.

School technology and School Functions may be employed to disseminate awareness of the Act.

Rules against bullying, discrimination and/or harassment will be included in the Parent-Student Handbook, publicized School-wide and disseminated to all staff and parents each year.

The School will annually review its Parent-Student Handbook and update it if necessary, taking into consideration the effectiveness of its provisions and consistency and fairness of its administration.

Teaching Students about Bullying

School instruction will include a component on civility, citizenship and character education. Such component shall instruct students on the principles of honesty, tolerance, personal responsibility, respect for others, observance of laws and rules, courtesy, dignity and other traits which will enhance the quality of their experiences in, and contributions to, the community. The School will

also incorporate instruction designed to reduce any instances of harassment, discrimination, or bullying into extracurricular or school-sponsored programs and activities.

Instruction will also be provided during the School year in the safe, responsible use of the Internet and electronic communications, which will be designed to reduce instances of bullying and cyberbullying.

Prohibition on 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.

Reporting Requirements

The School will annually report material incidents, data and trends related to bullying, discrimination and/or harassment which occurred during the school year to the Board of Trustees, and to the State Education Department. Such report shall be submitted in a manner prescribed by the Commissioner, on date as determined by the Commissioner

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reach out to the DAC for your child's GUGCS campus. School administrators, teachers, and other staff members, students or community members who have witnessed or have reliable information that a student has been subject to harassment, intimidation or bullying are required to report the incident to the DAC immediately.

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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.

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

Section 504 Coordinator, for concerns regarding discrimination of the basis of a disability: Matthew Greenberg, Executive Director/347-642-4306; greenberg@gugcs.org

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 the 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 Interim Board Chair, Marc Greenberg and emailed to magreenberg@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, the Board of Regents, using the information below for the New York State Education Department's Charter School Office.

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
Room 5N Mezz,
Albany, NY 12234

or via email to: 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.