

# BREAKTHROUGH



P U B L I C S C H O O L S

## ***Scholar & Family Handbook 2024-2025***

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## ***Introduction: Making the Handbook Work for your Family***

### ***Purpose***

The 2024-2025 Breakthrough Public Schools Scholar and Family Handbook is a guide to the most important policies and procedures of the school. We recommend reading the handbook in its entirety and discussing it with your scholar(s). Should you misplace your copy of the Scholar and Family handbook, please refer to the schools' front office to receive another copy. We encourage you to ask questions throughout the year if any sections of the handbook are unclear. Every policy and procedure was crafted with the best interest of our scholars and their academic success in mind.

### ***Organization of the Handbook***

The handbook is organized into eight chapters with a number of topics in each chapter. It was our intention to cover the most important topics in these chapters written in clear, concise language. At the end of the handbook, there are five appendices that provide additional information and a Statement of Commitment that needs to be signed and turned into the school.

### ***Development of the Handbook***

The Scholar and Family Handbook is meant to be a useful guide to the school's operations. From time to time, policies, rules, and regulations may change. The Principal or their designee or the Board will provide notifications of changes and/or notice will be posted in the common area of the School's facilities.

The Scholar and Family Handbook is based on a comprehensive school policy manual and adopted by the School governing boards. If there is a conflict between this handbook and the Board approved policies, the policies shall govern. All Policies upon which this handbook is based shall be considered public records and are open for inspection by appointment in the office of the Principal or their designee during regular office hours.

## ***Chapter 1: Mission, Vision, and Values of Breakthrough Public Schools***

### ***Our Mission***

**Our mission is to provide Cleveland area scholars with an education that empowers them to lead lives full of impact and opportunity.** Our network of schools center joy, curiosity, and individual growth, uniquely positioning Breakthrough Public Schools to cultivate a community of learning where all students thrive. At Breakthrough, we are committed to providing scholars with the academic, social, and emotional skills necessary to excel at learning and citizenship from kindergarten through eighth grade promotion. We are committed to the success of every child.

### ***Our Vision***

**We believe in the power of education to ignite change and strengthen the Cleveland community.** Breakthrough Public Schools achieves this vision by fostering a love of learning, a sense of belonging, and an appetite for excellence within our youth. We empower scholars to reach their full potential, becoming learners and leaders equipped with the tools necessary to impact their communities and the world.

### ***Vision of Scholar Achievement***

At Breakthrough Public Schools we engage the next generation of leaders by empowering our scholars to be critical thinkers, readers, and advocates through consistent delivery of high-quality, equitable, and inclusive educational experiences that prepare them for college, career, and life aspirations.

Specifically, our classrooms will encompass....

- **Strong Instruction:** Scholars excel when provided access to grade-appropriate instruction, aligned to high expectations and specific learning needs, which meaningfully engages them in essential content. In our classrooms, standards-aligned lessons are delivered clearly, accurately, and with coherence, using appropriately demanding instructional materials with timely scaffolds, which lead Scholars toward mastery of content.
- **Scholar Ownership:** Scholars gain deeper skills when provided opportunities to communicate their ideas, critique others' reasoning, reflect on problems, read complex text, write, speak, and explore the content they are engaging in. In our classrooms we deliver lessons ensuring Scholars are doing the majority of the thinking, structure tasks requiring higher-order thinking skills, and provide the necessary support to ensure all Scholars can access the content.
- **Inclusive Community of Learners:** Scholars engage in positive and supportive environments where their interests, identities, and values are acknowledged and celebrated. In our classrooms, we invest in each individual and create a culture of interdependence through shared goals and experiences, while also providing appropriate reinforcements and interventions that limit disruptions and maintain lesson momentum.
- **Strong Tier One Instruction:** BPS teachers use strategic internalization for both unit and lesson plans across content areas, to dig into their unit and lesson plans and focus on identifying the purpose, analyzing text, identifying opportunities for Scholar discussion and writing, anticipating where Scholars may struggle and preparing effectively for the variety of learners in their classroom. Across all content areas, BPS teachers support strong tier-one instruction in their classroom creating a culture of learning where all Scholars are engaged in the lesson, use essential content aligned to grade-level specific standards, allow Scholars to be responsible for doing the thinking through academic ownership, and provide multiple opportunities.

### ***Vision of Scholar Experience***

At Breakthrough Public Schools, we cultivate welcoming, culturally responsive, and inclusive learning environments where our scholars feel safe, productive, and known. We achieve this by fostering a culture of predictability, maintaining consistent expectations, and providing academically engaging experiences paired with high support. We are dedicated to supporting, nurturing, and affirming our scholars to become lifelong learners, ensuring their success from kindergarten and beyond.

Specifically, our school communities and classrooms will encompass two key principles:

- **Equitable and Supportive Community:** Scholars excel when the school environment and classroom have consistent and purposeful routines grounded in relationships, culturally responsive, anti-racist, and trauma informed practices. A high structure, high support educator sets expectations for all scholars while continuously giving differentiated support for an individual child to help them be successful. This takes a relentless and diversified approach from all the adults that surround the scholar to prepare them for success in life.
- **Affirming Learning Experience and Sense of Belonging and Community:** Scholars engage in affirming and nurturing spaces that are rich with discourse, rituals, and experiences to strengthen connectedness in classrooms in service of creating a community of learners. Effective classrooms magnify the signals of belonging while at the same time maximizing learning opportunities. They communicate in words in actions - "I see *you*; I see *your work*. You belong and you can learn."

### ***Vision of Family Partnership***

Breakthrough Public Schools believe that our families and communities are powerful partners in shaping how our scholars learn and develop. We prioritize advocacy and relationship-building between schools and families. Families are the agents that inform our approach to ensure that our scholars achieve excellent outcomes.

### ***Our Values***

- **We center joy.** We evoke a love of learning, enabling authenticity, sparking creativity, and spurring collaboration among our scholars.
- **We bring a growth mindset.** We use data and collaboration to inform decision-making, and frequently engage in reflective practices to sharpen our skills and understanding. We lead with inquiry, empathy, and a willingness to grow.
- **We remain committed.** We are steadfast in our dedication to student achievement, perseverance, and development.
- **We cultivate belonging.** We embrace and celebrate the unique attributes, experiences, and contributions of every member in our community.
- **We communicate openly and honestly.** We operate with transparent integrity, even when sharing uncomfortable truths, because we know that together we can forge a new path forward.
- **We set high expectations and offer high support.** We recognize the unique potential of each member in our community. We shift mindsets and drive individual achievement while equipping our scholars and staff with the tools needed to reach personal success.

## ***Chapter 2: Attendance***

### ***General Policy for Absences***

Scholars enrolled in the school must attend school regularly in accordance with the laws of the state. The educational program offered by the school is predicated upon the presence and punctuality of the scholar and requires continuity of instruction and classroom participation.

Attendance shall be required of all scholars enrolled at the school during the days and hours that the school is in session. Attendance need not always be within the school facilities, but a scholar will be considered to be in attendance if present at any place where school is in session by authority of the board.

### ***Reporting Absences***

The primary responsibility for a scholar's attendance at school rests with their guardian(s). Guardian(s) must notify the school the day a scholar is absent unless previous notification has been given in accordance with school procedures for excused absences.

The procedure for absences is as follows:

1. A guardian must call or email the school to inform the school that their child or children will be absent from school. This phone call should take place within the first hour that school is in session or as soon as practicable. Even if a guardian calls or emails the school to inform the school that their child or children will be absent from school, they will still receive an automated telephone call via a system that includes verification that each call was actually placed, and either the call was answered by its intended recipient or a voice mail message was left by the automated system relaying the required information.
2. If a guardian fails to call or email the school, the school's attendance officer or their designee will contact the guardian or other person having care of the scholar to inform him/her of the scholar's absence. This contact shall occur within one hundred twenty minutes (120) after the beginning of each school day. Attempted contact shall be made one of the following ways:
  - a. A telephone call placed in person;
  - b. An automated telephone call via a system that includes verification that each call was actually placed, and either the call was answered by its intended recipient or a voice mail message was left by the automated system relaying the required information;
  - c. A notification sent through the school's automated scholar information system;
  - d. A text-based communication sent to the guardian's or other emergency contact's electronic wireless communications device;
  - e. A notification sent to the email address of the legal guardian on the same day or other emergency contact; or
  - f. A visit, in person, to the scholar's residence of record.

A community school, community school governing authority, or community school employee is not liable for damages in a civil action for injury, death, or loss to person or property allegedly arising from a community school employee's good faith efforts to comply with guardian notification procedures.

Guardians shall provide the school with their current home and/or work telephone numbers and home addresses, as well as emergency telephone numbers for such purposes.



### ***Excused and Unexcused Absences***

All absences, whether “excused” or “unexcused”, are still considered absences. Any day your scholar does not attend school is considered an absence. The school will consider an absence excused for the following thirteen reasons with documentation:

1. Personal physical illness that prevents attendance at School (at the discretion of the Principal or their designee, a written statement from a physician may be required).
2. Personal mental illness such that the student will not benefit from instruction (at the discretion of the Principal or their designee, a written statement from a physician/mental health professional may be required).
3. Illness in the family necessitating the presence of the child (at the discretion of the Principal or their designee, a written statement from a physician and an explanation as to why the child's absence was necessary may be required).
4. Quarantine in the home (absence will be excused for the duration of the quarantine as determined by proper health officials).
5. Death in the family (absence will be excused for no more than eighteen (18) hours unless the Principal or their designee determines that a longer absence is reasonably necessary).
6. Medical, behavioral, or dental appointments (at the discretion of the Principal or their designee, a written statement from a physician, mental health professional, or dentist confirming the appointment may be required).
7. Observance of religious holidays consistent with the truly held religious beliefs of the child or the child’s family.
8. College or university visits (at the discretion of the Principal or their designee, verification of the date and time of the visit may be requested).
9. Pre-enlistment reporting to military enlistment processing station (at the discretion of the Principal or their designee, a written verification confirming the date and time reporting may be required).
10. Absence due to a placement in or changes to a foster care placement or any court proceeding related to a student’s foster care status.
11. Absences due to a student being homeless.
12. Absences due to deployment activities of a parent or custodian.
13. The existence of an emergency condition at home such as absence, illness, or death of the parent or custodian.
14. Necessary work in a family business or on a family farm (after proof of necessary absence is provided to the Principal or their designee).
15. Necessary work directly and exclusively for a child’s parent, if the child is over the age of fourteen (14) and has been in regular attendance at school during the current school year (after proof of necessary absence is provided to the Principal or their designee).

16. Instruction at home from a person qualified to teach the branches of education in which instruction is required, and such additional branches, as the advancement and needs of the child may require (after adequate certification of home instruction has been provided to the Principal or their designee).

17. An emergency or set of circumstances which in the judgment of the School constitutes a good and sufficient cause for absence.

18. If a student is absent from School for the sole purpose of traveling out of state to participate in a School-approved enrichment activity or extracurricular activity, the School shall count that absence as an excused absence, up to a maximum of twenty-four (24) hours per school year that the School is open for instruction. The student must complete any classroom assignments he/she misses due to the absence. If the student will be absent for twenty-four (24) or more consecutive hours that the School is open for instruction, a classroom teacher must accompany the student during the travel period to provide the student with instructional assistance in order to count the student as in attendance.

**Upon return to school, the scholar must provide to the school a written statement from a guardian of the cause for absence, or the absence will be considered unexcused.** Written statements must be provided within 5 school days of the scholar's return. The Principal or their designee reserves the right to verify such statements and to investigate the cause of each single absence.

Emergency circumstances will be defined by the Principal and will be used to excuse absences on an extremely limited basis. ***Absences due to weather, transportation issues, guardian illness (if the scholar is not 14 years of age or older) and family vacation will count as unexcused absences.*** The Principal or their designee reserves the right to verify such statements and to investigate the cause of each individual absence.

Excuses from future school attendance:

1. Shall be limited to a period not to exceed thirty (30) school hours and can be renewed at the discretion of the Superintendent or their designee for thirty (30) additional hours. Absences shall not exceed sixty (60) consecutive hours unless the child's parent has recently died or become totally or partially incapacitated and there is no older sibling living in the home who is out of school. At the discretion of the Superintendent or their designee, a written statement from a physician may be required.
2. May not materially endanger the child's educational welfare or scholastic advancement.

#### ***Absences due to Documented Medical Condition***

Any scholar who, due to a medically-documented physical or mental impairment, is absent for an extended period will not be disciplined. Such scholars may be entitled to receive an education tailored to their individual needs or abilities as provided for under federal and/or state law.

### ***Appointments during School Hours***

To the extent possible, we appreciate when families can schedule appointments outside of the school day in order to avoid missed instructional time. In the case when a scholar has a medical appointment during school, we would appreciate them still coming to school either before or after the appointment.

### ***Suspensions***

Suspensions are considered unexcused absences. If scholars are absent from school due to suspension, these days will be treated the same as unexcused absences.

### ***Late Arrival and Early Dismissal Related to Absences***

Scholars are expected to arrive on time and to stay at school until the very end of the day. Late arrivals and early pickups are disruptive to the learning environment and will be documented towards their attendance.

### ***Consequences for Absences***

Included in our attendance policy are consequences for absences, both positive and negative. They are outlined below:

1. No Absences in a Trimester: The scholar and family are congratulated and recognized for exceptional attendance and commitment to a scholar's education.
2. Excessively Absent: If a scholar is excessively absent per the standards below, a letter will be sent to them from the truancy officer with an attendance plan.
3. Habitually Truant: If a scholar is habitually truant per the guidelines below, a letter will be sent to them from the truancy officer requesting their attendance at a meeting with the Absence Intervention Team (AIT). A guardian must attend the attendance meeting and sign an Attendance Plan. If progress is not shown, the Principal reserves the right to retain any scholar who misses more than twelve days of school.

### ***Truancy***

A scholar is excessively absent if the scholar is absent with or without a legitimate excuse for 38 hours (6+ school days) in one month, or 65 hours (9+ school days) in one school year.

A scholar is habitually truant if the scholar is absent without a legitimate excuse for 30 or more consecutive hours (5+ school days), for 42 hours (6+ school days) in one month, or 72 hours (11+ school days) or more in one school year.

Legitimate excuses for the absence of a scholar otherwise habitually truant include but are not limited to:

1. the scholar was enrolled in another school;
2. the scholar's absence was excused in accordance with applicable law or policy; or,
3. the scholar has received an age and schooling certificate.

If the scholar is habitually truant the Board authorizes the Principal or their designee to inform the scholar and their guardians of the truancy record and the Board's intent to notify the Judge of the Juvenile Court, Cuyahoga County Department of Children and Family Services of the scholar's habitual truancy.

The School will create an absence intervention team if a scholar is deemed habitually truant. The team will consist of:

1. A representative of the child's school
2. Another representative from the child's school who knows the child
3. The child's guardian, guardian's designee, custodian, guardian ad litem, or temporary custodian.
4. The team may also include a school psychologist, counselor, or social worker, or representative of a public or nonprofit agency designed to assist scholars and families in reducing absences.

The intervention team will create an absence intervention plan for the individual scholar.

The Dean of Culture or their designee may act as the school's attendance officer or delegate that duty as permitted by law. The school's attendance officer shall investigate possible school attendance violations, and is authorized under Ohio law, to serve warrants, to enter places where children of compulsory school age are employed, and to take such other actions as may be necessary to enforce the compulsory education laws. Please review the truancy and absences intervention strategies and reporting below.

### ***General Policy for Tardiness and Early Dismissal***

Getting to school on time is a key to your child's success – at school and in life. At BPS, the learning begins from the moment scholars walk in the door. Scholars who are late miss essential instruction, disrupt the learning of other children, and risk falling behind on our ambitious curriculum. Our doors open at 7:35 a.m. each morning. Scholars must arrive between 7:35 a.m. and 7:55 a.m. in order to eat breakfast. ***Scholars who are not in their classrooms at 8:00 a.m. are considered tardy.***

In addition to the policy regarding tardiness in the morning, BPS also have a policy in place to address scholars who are picked up before the end of the school day. BPS' school day ends at 2:15 p.m., Monday through Friday. All scholars must be picked up as close to the end of the day as possible. If a scholar has not been picked up by 3:30pm, the school reserves the right to call Child & Family Services or the police to come pick the child up.

Tardies and Early Dismissals will only be excused if they follow the same criteria of excused absences stated above. All tardies and early dismissals will be documented towards a scholar's hourly attendance.

### ***Consequence for Tardiness and Early Dismissal***

The following is an outline of consequences for tardiness and Early Dismissal:

- No Tardies in a Trimester: The scholar and family are congratulated and recognized for being "on time" and for their true commitment to education.
- Four (4) Tardies and/or Early Dismissals in a Trimester: If a scholar is late or dismissed early four times in a Trimester, it is considered a serious issue. At this point, the guardian will be called by the Dean of Culture or their designee. The problem will be discussed and a plan will be developed to prevent future attendance issues.
- Eight (8) Tardies and/or Early Dismissals in a Year: If a scholar is late or dismissed early eight times in a year, it is considered a serious issue. At this point, the guardian will be called to the school to meet with the Dean of Culture. The problem will be discussed and a plan will be developed to prevent future issues.

***Withdrawal***

A scholar who fails to participate in 72 consecutive hours of learning opportunities will be automatically withdrawn, unless the scholar's absence is excused. Otherwise, a guardian may withdraw a scholar voluntarily by signing a Voluntary Withdrawal form with the Principal or their designee.

***Attendance and High School Placement***

All attendance records will be reported to a scholar's future high schools. The highest performing high schools that we prefer will hesitate to accept scholars who have poor attendance records with a history of many absences and/or tardies. It is in the best interest of families and scholars to have access to the best possible future schools, and this starts with great attendance and punctuality at an early age.

## **Chapter 3: Dress Code**

### ***Rationale***

The purpose of the Breakthrough Public Schools dress code is to create a professional, safe, and respectful community in which scholars can solely focus on learning. Furthermore, it fosters self-discipline and accountability. The dress code is in effect from the start of the school day until the end of the school day. Scholars are required to wear the school uniform Monday-Friday, unless otherwise noted. If there will be any changes to the regular dress code for any reason, a letter to all families will be sent home in advance.

### ***The Dress Code Defined***

Scholars must arrive at school in the school uniform every day. There are subtle differences between The Preps and Citizens Academy uniforms. Please review the tables below for details:

<b>Uniform Item</b>	<b>Expectation</b>
<p>School Polo shirt, purchased from SchoolBelles</p>	<p><b>The Preps</b></p> <p>K-4<sup>th</sup> Grades</p> <ul style="list-style-type: none"> <li>● Required: Blue short or long sleeved polo purchased from SchoolBelles. Solid white, gray, or black long-sleeved tee is also acceptable under the polo.</li> </ul> <p>5-7<sup>th</sup> Grades</p> <ul style="list-style-type: none"> <li>● Required: Green short or long sleeved polo purchased from SchoolBelles.</li> </ul> <p>8<sup>th</sup> Grade</p> <ul style="list-style-type: none"> <li>● Required: Black short or long sleeve purchased from SchoolBelles.</li> </ul> <p><b>Citizens Academy &amp; Citizens Leadership Academy</b></p> <p>K-4<sup>th</sup> Grades</p> <ul style="list-style-type: none"> <li>● Required: Navy Blue or Gold Schoolbelles Polo</li> <li>● Long sleeve solid color shirts are allowed under Polo</li> </ul> <p>5th-8th Grades</p> <ul style="list-style-type: none"> <li>● Required: Purple or Black Schoolbelles Polo</li> <li>● Long sleeve solid color shirts are allowed under Polo</li> </ul> <p><i>Note: Schools may require that the polo be tucked in.</i></p>

<p>Pants</p>	<p><b>The Preps K-8</b></p> <ul style="list-style-type: none"> <li>● Scholars must wear <b>all black</b> slacks, khaki, or jean pants. Spandex pants, cargo pants, skinny pants, shorts, leggings, jeggings, sweatpants, joggers, are NOT permitted</li> </ul> <p><b>Citizens Academy K-4</b></p> <ul style="list-style-type: none"> <li>● Scholars must wear navy blue or khaki pants, jumpers, skirts, or shorts. Spandex pants, cargo pants, skinny pants, shorts, leggings, jeggings, sweatpants, joggers, are NOT permitted</li> </ul> <p><b>Citizens Leadership 5-8</b></p> <ul style="list-style-type: none"> <li>● Scholars must wear black pants, khaki pants, jumpers, skirts, or shorts. Spandex pants, cargo pants, skinny pants, shorts, leggings, jeggings, sweatpants, joggers, are NOT permitted</li> </ul>
<p>Shoes</p>	<p><b>The Preps K-8</b></p> <ul style="list-style-type: none"> <li>● Scholars must wear black dress shoes, sneakers (i.e Nike, Jordans, etc), or canvas shoes. <ul style="list-style-type: none"> <li>○ Rule of thumb; if the majority of the shoe is black, the shoe is acceptable.</li> </ul> </li> </ul> <p><b>Citizens (K-8)</b></p> <ul style="list-style-type: none"> <li>● Scholars must wear any closed-toe shoe.</li> <li>● Sneakers/tennis shoes are allowed.</li> </ul>
<p><i>Optional - Shorts</i></p>	<p><b>The Preps K-8</b></p> <ul style="list-style-type: none"> <li>● All black khaki or jean shorts can be worn in place of pants during the fall and spring each year (exact dates below): <ul style="list-style-type: none"> <li>○ Fall window - First day of school until October 1st</li> <li>○ Spring window - April 1st until the last day of school</li> </ul> </li> <li>● Shorts should be a reasonable length (i.e. no more than 2 inches above the knee).</li> <li>● Spandex shorts are NOT permitted.</li> </ul> <p><b>Citizens K-8</b></p> <ul style="list-style-type: none"> <li>● Scholars can wear navy blue, black, or khaki shorts.</li> <li>● Spandex shorts are NOT permitted.</li> <li>● Shorts should be a reasonable length (i.e. no more than 2 inches above the knee).</li> </ul>
<p><i>Optional - Zip Down Fleece or Crew Neck Sweatshirt purchased from SchoolBelles</i></p>	<p><b>The Preps K-8</b></p> <ul style="list-style-type: none"> <li>● Scholars who wear zip-down fleece or crew neck sweatshirt, must wear a school logoed fleece/sweatshirt. No other jackets are allowed. <ul style="list-style-type: none"> <li>○ <b>The Preps</b></li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>■ K-4th: Blue Fleece</li> <li>■ 5th-7th: Green Fleece</li> <li>■ 8th: Black Fleece</li> </ul> <p><b>Citizens K-8</b></p> <ul style="list-style-type: none"> <li>● Scholars who wear zip-down fleece or crew neck sweatshirt, must wear a school logoed fleece/sweatshirt. No other jackets are allowed. <ul style="list-style-type: none"> <li>■ K-4th: Navy or Black Fleece</li> <li>■ 5th-8th: Navy or Black Fleece</li> </ul> </li> </ul>
<i>Optional - Skirt, Belts</i>	<p><b>The Preps K-8</b></p> <ul style="list-style-type: none"> <li>● Skirts: Scholars who wear skirts must wear a black skirt. Skirts should be a reasonable length (i.e. no more than 2 inches above the knee).</li> <li>● Belts: If a scholar chooses to wear a belt, it must be all black.</li> </ul> <p><b>Citizens K-8</b></p> <ul style="list-style-type: none"> <li>● Skirts: Scholars who wear skirts must wear a black, navy blue, or khaki skirt. Skirts can be no more than 2 inches above the knee.</li> <li>● Belts: If a scholar chooses to wear a belt, it should be a neutral-colored belt.</li> </ul>
<i>Optional - Swag Wear</i>	<p>On occasion, individual schools in the network may distribute school swag or incentive wear throughout the school year. Schools may permit wearing these items in lieu of the standard uniform on specified days. Individual schools will communicate their respective swag wear policy with scholars and families.</p>



### ***Breakthrough Public Schools Dress Code Policies***

Any scholar who arrives at school out of uniform may receive a phone call home. Guardians may be asked to bring the missing uniform item to school. Scholars may receive a consequence or be assigned Reflection/Detention for being out of uniform. Scholars that are consistently out of uniform may receive further disciplinary consequences.

#### **Generally, scholars at BPS should avoid the following to be in compliance with dress code:**

- Sweatpants
- Personal undergarments (e.g. underwear) that are visible to others
- Steel-toed shoes
- Sandals or open-toed shoes
- Hats and hoods
- Carry cell phones or other electronic devices on their person during the school day

#### **Other dress code expectations include:**

- Jewelry: We ask that jewelry be left at home. If a scholar chooses to wear jewelry and it is lost, stolen, or damaged, the school is not responsible for finding or replacing the items. If jewelry is distracting the learning of others, we will ask that the scholar put it in their bookbag and take it home.
- Regarding any unneeded items brought to school from home (e.g. make-up, toys, keychains, unneeded school supplies etc.), staff will likely ask the scholar who brought the item to put it in their bookbag and take it home. If it is a pattern of behavior, the scholar may face a consequence.
- Purses/Personal Belongings - Scholars are expected to store their purses/personal belongings in their locker. They are welcome to return to their locker with adult permission to retrieve any items needed.

#### **Consequences for Being Out of Dress Code**

Depending on the scholar's grade level and school, consequences for dress code infractions range. Families may be called to either be notified or to help remedy the dress code issue. Scholars may be able to borrow some items from the school. Scholars may also be issued a demerit and/or some other school consequence, such as detention.

The school staff retains the sole right to interpret and enforce the school's dress code. The school may be able to support families that under extreme circumstances are not able to afford pieces of the uniform. The school Principal and Dean of Culture retains the sole right to make this decision.

## ***Chapter 4: Scholar Conduct***

### ***BPS Scholar Code of Conduct Philosophy***

The primary objective of Breakthrough Public Schools is to develop each scholar's potential for learning and to foster both positive values and interpersonal relationships. Our philosophy that a safe and focused classroom is essential for academic programs, that scholars benefit from the explicit teaching of acceptable behavior, narrating positive behaviors and having clear consequences provides a consistent, purposeful learning environment for teaching and learning. We believe that we are a community of support and committed to keeping your child safe.

The purpose of this Scholar Code of Conduct is to bring clarity to the expectations for, interventions, and consequences of scholar behavior that goes against our vision for success.

### ***Scholar Rights and Responsibilities***

The primary goal of Breakthrough Public Schools is to develop every scholar's potential for learning and responsible citizenship. In pursuit of a sound educational program each scholar is entitled to receive equal opportunities and equal consideration under the rules and regulations governing scholar behavior. We believe that conduct is closely related to learning and that an effective instructional program requires an orderly school environment.

It is the responsibility of each guardian, scholar, and educator to understand that the school is a community governed by rules and regulations. The main purpose of the rules and regulations is not to punish or control individuals, but to create the best educational environment possible for all scholars.

Good conduct based on the school's values allows scholars and staff to live together in harmony. The end result of appropriate discipline during formative years will be a citizen who can live and work effectively with others, and assume full responsibility for mature self-discipline. Academic success is largely dependent upon the maintenance of effective learning within the classroom.

### ***Scholars' Rights***

- Scholars have the right to be educated in an environment with high expectations where all individuals are treated with respect.
- Scholars have a right to a learning environment that is free of physical and verbal threats and harassment.
- Scholars have a right to learn in a setting that is free from excessive distractions.
- Scholars have a right to the ownership, possession, and respect of their property.
- Scholars have a right to ask questions.
- Scholars have a right to disagree with statements and policies affecting them as long as the scholar's position is stated respectfully and in a manner which does not disrupt the functioning of the class.
- Scholars have a right to know what is expected of them in the form of standards for behavior and academic performance.
- Scholars have a right to be provided with a learning environment which is challenging, developmentally appropriate, dynamic, and relevant.
- Scholars have a right to be provided with the nurture, counsel, and care appropriate to their age and maturity.
- Scholars have the right to equal treatment and equal access to educational programs, due process, a presumption of innocence, free expression and association, and the privacy of their own thoughts.

## ***Code of Conduct***

1. Follow directions the first time given.
2. Treat fellow scholars, staff, and school property with respect.
3. Attend and arrive on time to school every day in school uniform.
4. Always be prepared for class.
5. Keep any electronic devices (cell phones, etc) in your book bag, locker, or lockbox turned off for the entire school day. The school assumes no responsibility for these devices.
6. Behave in any way that is not disruptive to your learning or the learning of another.
7. Always be where you are supposed to be during the school day, have a pass anytime you leave the classroom, and report promptly to your assigned location.
8. No intimidation, harassment, or bullying of a classmate or staff member using threatening behavior or language, including hate speech.
9. Do not behave in any way that is disruptive or distracting when riding school-provided transportation, including riding the school bus to and from school.
10. Serve and complete necessary consequences assigned by the school accordingly.
11. No inappropriate touching or physical contact. This includes playfighting, horseplay, displays of affection, and/or sexual actions.
12. Lying and Academic Dishonesty - Do not plagiarize, cheat, or copy another's work, falsify information (i.e. forge a signature), or lie to a staff member.
13. No gang activity or evidence of affiliation.
14. No fighting, violence, or behavior threatening violence, including making true threats about school or school community members while off school grounds.
15. No possession, use, or sale of any drugs, alcohol, tobacco, or illegal substance.
16. No possession of weapons.

## ***Merits and Rewards***

Records of scholar behavior can be found on Kickboard. Scholars have the chance to earn both positive and negative points that can be found on the weekly Kickboard report.

BPS Schools in general believe in a 3:1 positivity ratio for scholars, meaning for each negative consequence, we believe a scholar should receive three positive points. Deans of Culture and Principals work together to train staff and build scholar incentives to ensure scholars are invested in the PBIS system.

Kickboard report scores are final at the sole discretion of the staff of Breakthrough Public Schools.

### ***School-Wide Consequences***

At Breakthrough Public Schools, we believe in developing our teachers to be the Deans of their classroom. We also believe in schools developing their own behavior hierarchy in the hopes of teaching scholars how to correct behaviors to ensure a safe, productive, and known learning environment for all scholars.

Schools may use the example tiered system example below depending on various factors:

- Verbal Warning or Redirection
- In-Class Intervention (e.g. brain break, refocus station)
- Second In-Class Intervention (e.g. brain break, refocus station)
- Contact family
- Referral to Dean
- In-school consequence (e.g. In-School Reflection, lunch reflection, detention, community service project, public apology)
- Out-of-School-Suspension
- Expulsion

Please note: Teachers/grade levels have differing behavior strategies that they use to support the school-wide consequences, such as tally marks and card systems. Teachers often utilize classroom consequences such as scholar/teacher conferences, loss of classroom privileges, calls home to guardians, and missed school events such as field trips or other activities in addition to the above-mentioned school-wide consequences. The school's response to continuous inappropriate behavior could also include referring a scholar for counseling or psychiatric evaluation.

### ***Guidance for Disciplinary Responses***

The Code of Conduct holds scholars accountable for their behavior. Misconduct is grouped into levels based on the seriousness of the behavior. Each level contains possible interventions and consequences for school staff to use in response to scholar behavior. The Code of Conduct provides graduated accountability measures for scholars who engage in repeated behaviors despite prior intervention or consequences. Interventions and consequences are assigned at the discretion of school administration. Administrators and staff, as appropriate, may skip levels at their reasonable discretion based on the severity or frequency of instances of misconduct.

**Level 1: Classroom Interventions**

Teachers will set clear expectations for scholars. Teachers will use a variety of interventions including, but not limited to what is listed below. Scholars will need to comply with interventions and consequences. Refusal to comply may result in a second level consequence such as loss of privileges, Dean’s Office Referral, and/or After School Reflection.

Type of Interventions	Possible Behaviors	Potential Interventions
<p>Level 1 behaviors are disruptive to the pace of classes, but do not negatively impact the learning of the majority of the scholars in your classroom. Correction can be given during an activity without disturbing the learning of others. Teachers use a variety of interventions to correct behavior so scholars can demonstrate safe and respectful behavior.</p>	<p>Disrupting behaviors to the learning environment</p> <p>Distracting behaviors to the learning environment</p> <p>Non-compliance with school directives and school rules</p> <p>Use of technology without permission</p> <p>Nuisance behavior</p> <p>Opt out</p> <p>Uniform infractions</p> <p>Academic dishonesty</p> <p>Name calling/teasing/picking</p> <p>Off task</p> <p>Property misuse</p> <p>Lying</p>	<p>Positive redirection/restating expectations</p> <p>Proximity</p> <p>Non-verbal prompt</p> <p>Choices/breaks</p> <p>Visual aids</p> <p>Contact family</p> <p>Reflection desk with writing prompt</p> <p>Positive and specific feedback</p> <p>Re-teach skill</p> <p>Seat change</p> <p>Verbal prompt/redirection/correction</p> <p>Loss of classroom privileges</p> <p>Behavior support plan</p> <p>Classroom reward system</p> <p>Restorative conversation</p> <p>Buddy room</p> <p>Increased opportunities to respond during instruction</p> <p>Dean’s referral</p> <p>Meeting with family/teacher/scholar/leadership team member</p> <p>Documentation within Kickboard</p>

**Level 2: Intensive Support Staff and Administrator Interventions**

Schools will increase the intensity of support for persistent level 1 behaviors and/or behaviors that hinder the learning of all scholars and create an unsafe environment. Consequences could include, but are not limited to After School Reflection, 1-5 days of In-School Reflection, and 1-3 days of Out of School Suspension.

Type of Interventions	Possible Behaviors	Potential Interventions
<p>Intensive support staff and administrative interventions: These interventions involve school support staff and aim to engage the scholar’s support system to ensure successful learning and consistency of interventions, and change the conditions that contribute to the scholar’s inappropriate or disruptive behavior. These behaviors could hinder the learning of all scholars and create an unsafe environment.</p> <p>The interventions listed highlight roles for teachers and support staff to address behaviors that occur in or outside the classroom.</p>	<p>Engaging in persistent level 1 behaviors</p> <p>Bullying: verbal, physical, or electronic</p> <p>Damage to another person’s or school property</p> <p>Engaging in inappropriate unwanted physical contact</p> <p>Use of Profane, lewd, or abusive language or gestures</p> <p>Academic dishonesty-copying assignments 2nd offense</p> <p>Horseplay</p> <p>Excessive reflections</p> <p>Insubordination/refusal-with disrespectful response</p> <p>Use of smoking and/or possession of matches, lighters, e-cigarettes, vaping, or synthetics</p> <p>Theft</p> <p>Leaving school without permission</p> <p>Insubordination/Menacing</p> <p>Violating district internet use policy</p>	<p>Teacher</p> <ul style="list-style-type: none"> <li>● Interventions in level 1</li> <li>● Reflection desk with writing prompt</li> <li>● Peer mediation/restorative conversation</li> <li>● Dean’s Referral</li> <li>● Documentation within Kickboard</li> <li>● Restorative greeting</li> </ul> <p>Support Staff</p> <ul style="list-style-type: none"> <li>● Phone call to family</li> <li>● Meeting with family/teacher/scholar/leadership team member</li> <li>● Conflict resolution</li> <li>● Community Service</li> <li>● Referral to counseling or school social worker</li> <li>● Loss of privileges</li> <li>● Functional Behavior Assessment and creation of a Behavior Intervention Plan</li> <li>● Individualized case management for scholars with an IEP or 504</li> <li>● After School Reflection</li> <li>● 1-5 days of In-School Reflection</li> <li>● 1-3 days of Out of School Suspension</li> <li>● Restorative greeting</li> </ul>

**Level 3: Administrator Interventions**

School administrators will increase the intensity of support for persistent level 1 and 2 behaviors and/or behaviors that create an unsafe environment for all scholars and staff. Consequences could include, but are not limited to 1-5 days of In School Reflection, 1-10 days of out of school suspension or expulsion.

Type of Interventions	Possible Behaviors	Potential Interventions
<p>These interventions involve the school administration and aim to correct behavior. These interventions may involve removal of a scholar from the school environment.</p>	<p>Engaging in persistent level 1 and level 2 behaviors</p> <p>Egregious physical contact</p> <p>Fighting</p> <p>Persistent profanity or obscenities towards a staff member</p> <p>Defiance that requires security</p> <p>Academic dishonesty-cheating on a test</p> <p>Guns, firearms, knives, and all look-alikes</p> <p>Drugs</p> <p>Sexual harassment, sexual exploitation, sexting</p> <p>Threat and/or harm to a scholar or staff member</p> <p>Egregious theft</p> <p>Leaving school without permission</p>	<p>Phone call to family</p> <p>Meeting with family/scholar/leadership team member</p> <p>Conflict resolution</p> <p>Community Service</p> <p>Referral to counseling or school social worker</p> <p>Loss of privileges</p> <p>Functional Behavior Assessment and creation of a Behavior Intervention Plan</p> <p>Individualized case management for scholars with an IEP or 504</p> <p>After School Reflection</p> <p>1-5 days of In-School Reflection</p> <p>1-10 days of Out of School Suspension</p> <p>Restorative greeting</p> <p>Expulsion</p>

### ***Suspension and Expulsion***

The Principal or their designee may suspend a scholar for up to ten (10) school days. The Superintendent may expel a scholar for up to eighty (80) school days and in some instances one (1) year. Provided however, neither the Principal nor the Superintendent shall initiate the process of issuing an out-of-school suspension or expulsion to students in grades pre-kindergarten through three, unless the student has committed a firearm, bomb-threat, or knife offense; or other criminal offense that results in serious bodily injury or property damage; or where the student's out-of-school suspension or expulsion is necessary to protect the immediate health and safety of the student, fellow classmates, or school personnel. The Principal or Superintendent may not suspend, expel, or remove any student from School solely on the basis of the student's unexcused absences from School

In the event that, in the opinion of the Principal or their designee, a scholar's presence at the school poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, the scholar may be removed from the premises without formal suspension or expulsion procedures, with notice and procedures to follow the removal in accordance with R.C. §3313.66. A removed student in grades pre-kindergarten through three may be removed for the remainder of the school day and shall be permitted to return to curricular and extracurricular activities on the following school day without a hearing, unless the student's conduct warranting the emergency removal is likely to result in an out-of-school suspension or expulsion. Students in grades four through twelve may be removed, and must be provided with notice and procedures to follow the removal in accordance with R.C. 3313.66, including a hearing on the next school day following the removal.

If a scholar is asked to be removed for suspension or emergency removal, and the family does not pick up the scholar, the school reserves the right to call Children and Family Services or the proper authorities.

A scholar shall be expelled for one (1) year for bringing a firearm to school or onto School Property (any property owned, used or leased by the school for school, school extracurricular or school-related events).

A scholar may also be expelled for a period not to exceed one (1) year for:

1. bringing a firearm to an interscholastic competition, an extracurricular event, or any other School program or activity that is located at a school or on School Property;
2. bringing a knife to school, onto School Property or to an interscholastic competition, an extracurricular event or any other program or activity sponsored by the school or that the school is a participant;
3. possessing a firearm or knife at school, on School Property, or at an interscholastic competition, an extracurricular event, or any other school program or activity after the firearm or knife was initially brought onto School Property by another person;
4. committing an act that is a criminal offense when committed by an adult that results in serious physical harm to persons or serious physical harm to property; and
5. making a bomb threat to a school building or to any premises at which a school activity is occurring at the time of the threat.



A firearm is defined as any weapon, including a starter gun or any object that is a look-alike gun or is used in a manner in which individuals reasonably believe it may be a gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, any firearm muffler or silencer, or any destructive device. A destructive device, includes but is not limited to, any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four (4) ounces, missile having an explosive or incendiary charge of more than one quarter ounce, mine, or other similar device.

A knife is defined as any cutting instrument consisting of at least one sharp blade that is capable of causing serious bodily injury.

The specific circumstances under which the Principal may modify a one (1) year expulsion could include:

1. a recommendation from the group of persons knowledgeable of the scholar's educational needs in accordance with The Individual with Disabilities Education Act;
2. the scholar was unaware that s/he was possessing a firearm or knife;
3. the scholar did not understand that the item s/he possessed was considered a firearm or knife;
4. the scholar brought the item to school as part of an educational activity and did not realize it would be considered a firearm or knife; and
5. the scholar may be eligible for participation in an alternative program.

A scholar may be expelled for up to eighty (80) days for serious misconduct or rules violations, or for other just cause.

During the period of suspension, removal, or expulsion the scholar may not attend or participate in any School functions without permission from the Principal. The scholar may enter school facilities only when given permission by the Principal or if accompanied by a guardian who accepts responsibility for the scholar's actions and/or behavior at the facility.

Students issued an in-school suspension shall serve suspensions in a supervised learning environment and may be permitted to complete any classroom assignments missed because of the suspension. While serving an out-of-school suspension or expulsion, the Board does not authorize scholars to receive instructional services from the school unless they are a student with a disability. If scholars are authorized to receive instructional services from the school, then such instructional services may include the following: completing of tests and exams; homework packets; individual tutoring; library or online assignments; essay on behavior leading to suspension; and grading of all work. Any student serving an out-of-school suspension shall be permitted to complete any classroom assignment missed due to the suspension and receive at least partial credit for the completed assignment; however, the student may receive a reduced assignment grade on account of the suspension. The School will not automatically award a failing grade on any complete assignment solely based on the student's suspension.

The Board also authorizes the Principal to suspend a scholar from any or all co-curricular or extra-curricular activities for misconduct or rules violations. The length of the suspension shall be determined by the Principal and will be commensurate with the seriousness of the scholar's

misconduct or rules violations in accordance with the Code of Conduct. Participation in extracurricular activities is a privilege and not a right. Accordingly, scholars prohibited from participating in all or part of any extra-curricular activity, are not entitled to notice, hearing or appeal rights.

If the Principal or designee determines that a scholar's behavior on a school vehicle violates school rules, s/he may suspend the scholar from school bus riding privileges for the length of time deemed appropriate for the violation and remediation of the behavior.

The Board authorizes the Principal the option to require a student to perform community service or another alternative consequence in conjunction with, or in place of, a suspension or expulsion, except when an expulsion is imposed for bringing a firearm to School or onto school property.

The Board designates the Superintendent or their designee as its representative at all hearings regarding the appeal of a suspension. The Board or their designee will hear the appeal of an expulsion.

The Superintendent shall be responsible for implementing this policy and ensuring compliance with applicable laws. A copy of this Policy is to be posted in common areas of the School and made available to scholars and guardians upon request. ***See Appendix D for information on Due Process.***

## ***Code of Conduct and Consequences***

*The BPS Code of Conduct can be found below with more rationale. Consequences are also noted here. This same information is presented in Appendix E.*

**Rule 1: Directions** - Follow directions the first time given.

**Rule 2: Respect** - Treat fellow scholars, staff, and school property with respect.

Maintaining a respectful learning environment at all times is critical to effective delivery of the academic program. Disrespectful behavior to other scholars or to school staff will never be tolerated. Any scholar who demonstrates disrespect toward another scholar or staff member, in the judgment of any member of the staff, will receive a consequence, and in the case of serious disrespect, may receive a Reflection or a suspension.

**Rule 3: Dress Code** - Attend and arrive on time to school every day in school uniform.

The purpose of the dress code is to create a professional, safe, and respectful community where scholars can place their sole focus on learning. The dress code is in effect from the start of the school day until the end of the school day, which includes after-school activities and field trips. Scholars are required to wear the uniform Monday-Friday, unless otherwise noted.

Scholars must arrive at school in uniform every day. See Chapter 4 for an in-depth overview of the school's dress code policy.

**Rule 4: Class Preparation** - Always be prepared for class.

**Rule 5: Electronic Devices** - To minimize distractions in classroom settings and improve student achievement, student cellular telephones or any electric device use shall be as limited as possible during school hours while the student is on school property. The school reserves the right to require students to lock up their cellular devices in secure school lockers or lockboxes during instructional time. Cellular device usage shall not be permitted during times of instruction. Keep any electronic devices (cell phones, etc) in your book bag, locker, or lockbox turned off for the entire school day. The school assumes no responsibility for these devices.

**Rule 6: Disruptive Behavior** - Behave in any way that is not disruptive to your learning or the learning of another.

Behavior that disrupts the learning environment will never be tolerated at BPS. Disruptive behavior encompasses a wide range of behaviors.

Minor disruptions, such as calling out in class, will result in a consequence. More serious disruptive behaviors, such as failing to cooperate with staff, will have a more serious consequence. See the section on *Habitually Disruptive Scholars* in the next chapter for information on repeated, serious disruptions as well as Appendix E for our behavior matrix.

**Rule 7: Reporting to Assigned Area** - Always be where you are supposed to be during the school day, have a pass anytime you leave the classroom, and report promptly to your assigned location.

Scholars who are out-of-area without a pass will receive a consequence. Repeated violations will result in more serious consequences. Leaving the classroom, lunchroom, administrator's office, or the building without permission may result in a serious consequence and/or safety plan.

**Rule 8: Intimidation, Harassment, and Bullying** - No intimidation, harassment, bullying, or cyberbullying of a classmate or staff member using threatening behavior or language, including hate speech.

**Rule 9: Disruptive Behavior (School Transportation)** - Do not behave in any way that is disruptive or distracting when riding school-provided transportation, including riding the school bus to and from school.

**Rule 10: Consequences** - Serve and complete necessary consequences assigned by the school.

**Rule 11: Physical Touch** - No inappropriate touching or physical contact. This includes playfighting, horseplay, displays of affection, and/or sexual actions.

**Rule 12: Lying and Academic Dishonesty** - Do not plagiarize, cheat, or copy another's work, falsify information (i.e. forge a signature), or lie to a staff member.

The consequence for lying and academic dishonesty may be a Reflection for the first offense and a suspension for the second offense. When academic dishonesty involves plagiarizing, cheating, copying another's work, or falsifying information, the scholar will also receive a 0 on the assignment.

**Rule 13: Gang activity or evidence of affiliation**

The Board believes gangs or gang activity create an atmosphere that seriously disrupts the educational process. Scholars are prohibited from engaging in gang activities while at school, on school property, or at school-sponsored events.

As used herein, the term "gang" means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, and that has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or have engaged in a pattern of criminal gang activity.

The term "gang activity" shall mean any conduct engaged in by a scholar 1) on behalf of any gang; 2) to perpetuate the existence of any gang; 3) to effect the common purpose and design of any gang; or 4) to represent a gang affiliation, loyalty or membership to a gang in any way while on school grounds or while attending a school function. These activities include recruiting scholars for membership in any gang and threatening or intimidating other scholars or employees to commit acts or omissions against their will in furtherance of the common purpose and design of any gang.

A violation of this policy is grounds for suspension or expulsion from school. See the discipline charts in Appendix E for detail on the definition of and related consequences for "Gang Activity."

***Rule 14: Violence - No fighting, violence, or behavior threatening violence, including making true threats about school or school community members while off school grounds.***

The primary purpose of the Code of Conduct is to ensure that BPS community is safe for all scholars. As a result, violent behavior towards scholars, staff, or visitors will never be tolerated and will be treated with the most severe consequences. Any scholar who commits an act of physical violence at school, on school-sponsored transportation, at a school-related event, or plans such violent activity during the school day, will receive an immediate suspension and may be expelled. See the discipline charts in Appendix E for detail.

***Rule 15: Drugs, Alcohol, and Tobacco Policy - No possession, use, or sale of any drugs, alcohol, tobacco, or illegal substance.***

The School recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the whole community.

For purposes of this policy, “drugs” shall mean:

1. all controlled substances as so designated and prohibited by applicable Federal and Ohio law;
2. all chemicals which release toxic vapors;
3. all alcoholic beverages;
4. any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy;
5. anabolic steroids; and
6. any substance that is a “look-alike” to any of the above.

The school prohibits the use, possession, concealment, or distribution of any drug or any drug-related paraphernalia, as the term is defined by law, including any alcohol, tobacco, nicotine/vaping device, or betel nuts, on school grounds, on school vehicles and vehicles used for school-sponsored events, and at any school-sponsored event.

The school's drug prevention program:

1. Emphasizes the prevention of drug use;
2. Provides for a comprehensive, age-appropriate, developmentally-based drug and alcohol education and prevention program which:
  - a. addresses the legal, social, psychological, and health consequences of drug and alcohol use;
  - b. provides information about effective techniques for resisting peer pressure to use illicit drugs and alcohol;
  - c. assists scholars to develop skills to make responsible decisions about substance abuse and other important health issues;
  - d. promotes positive emotional health, self-esteem, and respect for one's body;
  - e. advises scholars that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful; and
  - f. meets the minimal objectives as stated in the essential performance objectives for health education as established by the State Department of Education.

Disciplinary sanctions, up to and including expulsion and referral for prosecution, will be imposed on scholars who violate this policy.

The sanctions may include, together with punitive action, voluntary referral to appropriate persons or agencies for screening and assessment. Such referral may only be made to qualified and properly licensed individuals or programs. The school will provide information about any drug and alcohol counseling and rehabilitation and re-entry programs available to scholars and will direct scholars and their guardians to the appropriate programs.

This policy serves as notification to guardians and Scholars that compliance with this policy and other standards of conduct are mandatory.

The Principal or their designee will conduct a biennial review of the school's program to determine its effectiveness and implement changes as needed and to ensure that disciplinary sanctions are consistently enforced.

The school will provide a scholar assistance program, which includes guidelines for prevention, intervention, referral, treatment, and after-care. Such a program must be comprehensive in nature addressing all issues affecting scholars' academic, social, and emotional well-being in the educational setting that may negatively affect behavior and interfere with their ability to learn.

The School's policies and procedures on Search and Seizure, Suspension and Expulsion, and Permanent Exclusion, among others, will be complied with fully in dealing with scholars suspected of drug use or possessing or distributing drugs in school.

The School shall develop a curriculum for instruction in the harmful effects of and legal restrictions against the use of drugs of abuse, alcoholic beverages, and tobacco for scholars at each grade level and conduct such in-service training programs for staff members as necessary to ensure effective teaching about drugs and assistance to scholars with drug problems.

The Principal or their designee shall establish administrative guidelines necessary to implement this policy. Such guidelines shall ensure that the proper notice regarding the use of anabolic steroids is posted in all School locker rooms used by scholars in grades 7- 12, as applicable.

The use of tobacco and some oral stimulants, including betel nuts, present a health hazard that can have serious consequences both for the user and the nonuser and is, therefore, of concern to the school.

For purposes of this policy, "tobacco" shall mean all forms of tobacco, including cigars, cigarettes, pipes, snuff, or any other matter or substances that contain tobacco, as well as electronic, "vapor," or other substitute forms of cigarettes or betel nuts.

The school cannot, even by indirection, condone the use of tobacco or the use of betel nuts, and the school has an interest in protecting non-smokers from the harmful second-hand impacts of tobacco use. As such, the school prohibits the use of tobacco on School Property. The use of tobacco or betel nuts will be considered under the use of a controlled substance. In addition, the possession of fire starting mechanisms, including but not limited to lighters, Zippos, vape pens, etc. pose a serious safety risk to our scholars and staff, and are not permitted on the school property.

***Rule 16: Weapons - No possession of weapons.***

Guns, knives, explosives, or weapons of any type are not permitted in the school, on the campus, anywhere on the premises, on school-sponsored transportation, or at any school-sponsored or school-related event. Violations will lead to expulsion.

Items that appear to be weapons or could be reasonably used as weapons are banned as well. Toy weapons and/or lookalikes are not permitted and may lead to the same consequence as a real weapon pending context yielded from an investigation.

See the discipline charts in Appendix E for detail on the definition of and related consequences for “Dangerous Weapons,” “Firearms,” and “Knives.”

## ***Chapter 5: Other School-Wide Discipline Policies and Procedures***

### ***General Discipline Procedures***

The purpose of disciplinary consequences is to ensure that both individual scholars and the school community maintain complete focus on learning and growth. Inappropriate scholar behavior not only impacts the individual, but also exacts a cost on the larger school community. Scholars must understand that they are a part of a larger whole and are accountable to their peers for adhering to the values and expectations of the community. Prompt resolution of problems and scholar/family solutions to inappropriate behavior is expected.

Disciplinary action, depending upon the nature of the action and/or referral, may include but is not limited to: re-teaching, demerits, after-school Reflection, guardian notification, a written assignment, lunch or enrichment Reflection, community service, in school suspension, suspension, or expulsion.

All decisions regarding disciplinary action will be made by the Principal or the Principal's designee. BPS will make every effort to notify guardians promptly of any serious disciplinary action and will do so in writing whenever possible.

### ***Scholar Searches***

The school recognizes that the privacy of scholars may not be violated by unreasonable search and seizure and directs that no scholar be searched without reason or in an unreasonable manner.

The school acknowledges the need for in-school storage of scholar possessions and shall provide storage places, including desks and lockers, for that purpose. Where locks are provided for such places, scholars may lock them against incursion by other scholars, but in no such places shall scholars have such an expectation of privacy as to prevent examination by a school official. The Board may require the Principal or their designee to conduct a regular search at least annually of all such storage places.

Scholars have no expectation of privacy with respect to the use of the internet, intranet or email. Routine maintenance and monitoring of the school network system may lead to the discovery that a scholar has or is violating school policy or the law. Violations of school policy, the scholar code of conduct or the law may result in severe penalties, up to and including expulsion.

School authorities are responsible for the safety and well-being of the scholars in their care. In carrying out that duty, school authorities may search the person or property, including vehicles of a scholar, with or without the scholar's consent, whenever they reasonably suspect that the search is required to discover evidence of a violation of law or of school rules. Specifically:

#### **Search and Seizure of Property:**

1. School lockers, desks, and property are on loan to the scholars and remain the property of the School. They may be inspected and reclaimed at any time.
2. Scholars may not keep prohibited items, including drugs, drug paraphernalia, alcohol, tobacco, "vapes" or similar device or paraphernalia ,firearms, explosives, weapons, and property belonging to others within their lockers, backpacks or desks.
3. Scholars must open their lockers at the request of school officials.
4. When on school grounds, scholars and their personal property may be searched if a school



official reasonably suspects the search may turn up evidence that the scholar has violated or is violating the law or school rules.

5. A scholar shall have the opportunity to be present during the search of their locker, desk, or other property unless the scholar is absent from school or the safety or welfare of the school or an individual necessitates a search during the scholar's absence.

The search of a scholar's person or personal belongings shall be conducted by the Principal or their designee with one other staff member present. This may include a search of the scholar's bookbag, purse, lunchbox, pockets, jacket, etc. Strip searches may **not** be conducted by School personnel.

This authorization to search shall also apply to all situations in which the scholar is under the jurisdiction of the school.

Administrators are authorized to arrange for the use of a breath-test instrument for the purpose of determining if a scholar has consumed an alcoholic beverage. It is not necessary for the test to determine blood-alcohol level, since the school has established a zero tolerance for alcohol use.

The school also authorizes the use of canines, trained in detecting the presence of drugs, when the Principal or their designee has reasonable suspicion that illegal drugs may be present in the school. This means of detection shall be used only to determine the presence of drugs in locker areas and other places on school property where such substances could be concealed. Canine detection must be conducted in collaboration with law enforcement authorities or with organizations certified in canine detection and is not to be used to search individual scholars unless a warrant has been obtained prior to the search.

The Principal or their designee shall be responsible for the prompt recording in writing of each scholar search, including the reasons for the search; information received that established the need for the search and the name of the informant, if any; the persons present when the search was conducted; any substances or objects found; and the disposition made of them. The Principal or their designee shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a scholar.

*U.S. Const. Amend. IV, XIV; Oh. Const. Art. 1 §14.*

### ***Habitually Disruptive Scholars***

Any scholar who is suspended for disruptive behavior for the first time during any one school year while in school or on school grounds, at a school-sanctioned activity or event, or on school-sponsored transportation, will receive the appropriate consequence referenced in the Progressive Discipline section of the handbook. A support plan may be put into place after the second suspension and the scholar will be placed on disciplinary probation. In all such cases, the scholar and their guardian will be notified in writing of the suspension. If the scholar receives a third such suspension, the scholar may be declared habitually disruptive, and the school *may* recommend expulsion. **See the discipline charts in Appendix E for detail on the definition of and related consequences for "Disruptive Behavior."**

### ***Corporal Punishment and Scholar Restraint***

All teachers, administrators, non-licensed school employees and school bus drivers are prohibited from inflicting or causing to be inflicted corporal punishment as a means of discipline upon a pupil attending the school. However, they may, within the scope of their employment, use and apply such amount of force and restraint as is reasonable and necessary to quell a disturbance threatening physical injury to others, to obtain possession of weapons or other dangerous objects upon the person or within the control of the pupil, for the purpose of self-defense or for the protection of persons or property.

Per O.A.C. 3301-35-15 and ORC 3319.46 the School will follow all policies regarding positive behavioral methods and emergency safety interventions including seclusion and restraint. Please inquire at the School to read or obtain the full policy. The policy is also posted on the school's website here (<https://breakthroughschools.org/policies/>).

### ***Discipline for Scholars with Special Needs***

Discipline of a scholar with disabilities will be managed in accordance with the scholar's individual education plan (IEP), Section 504 plan, and state and federal law and subject to a manifestation determination review where required.

### ***Complaints about Scholar Discipline***

The school administration and the Board work in conjunction to hear and resolve any complaints. In the event of a complaint regarding scholar discipline, both the school administration and the Board encourage the complainant to address the problem directly with the staff member involved. If the complainant is dissatisfied with the resolution proposed by the staff member involved, or if such resolution is not practical under the circumstances, he or she should schedule a meeting with the Dean of Culture, Principal, or their designee, or, in the case of a suspension or expulsion, appeal the decision in the manner provided in this handbook. If the matter remains unresolved, families are welcome to contact the Principal Supervisor.

If an individual believes that the school has violated any applicable laws or regulations, or if he or she is unsatisfied with the results of the above process, he or she may file a formal, written complaint with the Board. After receiving the complaint, the Board or their designee will respond in writing to the individual within 30 days.

### ***Transportation Discipline***

Any scholar may be disciplined for Code of Conduct violations while on school provided transportation. Bus suspensions independent from any removal from school may be imposed for any period of time as set forth in the Code of Conduct or policies of the school. Scholars are required to be provided notice of an intended bus riding suspension (which is not required to be in writing) and an opportunity to appear before the Principal or their designee, before a bus suspension is imposed.

Immediate removal is authorized when the scholar's presence poses a danger to persons or property, a threat to the safe operation of the school bus, or a threat to themselves. The length of time removed from ridership shall be in accordance with the Code of Conduct policies of the school. If immediate removal of a scholar from the bus is appropriate, the scholar must be given notice, as soon as practicable, as to the reasons for the removal and of a hearing before the Principal or their designee that must be held within seventy-two (72) hours of the removal.

If a scholar is transported by a Regional Transportation Authority (RTA) or a home district, and the school receives a report of misconduct or removal from the RTA or the home district, the school may discipline the scholar in light of the report of the RTA and/or home district.

Suspensions or immediate removal from bus riding privileges of disabled students shall be accomplished in accordance with the laws governing suspension and expulsion of disabled students.

## ***Chapter 6: Academics***

### ***Vision of Scholar Achievement***

At Breakthrough Public Schools we engage the next generation of leaders by empowering our scholars to be critical thinkers, readers, and advocates through consistent delivery of high-quality, equitable, and inclusive educational experiences that prepare them for college, career, and life aspirations.

Specifically, our classrooms will encompass....

- **Strong Instruction:** Scholars excel when provided access to grade-appropriate instruction, aligned to high expectations and specific learning needs, which meaningfully engages them in essential content. In our classrooms, standards-aligned lessons are delivered clearly, accurately, and with coherence, using appropriately demanding instructional materials with timely scaffolds, which lead Scholars toward mastery of content.
- **Scholar Ownership:** Scholars gain deeper skills when provided opportunities to communicate their ideas, critique others' reasoning, reflect on problems, read complex text, write, speak, and explore the content they are engaging in. In our classrooms we deliver lessons ensuring Scholars are doing the majority of the thinking, structure tasks requiring higher-order thinking skills, and provide the necessary support to ensure all Scholars can access the content.
- **Inclusive Community of Learners:** Scholars engage in positive and supportive environments where their interests, identities, and values are acknowledged and celebrated. In our classrooms, we invest in each individual and create a culture of interdependence through shared goals and experiences, while also providing appropriate reinforcements and interventions that limit disruptions and maintain lesson momentum.
- **Strong Tier One Instruction:** BPS teachers use strategic internalization for both unit and lesson plans across content areas, to dig into their unit and lesson plans and focus on identifying the purpose, analyzing text, identifying opportunities for Scholar discussion and writing, anticipating where Scholars may struggle and preparing effectively for the variety of learners in their classroom. Across all content areas, BPS teachers support strong tier-one instruction in their classroom creating a culture of learning where all Scholars are engaged in the lesson, use essential content aligned to grade-level specific standards, allow Scholars to be responsible for doing the thinking through academic ownership, and provide multiple opportunities.

## **Grading Policy and Gradebooks**

### **Kindergarten - Second Grading Policy:**

Kindergarten through second grade will be graded using a standard based system. This will allow families to gain a deeper understanding of where their scholar is at on specific skills in Reading Foundations and Math. For example, "Scholars can count to 100 by 10s" and the scholar's mastery of that specific skill will appear on the report card. On your scholar's report card, skills like the example will be listed out with a corresponding letter (from the chart below) to understand your scholar's mastery of that particular skill. This will be done for both Reading Foundations and Math.

The grading scale is the following:

Grade	Percentages
Exceeds "E"	90 - 100%
Meets "M"	75 - 89%
Progressing "P"	60 - 74%
Developing "D"	0 - 59%

### **Third - Eighth Grade Grading Policy:**

In 3rd - 8th Grade, our schools will use the following grading system to input and calculate final grades for core subjects (English Language Arts "ELA", Math, Science and History). Teachers enter grades weekly. 50% of grades are assessment scores (quizzes, End of Unit assessments, Project Based Learning and writing assignments) and 50% of the grade is classwork. On your scholar's report card, you will see a subject and a corresponding letter grade (from the chart below) to understand your scholar's mastery of the subject for the Trimester.

### **Grading Scale - Third and Fourth Grade:**

Grade	Percentages
Exceeds "E"	90 - 100%
Meets "M"	75 - 89%
Progressing "P"	60 - 74%
Developing "D"	0 - 59%

**Grading Scale - Fifth through Eighth Grade:**

A	100-93		C-	72-70
A-	92-90		D+	69-65
B+	89-87		D	60-64
B	86-83		F	59-0
B-	82-80			
C+	79-77			
C	76-73			

**Assessments**

We believe that assessments are vital to measure both scholar learning and teacher effectiveness.

Assessments allow us to answer the questions:

- Are scholars learning what we are teaching?
- Where do scholars need more support?
- Where are our scholars compared to grade-level benchmarks?

We give both formative (throughout the course of a unit) and summative (end of unit or end of year) assessments throughout the year at Breakthrough Public Schools. The following are the assessments we give:

	<b>Foundational Literacy</b> (Fall, Winter, Spring)	<b>End of Unit Assessments</b> (Ongoing after each unit)	<b>I-Ready Diagnostic</b> (Fall, Winter, Spring)	<b>State Assessment</b> (See below)
Kindergarten	mClass Dibels	- Foundations - iReady Math - Wit & Wisdom (ELA)	Math & Reading	- Kindergarten Readiness Assessment
First- Second	mClass Dibels	- Foundations - iReady Math - Wit & Wisdom (ELA)	Math & Reading	
Third	mClass Dibels	- Wit & Wisdom (ELA) - IReady Math -Amplify (Science) -History	Math & Reading	- Fall Reading - Spring Reading - Spring Math
Fourth - Eighth		Wit & Wisdom (ELA) - IReady Math -Amplify (Science) -History	Math & Reading	- Spring Reading - Spring Math - Grades 5 & 8: Science

***Academic Family Communication - Progress Cards, Report Cards, Conferences***

- All families will be able to sign up for a conference with their scholar's teacher(s) in November.
- All families with a scholar at-risk for retention will receive an invitation for a conference in the Spring. (Conferences for other families will be available upon request.)
- All families will receive three report cards, one after each Trimester and will also receive monthly or bi-monthly Progress Reports.
- All families will receive updates about their scholar's academic progress and placement on the iReady and Acadience assessment three times each year.
- All families have the opportunity to have a phone call with their child's teacher by requesting one with the front office or with the teacher directly. Teachers will also be responsible for calling families for updates on academic progress and performance.
- All families have access to both Kickboard and PowerSchool. Kickboard tracks scholar behavior throughout the day and week. PowerSchool allows families to access scholar grades and progress. It is the responsibility of families to use these platforms to stay updated on the scholar's performance at school.

### ***Multi-Tiered System of Supports (MTSS)***

At Breakthrough Public Schools, we believe that all children are capable of grade-appropriate learning achievements. We believe that ALL students deserve structures for academic and social learning that meet scholars where they are while nourishing and supporting their upward growth.

A MTSS acknowledges that there is not a “one size fits all” methodology for supporting student achievement. Rigorous academic achievement can be attained by ALL students of ALL backgrounds and abilities through this system of supporting their social, emotional, academic, and behavioral needs through targeted support hinged upon strengths the students already possess.

Under the umbrella of MTSS are two multi-tiered systems of increasing support for students: Response to Intervention (RtI) and Positive Behavioral Interventions & Supports (PBIS). *RTI is a process used to drive the identification, understanding, and support of exceptional learners.* Throughout the RtI process, our staff closely monitors the instructional and non-instructional progress of all students and responds to this progress through personalized interventions to address students’ lagging skills. PBIS uses the same framework to address student’s behavioral needs. This system views all behavior as a form of communication - identifying the underlying causes behind disruptive behavior and remediating with positive reinforcement. We implement a systematic, multi-tiered approach to support students who need alternative or additional support to meet the academic and behavioral expectations of BPS campuses.

Our systems aim to ensure that students are receiving timely, data-driven, equitable, and personalized intervention.

If students do not make adequate progress after receiving systematic instruction in our multi-tiered system of support, they should be referred to the Child Find Process through a Decision Meeting for review. However, within the BPS system, a student must move through the tiers of intensifying support and adequate progress data must be collected before a referral for evaluation can be made to ensure students are not being over-identified for disabilities. *Adequate progress is determined through the systematic progress monitoring/data collection that Tier 2 and Tier 3 teachers collect. Adequate progress is also determined by the level of fidelity that the Tier 2 and Tier 3 curricula are executed.*

We drive student success under multi-tiered systems using a framework centered on data-based decision-making. Early screening, progress monitoring, and codified prevention systems allow us to analyze student achievement from an unbiased and solutions-oriented lens.



## **BPS Retention Guidelines**

### ***General Promotion and Retention Philosophy***

We believe that scholars should only be promoted when they have demonstrated proficiency and/or adequate growth of academic standards.

Breakthrough Public Schools believes in a holistic approach to scholar retention. Each scholar will be evaluated on a case by case basis. The retention guidelines vary depending on the grade level of the scholars to reflect appropriate developmental expectations, available support structures, and the most recent research on the impact and effectiveness of grade retention on scholars.

Breakthrough Public Schools follow specific guidelines, in alignment with the State of Ohio for third grade. See specifics below.

### ***Academic Retention Guidelines***

The following measures are taken into consideration when considering retention. On their own, each of these measures results in a scholar being “at risk” for retention. However, when it comes to making final retention decisions, a holistic review of the measures below will dictate final retention decisions. Final retention decisions will be made by the school principal.

#### **Attendance**

- Scholars who are chronically absent, missing 10% of total hours per school year, can be considered “at-risk” for retention.

#### **Assessment Data**

- **Kindergarten through Second Grade:**
  - Acadience; Reading Composite Score: Well Below Benchmark
  - I-Ready: Two or More Grade Levels Behind
- **Third through Eighth Grade**
  - I-Ready Achievement Metric: Two or More Grade Levels Behind
  - I-Ready Growth Metric: Does not meet typical annual growth target

#### **Grades**

- **Kindergarten through Fourth Grade:**
  - Scholars receive a “D” Developing in Foundational Literacy, ELA and/or Math
- **Fifth through Eighth Grade**
  - Scholars receive an “F” in two or more of their core content classes (ELA, Math, Science and/or History)

#### **Other Factors**

- Social emotional readiness
- Staff recommendations
- Family requests
- Scholar Age - previous retentions

### ***Voluntary Retention***

If a family believes it is in the best interest of the student to remain in the same grade level to ensure mastery of content, the family can set up an individual conference with the school to plan for the best interest of the scholar. The school principal will hold the final decision but will take many factors into consideration to evaluate the best path for the individual scholar.

### ***A Final Note on Retention***

In order for your scholar to be promoted to the next grade, they must meet certain criteria. The scholars' basic academic performance is measured through a variety of factors, but at the core, scholars must be able to read in various content areas, and complete math on a minimum grade level to be ready for college and beyond. Scholars who fail to meet core content requirements (math and ELA, and science/social studies whenever applicable) will be retained in the current grade level.

Any retention and/or placement decisions will be made only after the school has notified and conferred with parents/guardians throughout the year (progress reports, report cards and student-led conferences, etc.) as to the student's progress or lack thereof. The school may take into account the scholar's academic growth, the standardized test scores, completion of daily work, social/emotional level, or other factors when considering final promotion/retention status, in addition to the recommendations of appropriate school staff. During this time, all individual student retention will be reviewed by the Principal in collaboration with the Managing Director of Schools.

It is our continued goal at Breakthrough Schools to keep you informed as parents and to provide a premier, college- prep elementary experience for your child.

### ***Exceptional Scholars***

Promotion and retention of previously identified scholars with disabilities may be subject to the factors and policy above, but shall also consider the contents of the scholar's individualized educational plan (IEP), in accordance with R.C. 3301.0711(E) and (M).

### ***Third Grade Reading Guarantee***

Based upon Ohio's Third Grade Reading Guarantee, the school will not promote any scholar to the 4th grade who does not achieve at least the level equivalent to the level designated by the state of Ohio's Board of Education unless:

- The scholar is an English learner scholar who has been enrolled in U.S. schools for less than three (3) full school years and has had less than three (3) years instruction in an English as a second language program;
- The scholar is a scholar with a disability entitled to special education and related services and the scholar's IEP exempts the scholar from retention;
- The scholar has demonstrated an acceptable level of performance on an alternative standardized reading assessment as determined by the Ohio Dept. of Education;

- The scholar received intensive remediation for reading for two (2) school years but still demonstrates a deficiency in reading and was previously retained in any grades K through 3; or
- All of the following apply:
  - The scholar is a scholar with a disability;
  - The scholar has taken the 3rd grade English language arts achievement assessment;
  - The scholar’s IEP or 504 plan shows that the scholar has received intensive remediation in reading for two (2) school years but still demonstrates a deficiency in reading; and
  - The scholar previously was retained in grades K-3.
- The student’s parent, in consultation with the student’s reading teacher and the Principal, request that the student be promoted to fourth grade regardless of the student’s failure to attain grade level reading

If a scholar is promoted despite not attaining the Ohio Board of Education specified level (which may change yearly), the scholar will continue to receive intensive reading instruction until the student is able to read at grade level, including an altered instructional day, specialized diagnostic information, and specific research-based reading strategies that have been successful in improving reading among low performing readers.

If the scholar is retained, the school shall:

- Provide intensive remediation until the scholar is able to read at grade-level, including intensive interventions in reading, and a minimum of 90 minutes of daily reading, that address the deficient areas; and
- Provide each scholar with a high-performing teacher, as determined by the teacher’s scholar performance data, when available, and performance reviews

If a scholar who has been retained demonstrates that they are reading at or above grade level, the student may be promoted mid-year to the fourth grade at the Principal’s discretion.

***Notice Policy***

Pursuant to the Ohio Revised Code Section §3314.041, the governing authority of each community school and any operator of such school shall distribute to parents of Scholars of the school upon their enrollment in the school the following statement in writing:

Village Preparatory School Cliffs, Village Preparatory School Woodland Hills, Village Preparatory School Willard, Citizens Leadership Academy East and Citizens Academy Southeast are community schools established under Chapter 3314 of the Revised Code. The schools are public schools and Scholars enrolled in and attending the school are required to take proficiency tests and other examinations prescribed by law. In addition, there may be other requirements for Scholars at the school that are prescribed by law. Scholars who have been excused from the compulsory attendance law for the purpose of home education as defined by the Administrative Code shall no longer be excused for that purpose upon their enrollment in a community school. For more information about this matter contact the school administrator or the Ohio Department of Education and Workforce.

### ***Title I and Parent's Right to Know (203.2)***

In accordance with the requirement of Federal law, if the School receives Title I funds the School shall notify all parents that they may request, and the School will provide in a timely manner, the following information on the scholar's classroom teachers:

- A. whether the teacher(s) have met the State requirements for certification or licensure for the grade levels and subject areas in which they teach;
- B. whether the teacher(s) is teaching under any emergency or provisional status through which the State requirements have been waived;
- C. whether the teacher(s) is teaching in the field of discipline of their certification; and
- D. whether any paraprofessionals are providing services to their child(ren) and the qualifications of those paraprofessionals, where applicable.

In addition, the parents shall be provided:

- A. information on the level of achievement and academic growth of their child(ren), if applicable and available, on the required State academic assessments; and
- B. timely notice if the scholar is assigned to, or has been taught for more than four (4) consecutive weeks by, a teacher who does not meet applicable State requirements at the grade level and subject area in which the teacher has been assigned.

### **Testing Transparency**

If the School receives Title I funds, the School shall notify all parents of scholars that they may request, and the School will provide in a timely manner, information about the School's policy regarding scholar participation in any required assessments, including the School's policy and/or procedure for the parent to opt the child out of such assessment, where applicable and permitted by federal and state law.

The School shall make publicly available information about all State-required assessments and, if such information is available and feasible to report, any assessments required by the School, for each grade served. Such information shall be posted in a clear and easily accessible location on the School's website or, if the School does not operate a website, the School shall post the information in a clear and easily accessible location in the building. Information about assessments shall include:

- A. the subject matter assessed;
- B. the purpose for which the assessment is designed and used;
- C. the source of the requirement; and
- D. if available, the amount of time scholars will spend taking the assessment, the schedule for the assessment, and the time and format for disseminating results.

The notices and information shall be provided in an understandable and uniform format, and to the extent practicable, in a language the parent(s) understand.

*20 U.S.C. 6312(e); R.C. 3319.074.*

See Appendix 203.2-A Parent's Right-to-Know Letter and Appendix 203.2-B Letter to Parent Regarding Instruction Provided by Teacher that Does Not Meet State Qualification Requirements. See also Policy 204.11 Assistance to English Language Learners and Immigrant Scholars and Policy 241.1 R.C. 3314.041 Notice

### ***Child Find (227.1)***

The School supports and complies with all applicable federal and state laws, procedures and policies regarding the School's child find responsibilities. The School will conduct all child find activities for scholars who are enrolled in the School (its geographical area) so that they are appropriately located, identified and referred for evaluation. Parents or guardians have the right to review their child's records and refuse permission to release information (except as required by, or permitted by, law to be released).

Pursuant to Ohio law, the School is required to perform the same child find duties as city, local, exempted village school districts, and will endeavor to adhere to its responsibilities in a manner that does not duplicate the duties of the city, local, or exempted village school districts.

A Child Find Notice shall be published in a newspaper of general circulation in the geographic area covered by the identification activity before any major identification activity.

See the Child Find Notice and the Parent Notification of Scholarship Programs for Scholars with Disabilities. *20 USC § 1412 et seq.; OAC 3301-51-03.*

## **Chapter 7: Safety & Security**

### **Visitor Policy**

Families matter at Breakthrough Public Schools. We believe that our families are powerful partners in providing high quality educational experiences for our scholars and we believe that providing opportunities for our families to volunteer in our schools is one step we can take to strengthen our partnership with our families. Our school is community-based and should be open to visits from guardians and other interested persons to the extent that these visits do not compromise student or staff safety and do not interrupt instruction.

We also prioritize the safety of scholars and staff and in order to help keep everyone safe we must have health and safety measures in place. The process is not meant to deter families, but to ensure the safety of our scholars, staff and school community. The front office staff or any school/network employee has the authority to deny access to any individual seeking to enter the school if the staff member determines the visitor's presence poses a danger or disruption to school activities.

Child safety, along with providing an exceptional education, is our greatest concern. Many school rules are intended to assure the safety and well-being of our scholars. All visitors to the school must report to the Main Office upon arrival and sign in and produce a valid ID that will be run through our visitor management system. "Visitors" means, parents, guardians, volunteers, guests, invitees, vendors, contractors or subcontractors, non-staff adults who are not authorized to be on the school premises, or children who are not authorized to be on the school premises or who are not currently enrolled students.

Below is the protocol for conducting a visit at Breakthrough Public Schools:

- Call to schedule your visit 24 hours in advance with the Principal or your child's teacher.
- Teachers will be unable to meet with you during their teaching time.
- Plan to stay for 30 minutes to 60 minutes at maximum. Visit only your child's designated class.
- Wear the visitor's pass in a clearly visible area.
- Turn your cell phone to silent if entering the classroom.
- If you would like to speak again with a teacher following your visit, please contact them by phone or call the school to set up a follow-up meeting.

If someone other than a guardian or approved emergency contact is to pick up a scholar from school, send a note to the homeroom teacher or guardians must call the Main Office no less than two hours before the end of the school day. All scholars who leave school during the school day must get picked up and signed out in the school office so that we can identify the person to whom the scholar is released. Scholars are only released to those designated persons listed on their emergency forms.

School officials have the authority to contact local law enforcement if any individual violates this policy or other posted regulations, or does not leave School property when requested to do so.

Behavior that intentionally or unintentionally is disrespectful, disruptive, threatening or intimidating toward a staff member, scholar or another guardian may result in restricted building access.

### ***Incident Reports***

An incident form must be completed for the following events including but not limited to:

- Scholar and/or staff injuries
- Violence (including physical altercations between scholars)
- Threats of violence towards the school and/or individuals
- Potential Title IX incident
- Any safety issue
- Any incident that leads to use of school's crisis and emergency procedures

Each incident report will be reviewed by school officials and necessary parties will be contacted such as parents/guardians and/or emergency personnel.

### ***Safety Drills***

Throughout the school year, children are given safety instructions that include fire, tornado, and lock-down drills. The procedures for each drill are posted in the classrooms and practiced regularly. Children must remain quiet and orderly so they can respond to the directions given by their teacher. Scholars who do not follow these requirements may receive a consequence. The drills are scheduled, conducted and documented according to state and local mandates. Families will not receive prior or subsequent notice when safety drills are conducted.

In the event of an emergency, families will be notified according to the safety plan developed in cooperation with local law enforcement agencies. The plan defines the appropriate procedures for the protection and safety of our scholars, staff, and visitors. In the event of an emergency, please do not call the School directly, as the phone line must remain open for communications with first responders.

### ***Fire Alarms***

If a scholar or staff member sees fire or smells smoke—he or she should close the door and pull the nearest fire alarm. Upon hearing the alarm, school staff will assemble scholars in their rooms and proceed out of the building according to the fire evacuation plan posted in each room. Scholars should follow the direction of staff members who will lead scholars outside the building to the designated locations, where school staff will line up scholars by class and take attendance.

During the first week of school and frequently throughout the school year, scholars and staff will participate in fire drills to ensure that the entire school community is familiar with the appropriate response in the event of an emergency. In case of a more serious emergency, should it be necessary, school staff and scholars will evacuate from each of the school's buildings to a designated safe location. A copy of each evacuation plan is available from the Director of Operations upon a family's written request.

### ***Safety Tips for Families***

It is critical that families support school safety by keeping emergency contact information updated and by teaching their children safety rules. This will help staff identify scholars quicker in an emergency situation.

The following are some basic safety tips to keep children safe:

- Teach your child their full name, telephone number (including the area code) and complete address (including the city, state, and zip code).
- Teach your child how to make both a local and long distance phone call and how to use 911. Tell your child that an operator can help him/her by connecting him/her with the police or home.
- Teach your child that a stranger is someone you do not know well. Your child should learn to tell you about strangers they meet or anyone who asks them to keep a “secret.” This includes individuals your child may meet via social media platforms. Teach your child to yell “HELP” when they feel threatened or in danger.
- Teach your child about the dangers of social media platforms. Be sure to have access to your child’s accounts, passwords, and websites that they visit. Know their names/handles that they use on social media. Unexpectedly visit their pages to monitor the content they are viewing.
- Teach your child never to go into anyone’s home without your permission. Children need to know whose homes they can enter.
- Teach your child to report any dangerous situations to their guardians, including the presence of firearms in a friend’s or others’ homes.
- Teach your child that they should NEVER get into anyone’s car unless you have given your approval. Also, teach your child not to go near cars with people in them.
- Teach your child to walk and play with others. A child who is part of a group is less vulnerable than the child who is alone.
- Teach your child that it is ok to say “no”. Make sure they know that every adult does not have authority over them – especially if that person wants the child to do something you have taught them is wrong.
- Teach your child that no one has the right to touch them or make them feel uncomfortable. If someone does attempt to touch them, they should tell you immediately.
- Teach your child what to do if someone is following them. They should go to a place where there are other people, to a neighbor’s house or a store. They should ask for help. They should not try to hide.
- Teach your child to always wear a properly fastened seat belt when riding in a car, and a helmet when riding a bike.

### ***Closed Campus***

BPS schools are closed campus schools. BPS school hours are between 7:35 a.m. and 2:15 p.m., Monday through Friday. Scholars who are excused at dismissal time may leave campus if they do not have other obligations. While on campus, scholars must always be in class and under the supervision of an adult.

Scholars who need to leave campus early must be picked up by a guardian or an authorized individual. The guardian must sign the scholar out of the school’s attendance log before the scholar will be released.



### ***Scholar Emergencies***

In case of an emergency, guardians should contact the front desk either by phone or in person. Under no circumstances should guardians contact scholars in their classrooms, including after-school activities, or attempt to withdraw scholars from the building without notifying and receiving permission from staff members at the front desk or in the front office.

### ***Accident or Medical Emergency***

If a scholar experiences a medical emergency at school, first aid will be administered and the guardian(s) of that scholar will be contacted immediately. If guardian(s) cannot be reached, a person listed on the scholar's health form (or emergency contact card) or the family physician will be contacted. If the situation warrants, the school will call emergency medical services (911), and may do so before contacting a family member.

### ***Health and Medical***

A healthy child is more likely to be academically successful. Families are asked to ensure that their child gets enough sleep, nutritious meals, and regular exercise. Families should schedule regular visits to the doctor and dentist. We also ask families to encourage their children to use protective equipment to prevent accidental injury (i.e. seatbelts, helmets, and other safety equipment for bike riding, rollerblading, and skateboarding).

We are not permitted to keep ill children at school. If a child's illness is such that they need to return home, families will be contacted according to the information contained on file. Therefore, it is extremely important that the school office be informed of any changes of home or work phone numbers throughout the school year.

## **Medication Policy**

To protect your child's safety, school administrators will adhere to the following medication policy. It is required that a guardian and physician's signature, per procedures as outlined below, are on file before any prescription or non-prescription medication is administered. This includes all medications including over-the-counter products such as Tylenol, Advil, Dimetapp, etc.

Although this may cause some inconvenience, we feel that this policy is best for the continued protection of your child, and must be followed. **If we do not have your written permission and the written permission of your physician as outlined per the procedures below, medication will not be given.** Permission forms can be obtained by contacting the front office or the school nurse.

In order for your child to receive any medication at school, please abide by the following procedures:

- A written request and waiver must be obtained from the doctor and the guardian. This request must include the name of the medication, dosage, time it is given during school hours, and duration.
- The medication must be in its original container and have a fixed label that indicates the scholar's name, name of medication, dosage, method of administration and time of administration.
- Provide written promises of the physician and you to forward any changes in the prescription or instructions to the school immediately upon change and to ensure delivery to the appropriate staff. When the empty prescription bottle is returned to you, please return the refill to school promptly.
- The medication and the signed permission forms must be brought to the school by the guardian.
- Wherever possible, please include a photo of your child with the permission form.
- New permission forms must be re-submitted each school year, and are necessary for any changes in medication orders.
- If your child is taken off medication or will no longer receive it at school, please put your request in a dated, written note as soon as possible. If the medication is not picked up from the school office within ten (10) days, it will be properly disposed of.

Only Staff Members who are licensed health professionals or who have completed a Board-approved drug administration program conducted by a licensed health professional may administer to a scholar a drug prescribed for the scholar.

Please review the full Board authorized policy for more information and contact the front office or school nurse if you have any questions.

### ***Health Requirements: Immunizations***

The Ohio Department of Health has established minimum immunization requirements for school age children. These immunizations may be obtained through one's pediatrician, health clinic, or family doctor and must be completed before a child is enrolled in school. After the start of the school year, scholars have fourteen (14) days to obtain the required immunization documentation. Scholars who do not have the proper documentation will have to remain home until the immunizations, or legal exceptions, are provided.

Approved immunization documentation, subject to applicable legal requirements, includes:

- a written statement to the Principal of objection to immunization for good cause, including religious convictions.
- a written statement signed by a physician certifying that certain or all required immunizations are medically contraindicated.
- a written statement from the Parent or physician that the student has a history of measles (rubeola), mumps, and/or chicken pox and need not be immunized against the disease(s) for which the history so exists.
- Pursuant to ODH regulations and guidelines, laboratory testing results signed by a physician demonstrating that detectable rubella antibody is present in the Student and the Student need not be immunized against German measles (rubella).

If all required immunization documentation is not provided by the fourteenth (14) day, the scholar is no longer permitted to attend school. The scholar will only be permitted back into the school when the proper documentation is acquired by the school.

However, if scholars do not have their full required immunizations, guardians must provide evidence that the required additional doses are scheduled and that the first dose has been received (barring acceptable objections).

### ***Screenings***

Required vision and hearing screenings will be conducted by a certified health official. If your child's vision and hearing screenings are not within normal range, you will receive written notification. All findings will be placed in your child's cumulative file. Scholars may be exempted provided documentation from a licensed provider.

## ***Communicable Diseases: Guidelines for School Attendance***

Children should remain at home, if any of the following should occur:

- Recurrent/repeated vomiting and/or diarrhea since dinner the night before
- Temperature of 100 or higher within the last 12 hours without anti-fever medication
- Strep is the likely diagnosis, but test results have not been received
- Positive throat culture for strep (scholar may return 24 hours after antibiotics have been administered if scholar's condition has improved with no fever, fatigue, etc.)
- Symptoms of moderately severe illness such as a persistent cough, runny nose with body aches that appear to be more than a cold
- Presence of lice, ringworm, scabies
- Pus-like drainage from the eyes
- Eyes that are pink/red and are itchy or crusty upon waking
- Severe headache, severe earache, severe or persistent abdominal pain
- A rash that is suspected to be contagious
- Any other symptom of a communicable disease

Hand washing is the most effective method for combating communicable disease.

It is the responsibility of the family to make arrangements for child care in the event a child should develop signs of a communicable disease or other injury that would prevent the child from being productive in class.

Children should be free of symptoms for at least 24 hours before returning to school.

All cases of communicable disease must be reported to the school.

### ***Food Allergies***

Federal Law entitles scholars with disabilities to have the same rights and privileges and the same access to benefits, such as school meals as non-disabled scholars. Consequently, schools which do not make appropriate program accommodations for scholars with disabilities could be found in violation of federal civil rights laws. Schools are required to make accommodations as outlined in the Section 504 of the Rehabilitation Act of 1973 and Individuals with Disabilities Education Act. If your child has any food allergies it is imperative that you inform the school with documentation so that the information can be provided to school staff and personnel to ensure proper precautions can be taken.

Parents of scholars with life threatening food allergies must provide the School with emergency medications, execute an Emergency Medical Authorization Form and cooperate with the School to formulate a Food Allergy Action Plan.

Note that Breakthrough Public Schools are nut-free schools.

### ***Child Abuse***

As mandated by Ohio law, employees of Breakthrough Public Schools who, in their official capacity, know or reasonably suspect that a child has suffered, or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect shall immediately notify the Cuyahoga County Department of Human Services (696-KIDS) and possibly the Cleveland Police Department in cases where child abuse is suspected. All Breakthrough Public Schools staff will receive in-service training in child abuse prevention and intervention.

### ***Homelessness***

If a child is experiencing homelessness, they are entitled to certain assistance and accommodations per the McKinney-Vento Act. Families experiencing homelessness are encouraged to contact the school and request to speak with the McKinney-Vento liaison to ensure their child/children have access to this assistance.

Homeless children and youth are defined as children living in motels, hotels, or camping grounds; sharing the housing of other persons due to loss of housing or economic hardship; living in shelters; abandoned in hospitals; having a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.

### ***Wellness Policy (Policy 453)***

The School believes that healthy scholars are more likely to successfully complete their formal education. The School recognizes that it plays an important role in the development of scholars' health and nutrition habits by providing nutritious meals and snacks, supporting the development of good eating habits, and promoting increased physical activity.

The Board sets forth the following goals in an effort to enable scholars to establish good health and nutrition habits:

#### Nutrition Promotion and Education Goals

- The School shall provide for interdisciplinary, sequential skill-based health education that that supports hands-on classroom activities that promote health and reduce obesity.
- Nutrition and healthy living skills shall be integrated into the classroom curriculum when appropriate.
- Scholars shall receive nutrition education that is interactive and teaches the skills they need to adopt healthy eating behaviors.
- Nutrition education shall be offered and promoted in the School cafeteria as well as in the classroom.
- Nutrition education and promotion information will be shared with parents and the community.

### Physical Education and Activity Goals

- Scholars shall be provided opportunities for physical activity during the school day through physical education classes, daily recess periods for elementary scholars, or the integration of physical activity in the classroom.
- Physical education classes shall stress physical fitness, encourage healthy, active lifestyles and consist of physical activities as part of the curriculum.
- Physical activity will not be used as a form of discipline or punishment.
- Physical activity and promotion information will be shared with parents and the community.
- The School may encourage parents and the community to support physical activity, to be physically active role models, and to include physical activity at events.

### Other School Based Activities

- School based activities shall promote scholar wellness and, if appropriate, shall encourage nutrition and physical education.
- Nutrition shall be considered when planning school-based activities such as classroom snacks, fundraisers, etc.
- The School will provide scholars with a clean and safe environment and adequate time for eating meals.

### Nutrition Guidelines

- In accordance with the School's Food Standards Policy, the food service program shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages sold in the School.
- Any food provided outside of the food service program, but not sold during the school day on the School premises, shall align with the goals and standards stated in this Wellness Policy.
- Marketing of foods and beverages at the School during the school day shall be limited to those foods and beverages that meet the standards set forth in the School's Food Standard Policy. The Board reserves the right to further limit marketing of food and beverages.
- The food service program will provide all scholars affordable access to a variety of nutritious foods.

### Implementation and Evaluation

- The Principal or his/her designee shall ensure that the School implements, complies with, and annually evaluates this Policy.
- The School will consult with administrators, board members, parents, scholars, community members, school health professionals, physical education teachers (if applicable), or representatives of the school food authority. The committee will be provided the opportunity to participate in the development, implementation, periodic review, and update of the Policy. In developing or updating goals, the committee will review and consider evidence-based strategies and techniques.
- At least once every three years, the School will measure the implementation of this Policy, focusing specifically on the extent to which the School has complied with the Policy, the extent to which the Policy compares to model local wellness policies, and the extent to which the School has progressed

toward achieving its stated goals in the Policy. The School will create a written assessment for each periodic measurement that it will disseminate to scholars, their families, and other members of the community or post on its website. The School will make appropriate modifications to this Policy, if necessary, based on this assessment.

- At the start of each school year, the School will disseminate this Policy and information about its implementation to families of school children and other members of the community or post it on its website and will notify such individuals of changes to the Policy in the same manner.

The School shall retain documentation demonstrating compliance with this Policy, including requirements related to community involvement, triennial assessments of this Policy, and public dissemination of this Policy and any updates thereto.

*42 U.S.C. 1758b; 42 U.S.C. 1771; 7 CFR 210.30; R.C. 3313.814; R.C. 3313.816; R.C. 3313.817*

See also Policy 455 Food Standards Policy; Nutritional Standards for Food and Beverages

## ***Chapter 8: General School Information & Policies***

### ***Truancy and Absences Intervention Strategies***

The Superintendent or their designee may act as the School's attendance officer or delegate that duty as permitted by law. The School's attendance officer shall investigate possible School attendance violations, and is authorized under Ohio law, to serve warrants, to enter places where children of compulsory School age are employed, and to take such other actions as may be necessary to enforce the compulsory education laws.

A student is excessively absent from school if a student is absent from the School with or without legitimate nonmedical excuse for thirty-eight (38) or more hours in one (1) school month or sixty-five (65) or more hours in one (1) school year. Within seven (7) days of a student becoming excessively absent from School, the attendance officer shall notify the student's parents of the student's absences in writing.

A student is habitually truant if the student is absent without a legitimate excuse for thirty (30) or more consecutive hours, for forty-two (42) or more hours in one (1) school month, or seventy-two (72) or more hours in one (1) school year.

Legitimate excuses for the absence of a student otherwise habitually truant include but are not limited to:

1. the student was enrolled in another school;
2. the student's absence was excused in accordance with applicable law or policy; or,
3. the student has received an age and schooling certificate.

If the student is habitually truant and the student's parents have failed to cause the student's attendance, the School will assign the student to an absence intervention team ("AIT") within ten (10) days. The Superintendent or designee selects the AIT members, who shall include a representative of the School who knows the child and the child's parent, guardian, custodian, guardian ad litem, or temporary custodian. Members may also include a school psychologist, counselor, social worker, or representative of a public or nonprofit agency designed to assist students and their families in reducing absences.

Within seven (7) days of the School's determination that the student is a habitual truant, the School will make at least three (3) reasonable, meaningful attempts to secure the child's parent, guardian, or custodian's (for the purposes of this policy, "parent") participation on the AIT. If the parent responds to attempts but is unable to attend, the School will notify the parent of the right to participate by designee. In the event the parent does not respond to the attempts at all, the School will investigate whether the failure to respond triggers child abuse and neglect reporting requirements and instruct the other members of the AIT to develop a plan for the child.

Within fourteen (14) days after its formation, the AIT will develop a written plan ("AIT plan") to reduce or eliminate Student's further absences. The AIT plan will state that a complaint will be filed in juvenile court alleging that the child is an unruly child not later than sixty-one (61) days after implementation if the child refuses to participate in or fails to make satisfactory progress on the plan or other alternatives to adjudication. The School will make reasonable attempts to provide student's parent with written notice of the plan within seven (7) days of development.



If a student becomes habitually truant during the last twenty-two (22) school days of the year, the School may assign one official to work with the parent and develop an AIT plan in lieu of forming a full AIT. The plan shall be implemented not later than seven (7) days prior to the first day of instruction of the next school year.

AIT Exemption: The School shall be exempt from AIT procedural requirements if it has a chronic absenteeism rate of less than 5% of the student body per the last state report card.

The School shall employ absence intervention strategies for all students who are excessively absent from School. Such strategies shall include the following, if applicable:

1. Providing a truancy intervention plan for any student who is excessively absent from school;
2. Providing counseling for a habitual truant;
3. Requesting or requiring a parent to attend parental involvement programs;
4. Requesting or requiring a parent to attend truancy prevention mediation programs;
5. Notification of the registrar of motor vehicles of student's truancy status if the student misses sixty consecutive hours of instruction or ninety hours of instruction during the course of the school year; and
6. Taking legal action under R.C. 2919.222, 3321.20, and/or 3321.38.

On the 61st day after the implementation of an AIT plan or other intervention strategy, the attendance officer shall file a complaint with the juvenile court against a student, if all of the following apply:

1. the student is a habitual truant;
2. the School has made meaningful attempts to re-engage the student through the AIT plan, other intervention strategies, and any other offered alternatives to adjudication; and
3. the student has refused to participate in or failed to make satisfactory progress on the AIT plan, as determined by the AIT, or any offered intervention strategies or alternatives to adjudication.

If the 61st day falls during the summer months, at the School's discretion, the AIT or attendance officer may extend the implementation of the plan and delay filing the complaint for an additional thirty (30) days from the first day of instruction of the next school year.

If, however, at any time during the implementation phase of the AIT plan or other intervention strategy, the student is absent without legitimate excuse for thirty (30) or more consecutive hours or forty-two (42) or more hours in one school month, the attendance officer shall file a complaint with the juvenile court against the student, unless the AIT has determined that the student has made substantial progress on the absence intervention plan.

The Superintendent or their designee is also authorized to establish a parent education program for parents of students who are habitually truant. Any parent assigned to the program who does not complete the program is to be reported to law enforcement authorities for neglect of parent education, a fourth class misdemeanor if found guilty.

### Reporting

The School shall report to the Ohio Department of Education, as soon as practicable, any of the following occurrences:

1. When a student is deemed habitually truant.
2. When a student is deemed excessively absent.
3. When a student has been adjudicated an unruly child for being a habitual truant and violates the court order regarding that adjudication.
4. When an AIT plan has been implemented for a student.

This Board consulted with the juvenile court of the counties in which the School is located, parents of students attending the School, and state and local agencies deemed appropriate by the Board prior to adopting this policy.

*R.C. 2151.011; R.C. 2151.27; R.C. 3314.03(A)(6); R.C. 3314.11; R.C. 3321.01; R.C. 3321.041; R.C. 3321.13-.191; O.A.C. 3301-69-02.*

### **Non-Discrimination Statement**

The School does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following persons have been designated to handle inquiries regarding non-discrimination policies as identified below:

<b>Title</b>	<b>Address</b>	<b>Phone</b>
Director of Operations - Citizens Leadership Academy East	12523 Woodside Ave. Cleveland, OH 44108	(216) 367-9392
Director of Operations - Citizens Academy Southeast	15700 Lotus Dr. Cleveland, OH 44128	(216) 586-3887
Director of Operations - Village Prep Cliffs	1417 E. 36th St. Cleveland, OH 44114	(216) 456-2080
Director of Operations - Village Prep Woodland Hills	9201 Crane Ave. Cleveland, OH 44105	(216) 298-1164
Director of Operations - Village Prep Willard	9401 Willard Ave. Cleveland, OH 44102	(216) 586-3892

The language above will be posted on the School's website within two clicks of the home page; in all other School-related documents made available to students, parents, staff, and applicants (*e.g.*, student newspapers, parent newsletters, student handbooks, employee handbooks, application forms, recruiting materials, etc.); and in a conspicuous place in the School building. This language will also be provided to parents, students, and employees prior to the start of each school year.

The designated individual will serve as the requisite coordinator for each of the following: **Policy 221 (Access to Equal Educational Opportunity), Policy 222 (Title IX Coordinator), Policy 228 (Section 504), Policy 264 (Sexual and Other Forms of Harassment), and Policy 305 (Nondiscrimination).**

### ***Anti-Harassment, Intimidation, and Bullying Policy (264.1)***

The following policy must appear in any scholar handbook, and in any publications that set forth the comprehensive rules, procedures, and standards for the School and scholars. Information regarding this policy must be incorporated into employee training materials. Annually, the School shall send a written statement describing the policy and the consequences for violating the policy to each scholar's custodial parent or guardian, either electronically or with report cards.

The School prohibits acts of harassment, intimidation, or bullying (including cyber-bullying) of any scholar on school property or at school-sponsored events (any event conducted on or off School property, including School buses and other School related vehicles, that is sponsored, recognized or authorized by the Board). A safe and civil environment in the School is necessary for scholars to learn and achieve high academic standards. Harassment, intimidation and bullying, like other disruptive or violent behaviors, are conduct that disrupts both a scholar's ability to learn and the School's ability to educate its scholars in a safe environment. Since scholars learn by example, school administrators, faculty, staff, and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate bullying.

"Harassment, intimidation, or bullying" means either of the following: (1) any intentional, written, verbal, electronic, graphic, or physical act that a scholar or group of scholars has exhibited toward another particular scholar more than once, and the behavior both causes mental or physical harm to the other scholar and is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for the other scholar; or (2) violence within an intimate partnership. The definition of "harassment, intimidation, or bullying" also includes the above described acts which are electronically generated, stored or transmitted, sometimes called "cyberbullying."

The School reserves the right to discipline scholars' off campus behavior which substantially disrupts the School's educational process or mission, or threatens the safety or well-being of a Scholar or Staff member. Factors which may be considered in determining whether the behavior warrants discipline include, but are not limited to, the following: (1) whether the behavior created material and substantial disruption to the educational process or the School's mission due to the stress on the individual(s) victimized or the time invested by Staff in dealing with the behavior or its consequences; (2) whether a nexus to on-campus activities exists; (3) whether the behavior creates a substantial interference with a Scholar's or Staff member's security or right to educate and receive education; (4) whether the behavior invades the privacy of others; or (5) whether any threat is deemed to be a true threat by the administration or Board, using factors and guidelines set out by the courts or by common sense, reasonable person standards.

Some acts of harassment, intimidation, bullying, and cyber-bullying may be isolated incidents requiring that the school respond appropriately to the individuals committing the acts. Other acts may be so

serious or part of a larger pattern of harassment, intimidation, bullying, or cyber-bullying that they require a response either in the classroom, School building, or by law enforcement officials. Consequences and appropriate remedial actions for scholars who commit an act of harassment, intimidation, bullying, or cyber-bullying range from positive behavior intervention up to and including suspension or expulsion. Due process procedures for suspension and expulsion will be followed, as provided for under R.C. 3313.66. The disciplinary procedures and Code of Conduct of the School shall be followed and shall not infringe on any scholar's First Amendment rights under the United States Constitution.

All school personnel, volunteers, and scholars are required to report prohibited incidents of which they are aware to the Principal or his/her designee. All other persons may report prohibited incidents of which they are aware to the Principal or his/her designee. Anonymous communications, if necessary, may be made by telephone, electronic mail, or in writing. In the case of sexual harassment as defined by Title IX, the School shall follow the School's Title IX Grievance Procedure. For all other incidents, the Principal or his/her designee is then responsible for determining whether an alleged incident constitutes a violation of this policy. In so doing, the Principal or his/her designee shall conduct a prompt and thorough investigation of the reported incident, and prepare a report documenting the prohibited incident that is reported (See Appendix 264.1-A Form for Reporting Incidents of Harassment Intimidation and Bullying). Once an investigation is completed, if the reported incident has been substantiated, the Parent of any Scholar involved in the prohibited incident shall be notified. To the extent permitted by R.C. 3319.321 and the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g), Parents have access to any written reports pertaining to the prohibited incident, and, if the School has a website, the School shall post this summary of reported incidents on the School website. Semiannually, the Principal will provide the Board President with a written summary of all reported incidents. All School personnel, volunteers, and Scholars shall be individually immune from liability in a civil action for damages arising from reporting an incident in accordance with this policy promptly and in good faith.

The School prohibits reprisal or retaliation against any victim or person who reports an act of harassment, intimidation, or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the Principal or his/her designee after consideration of the nature and circumstances of the act, in accordance with School policies and procedures.

Scholars are prohibited from deliberately making false reports of harassment, intimidation, or bullying, and Scholars who deliberately do so will be disciplined up to and including suspension or expulsion.

The School shall implement the following strategy for protecting victims from new or additional harassment, intimidation, or bullying, and from retaliation: supervise and discipline offending scholars fairly and consistently; provide adult supervision during recess, lunch time, class bathroom breaks and in the hallways during times of transition; maintain contact with parents and guardians of all involved parties; provide counseling for the victim if assessed that it is needed; inform School personnel of the incident and instruct them to monitor the victim and the offending party for the indications of harassing, intimidating and bullying behavior. Personnel are to intervene when prohibited behaviors are witnessed; check with the victim daily to ensure that there has been no incidents of harassment, intimidation, bullying, or retaliation from the offender or other parties.

Harassment, intimidation, and bullying behavior can take many forms and can vary dramatically in seriousness and impact on the targeted individual and other scholars. Accordingly, there is no one prescribed response to verified acts of harassment, intimidation, and bullying. While conduct that rises to the level of “harassment, intimidation, or bullying” will warrant disciplinary action whether and to what extent to impose disciplinary action (*i.e.*, detention, in- and out-of-school suspension, or expulsion) is a matter left in the professional discretion of the Principal. The following procedure sets forth possible interventions for the Principal to enforce the prohibition against harassment, intimidation, or bullying. Anonymous complaints that are not otherwise verified, however, shall not be the basis for disciplinary action.

1. Non-Disciplinary Interventions

When verified acts of harassment, intimidation, or bullying are identified early and/or when such verified acts do not reasonably require a disciplinary response, scholars may be counseled as to the definition of harassment, intimidation or bullying, its prohibition and their duty to avoid any conduct that could be considered harassing, intimidating or bullying. If a complaint arises out of conflict between scholars or groups of scholars, peer mediation may be considered. Special care, however, is warranted in referring such cases to peer mediation. A power imbalance may make the process intimidating for the victim and therefore inappropriate. The victim’s communication and assertiveness skills may be low and could be further eroded by fear resulting from past intimidation and fear of future intimidation. In such cases, the victim should be given additional support. Peer mediation may be deemed inappropriate to address the concern at the discretion of the School administration.

2. Disciplinary Interventions

When acts of harassment, intimidation, and bullying are verified and a disciplinary response is warranted, scholars are subject to the full range of disciplinary consequences. In- and out-of-school suspension may be imposed only after informing the accused perpetrator of the reasons for the proposed suspension and giving him/her an opportunity to explain the situation. Expulsion may be imposed only after a hearing before the Board of Directors, a committee of the board or an impartial hearing officer designated by the Board of Directors in accordance with Board policy. This consequence shall be reserved for serious incidents of harassment, intimidation, or bullying, and/or situations where past interventions have not been successful in eliminating prohibited behaviors.

Nothing in this policy prohibits a victim from seeking redress under any provision of Ohio law that may apply.

To the extent state or federal funds are appropriate, the School shall require that all scholars enrolled in the School be provided with age-appropriate instruction of this policy annually, including a written or verbal discussion of the consequences for violations. The School may form a prevention task force and/or programs to educate scholars about this policy, such as holding an assembly on harassment, intimidation and bullying for Parents and Scholars, to raise the level of awareness and help prevent the prohibited conduct. The School shall incorporate training on this policy into the in-service training required under R.C. 3319.073. The School may provide training, workshops, or courses to other Staff and volunteers who have direct contact with scholars.

*R.C. 3313.666, 3313.667, 3319.073.* See also Policy 271 Scholar Code of Conduct; Policy 273 Expulsion and Suspension; Policy 232 Technology and Internet Acceptable Use; Policy 234 Electronic

Communication Devices; Policy 261 Scholar Expression; Policy 262 Scholar Bill of Rights/Responsibilities; and Policy 264 Sexual and Other Forms of Harassment.

***Title IX Coordinator (222)***

The School intends to comply with Title IX of the Education Amendments Act of 1972 (“Title IX”), which states, in part: “No persons in the United States shall on the basis of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving financial assistance...”

As such, the School does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activities that it operates as required by Title IX and 34 Code of Federal Regulations Part 106 (the “Title IX Regulations” or “its Regulations”), including in admission and employment.

Inquires about the application of Title IX or the Title IX Regulations to the School may be referred to the School’s Title IX Coordinator, the U.S. Department of Education’s Office for Civil Rights or both.

The School’s Title IX Coordinator is:

Reports/Complaints pertaining to students	<ul style="list-style-type: none"><li>● Nikki May, Network Operations</li><li>● nmay@breakthroughschools.org</li><li>● (216) 456-2086</li></ul>
Reports/Complaints pertaining to staff members	<ul style="list-style-type: none"><li>● Jennifer Padlan, Chief People Officer</li><li>● jpadlan@breakthroughschools.org</li><li>● (216) 456-2086</li></ul>

The School's nondiscrimination policy and grievance procedures can be located herein and/or at [breakthroughschools.org/policies](http://breakthroughschools.org/policies)

Any person may report or make a complaint of sex discrimination, including sex-based harassment, at any time, in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator. If a report or complaint involves allegations by or involving the Title IX Coordinator, the person making the report or complaint should submit it to the Superintendent. The Superintendent will then serve in place of the Title IX Coordinator for purposes of addressing that report. If the Superintendent is the Title IX Coordinator, the person making the report should submit it to the Board President.

The language above will be posted on the School's website within two clicks of the home page, and in each handbook, catalog, announcement, bulletin, and application form that it makes available to students, parents, guardians, or other authorized legal representatives of elementary school and secondary school students, employees, applicants for admission and employment, and all unions and professional organizations holding collective bargaining or professional agreements with the School; or which are otherwise used in connection with the recruitment of students or employees. If necessary, due to the format or size of any such publication, the School may instead include in those publications the following statement: "The School prohibits sex discrimination in any education program or activity that it operates. Individuals may report concerns or questions to the Title IX Coordinator. The notice of nondiscrimination is located at [breakthroughschools.org/policies](http://breakthroughschools.org/policies)."

### ***Title IX Grievance Procedure (222.1)***

The Title IX Grievance Procedure listed below is meant to provide for prompt and equitable resolution of scholar and employee complaints.

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

Should any School employee, or School official who has authority to institute corrective measures on behalf of the School, receive notice of sexual harassment or allegations of sexual harassment, they shall immediately report it to the Title IX Coordinator.

If a report involves allegations by or involving the Title IX Coordinator, the person making the report should submit it to the Superintendent. The Superintendent will then serve in place of the Title IX Coordinator for purposes of addressing that report. If the Superintendent is the Title IX Coordinator, the person making the report should submit it to the Board President.

### **Grievance Process for Complaints Not Alleging Sexual Harassment**

#### **Level I – Informal Procedure**

Upon receiving a report of sexual discrimination that does not allege sexual harassment (as defined below), the Title IX Coordinator shall facilitate resolution through an informal procedure, if possible. This informal procedure is not required as a precursor to the filing of a complaint. The informal procedure is only available in those circumstances where the parties agree to participate in it. Individuals who believe that they have been unlawfully sexually discriminated/retaliated against may proceed immediately to

the complaint procedure and individuals who seek resolution through the informal procedure may request that the informal procedure be terminated at any time to move to the complaint procedure. While there are no set time limits within which an informal procedure must be resolved, the Title IX Coordinator or his/her designee will exercise his/her authority to attempt to resolve the informal procedure within fifteen (15) business days of receiving the report.

Parties who are dissatisfied with the results of the informal procedure may proceed to file a complaint with the Title IX Coordinator.

### Level II – Complaint Procedure

If a report is not resolved through the informal procedure, if one of the parties requests that the informal procedure be terminated to move to the complaint procedure, or if the individual elects to file a complaint initially, the complaint procedure shall be implemented. The School also reserves the right to investigate and resolve a complaint or report of sex discrimination/retaliation regardless of whether the individual alleging the unlawful discrimination/retaliation pursues a complaint.

The complaint should be in writing and state the date and nature of the alleged discrimination/retaliation and the relief sought. If the grievant is a scholar, the Title IX Coordinator shall assist in preparing the written complaint.

Upon receipt of the written complaint of sexual discrimination that does not allege sexual harassment, the Title IX Coordinator or his/her designee shall begin an investigation. The investigation will include, but not be limited to, interviews and a consideration of documentation or other information presented by any party that is reasonably believed to be relevant to the allegations, as applicable. Although certain cases may require additional time, the Title IX Coordinator or his/her designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the written complaint. The School reserves the right to have the complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

If an individual is alleged to have engaged in discrimination/retaliation, that individual shall be presumed to not be responsible for the alleged conduct until the conclusion of the complaint procedure. That individual must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

At the conclusion of the investigation, the Title IX Coordinator or his/her designee shall issue a written decision to the parties.

### Level III – Appeal

If the scholar or employee believes that there still is a basis for a grievance, he or she may make a written statement of appeal to the Board. This written statement of appeal must be filed within ten (10) business days of the date of the Title IX Coordinator's decision



The Board or its designee (1-3 members of the Board) shall make a decision on the grievance appeal in a timely manner (ordinarily, within fifteen (15) business days of the appeal being received), and shall give that decision in writing to the Title IX Coordinator and the Scholar or employee.

## **Grievance Process for Complaints of Sexual Harassment**

### **Definitions**

For purposes of this grievance process,

*“Complainant”* means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

*“Formal complaint”* means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the School investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the School with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed for the Title IX Coordinator.

*“Respondent”* means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

*“Sexual harassment”* means conduct on the basis of sex that satisfies one or more of the following:

- (1) An employee of the School conditioning the provision of an aid, benefit, or service of the School on an individual’s participation in unwelcome sexual conduct;
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School’s education program or activity; or
- (3) “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).

*“Supportive measures”* means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the School’s education program or activity

without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the School's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The School must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the School to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

### Training

Any individual designated by the School as a Title IX Coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process, shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. In addition, these individuals shall not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

All Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, shall receive training on the definition of sexual harassment, the scope of the School's education program or activity, how to conduct an investigation and grievance process (including hearings, appeals, and informal resolution processes, as applicable), and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

The School will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, and that decision-makers receive training on any technology to be used at a live hearing, and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

### Presumption of No Responsibility

Throughout this grievance procedure, there shall be a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. In addition, the School shall not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

The School must comply with this grievance process before the imposition of any disciplinary sanctions, or other actions that are not supportive measures, against a respondent.

The investigation of the grievance shall include an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and credibility determinations may not be based on a person’s status as a complainant, respondent, or witness. The standard of evidence to be used to determine responsibility will be the preponderance of the evidence standard.

#### Good Cause Delay

There may be a temporary delay of the grievance process or a limited extension of time-frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party’s advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

#### Level I – Response to Report

Upon receiving a report of sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures, consider the complainant’s wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. The School will maintain as confidential any supportive measures provided before or after the filing of a formal complaint or where no formal complaint has been filed, to the extent that maintaining such confidentiality would not impair the ability of the School to provide the supportive measures.

#### Level II – Formal Complaint

Upon receipt of a formal complaint (or later as additional allegations become known), the School will provide the following written notice to the parties who are known:

(A) Notice of the School’s grievance process that complies with this section, including any informal resolution process.

(B) Notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice must include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice must inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence. The written notice must also inform the parties of any provision in

the School's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the School decides to investigate allegations about the complainant or respondent that are not included in the foregoing notice provided, the School must provide notice of the additional allegations to the parties whose identities are known.

The School may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Investigation:

The Title IX Coordinator or his/her designated investigator will investigate the allegations in a formal complaint. When investigating a formal complaint and throughout the grievance process, the Title IX Coordinator or his/her designated investigator must:

- (A) Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the School and not on the parties provided that the School cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the School obtains that party's voluntary, written consent to do so for a grievance process (if a party is not an "eligible scholar," as defined in 34 CFR 99.3, then the School must obtain the voluntary, written consent of a "parent," as defined in 34 CFR 99.3);
- (B) Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- (C) Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- (D) Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the School may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
- (E) Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;

(F) Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the School does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the School must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least ten (10) business days to submit a written response, which the investigator will consider prior to completion of the investigative report; and

(G) Create an investigative report within thirty (30) business days of receipt of a formal complaint that fairly summarizes relevant evidence and, at least ten (10) business days prior to a time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

#### Question and Answer Period

After the School has sent the investigative report to the parties, the Title IX Coordinator or his/her designated investigator shall submit the investigative report to a decision-maker(s) to reach a determination regarding responsibility. The decision-maker(s) cannot be the same person(s) as the Title IX Coordinator or the investigator(s).

Before reaching a determination regarding responsibility, the decision-maker(s) must afford each party five (5) business days to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. However, questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

#### Dismissal

The School must investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment even if proved, did not occur in the School's education program or activity, or did not occur against a person in the United States, then the School must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX. However, such a dismissal does not preclude action under another provision of the School's code of conduct.

The School may also dismiss the formal complaint or any allegations therein, if at any time during the investigation: a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer enrolled or employed by the School; or specific circumstances prevent the School from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal, the School will promptly send written notice of the dismissal and reason(s) therefore simultaneously to the parties.

#### Determination Regarding Responsibility

The decision-maker(s) must issue a written determination regarding responsibility within twenty-five (25) business days of receiving the investigative report.

The written determination must include:

- (A) Identification of the allegations potentially constituting sexual harassment;
- (B) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
- (C) Findings of fact supporting the determination;
- (D) Conclusions regarding the application of the School's code of conduct to the facts;
- (E) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the School imposes on the respondent, and whether remedies designed to restore or preserve equal access to the School's education program or activity will be provided by the School to the complainant; and
- (F) The School's procedures and permissible bases for the complainant and respondent to appeal.

The School must provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the School provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

If a determination of responsibility for sexual harassment has been made against a respondent, the School will provide remedies to a complainant. The Title IX Coordinator is responsible for effective implementation of any remedies. Possible remedies to the complainant that the School may implement include: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus,

and other similar measures or individualized services offered as may be appropriate and reasonably available, without fee or charge to the complainant, that are designed to restore or preserve equal access to the School's education program or activity, to protect the safety of the complainant or the School's educational environment, or to deter sexual harassment.

Possible disciplinary sanctions the School may implement following any determination of responsibility by the respondent may include: suspension, expulsion, reprimand, documenting the occurrence in the personnel file, referral to counseling, withholding of a promotion, demotion, reassignment, temporary suspension without pay, termination of employment, or any other disciplinary measures outlined in the School's code of conduct or Staff Handbook.

### Level III – Appeal

Either the complainant or respondent, or their parent or guardian, may appeal from a determination regarding responsibility or from a dismissal of a formal complaint, or any allegations therein. Any such appeal shall be received by the Title IX Coordinator in writing within ten (10) business days of the determination.

The appeal may be on one or more of the following bases:

- (A) Procedural irregularity that affected the outcome of the matter;
- (B) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- (C) The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

The Title IX Coordinator shall give the written appeal to an appeal decision-maker(s) for decision. The decision-maker on appeal cannot be the same person(s) as the initial decision-maker, the Title IX Coordinator, or the investigator(s).

Within three (3) business days of receipt, the Title IX Coordinator shall also provide notice to the other party in writing that the appeal was filed. Each party shall then be provided five (5) business days to submit a written statement in support of, or challenging, the outcome.

Within ten (10) business days after the time to submit a written statement has passed, the decision-maker on appeal shall issue a written decision describing the result of the appeal and the rationale for the result, and provide the written decision simultaneously to both parties.

For all appeals, the School must ensure that the decision-maker(s) for the appeal: (i) not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent; (ii) receive training on the definition of sexual harassment, the scope of the School's

education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; (iii) receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant; and (iv) receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

### **Office for Civil Rights**

If the scholar (or their parent or guardian) or employee is not satisfied with the grievance process determination, he or she may appeal it to the Office for Civil Rights. However, use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

A scholar (or their parent or guardian) or employee who believes there is a basis for a grievance related to Title IX may file a written complaint with the Office for Civil Rights, U.S. Department of Education, 600 Superior Avenue East, Suite 750, Cleveland, Ohio 44114-2611. Any such written complaint must be filed within one hundred eighty (180) days from the date of the alleged discrimination, or, if this grievance procedure is utilized, within sixty (60) days after the last act of the grievance process.

### **Informal Resolution Process**

The School may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment.

Similarly, the School may not require the parties to participate in an informal resolution process, and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the School may facilitate an informal resolution process that does not involve a full investigation and adjudication, provided that the School:

(A) Provides to the parties a written notice disclosing: the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;

(B) Obtains the parties' voluntary, written consent to the informal resolution process; and

(C) Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a scholar.



Any such informal resolution process should not exceed ten (10) business days.

### **Emergency Removal**

Nothing in this grievance procedure precludes the School from removing a respondent from the School's education program or activity on an emergency basis, provided that the School undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any scholar or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. However, this provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

### **Administrative Leave**

Nothing in this grievance procedure precludes the School from placing a non-scholar employee respondent on administrative leave during the pendency of a grievance process. However, this provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

### **Recordkeeping**

The School must maintain for a period of seven years records of:

- (A) Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the School's education program or activity;
- (B) Any appeal and the result therefrom;
- (C) Any informal resolution and the result therefrom; and
- (D) All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The School must make these training materials publicly available on its website, or if the School does not maintain a website the School must make these materials available upon request for inspection by the public.

For each response to a report or formal complaint of sexual harassment in an education program or activity, the School must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the School must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the School's education program or activity. If the School does not provide a complainant alleging sexual harassment with supportive measures, then the School must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The

documentation of certain bases or measures does not limit the School in the future from providing additional explanations or detailing additional measures taken.

### **Retaliation Prohibited**

Neither the School, nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this grievance procedure, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding in this grievance procedure. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this grievance procedure, constitutes retaliation.

The School must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination complaints not alleging sexual harassment. The exercise of rights protected under the First Amendment does not constitute prohibited retaliation under this grievance procedure. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of this grievance procedure does not constitute prohibited retaliation under this grievance procedure, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

### **Designations**

The School retains discretion to designate suitably qualified persons to fulfill any function under this policy, including, but not limited to, Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor.

The School also retains discretion to appoint two or more persons to jointly fulfill the role of Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor.

The Superintendent and/or Title IX Coordinator may delegate functions assigned to a specific individual under this policy, including but not limited to the functions assigned to the Title IX Coordinator,

investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor, to any suitably qualified individual and such delegation may be rescinded at any time.

*See 34 CFR part 106; see also Policy 221, Policy 222, and Appendices 221.1-A through 221.1-J.*

Full Title IX Policy & Grievance Procedure can be found here: [breakthroughschools.org/policies](http://breakthroughschools.org/policies)

### ***Internet Acceptable Use Policy***

**The use of technology and computer resources at the school is a revocable privilege. Failure to abide by this policy may render a scholar ineligible to use the school's computer facilities and may bring additional disciplinary action.**

All users are expected to use the technology available at the school in a manner appropriate to the school's academic and moral goals. Technology includes, but is not limited to, cellular telephones, beepers, pagers, radios, CD/MP3/DVD players, video recorders, video games, personal data devices, computers, other hardware, electronic devices, software, Internet, email and all other similar networks and devices. Users are expected to be responsible and use technology to which they have access appropriately. Obscene, pornographic, threatening, or other inappropriate use of technology, including, but not limited to, email, instant messaging, web pages, and the use of hardware and/or software which disrupts or interferes with the safety and welfare of the school community is prohibited, even if such uses take place after or off school property (i.e., home, business, private property, etc.).

**Failure to adhere to this policy and the guidelines below will result in disciplinary action as outlined in the discipline charts in Appendix E. See these charts for details on the definition of and related consequences for "Electronic Access", "Intimidation, Menacing, Bullying, Cyber bullying", "Misuse of Electronic Online Hardware or Software", "Offensive Material", "School Property", and "Technology Misuse".**

Unacceptable uses of technology/Internet include but are not limited to:

1. Violating the conditions of federal and Ohio law dealing with scholars' and employees' rights to privacy. Trespassing in others' folders, work, or files; copying other people's work or attempting to intrude into other people's files; using other users' email addresses and passwords.
2. Using profanity, obscenity or other language which may be offensive to another user; sending messages with derogatory or inflammatory remarks about an individual's race, sex, age, disability, religion, national origin or physical attributes via the Internet or technology; bullying, insulting, intimidating, or attacking others; transmitting any material in violation of federal or state law.
3. Accessing profanity, obscenity, abusive, pornographic, and/ or impolite language or materials, accessing materials in violation of the Scholar Code of Conduct. A good rule to follow is to never view, send or access materials that you would not want your instructors and guardians to see. Should a scholar encounter any inappropriate materials by accident, he/she should report it to their instructors immediately.
4. Violating copyright laws by illegally downloading or installing music, any commercial software, shareware, or freeware. You are required to strictly comply with all licensing agreements

- relating to any software. All copyright laws must be respected.
5. Plagiarizing works through the Internet or other technology. Plagiarism is taking the ideas of others and presenting them as if they were original to the user.
  6. Damaging technology devices, computers, computer systems or computer networks (for example, by the creation, introduction or spreading of computer viruses, physically abusing hardware, altering source codes or software settings, etc.).
  7. Using the technology or the Internet for commercial purposes or activities, which is defined as offering or providing goods or services or purchasing goods or services for personal use, and includes, but is not limited to, the following:
    - a. any activity that requires an exchange of money and/or credit card numbers;
    - b. any activity that requires entry into an area of service for which the school will be charged a fee;
    - c. any purchase or sale of any kind; and
    - d. any use for product advertisement or political lobbying.
  8. Neither the Internet nor any other technology may be used for any purpose that is illegal or against the school's policies or contrary to the school's mission or best interests.

All users are expected to be responsible, courteous and thoughtful when using technology and the Internet. Common sense should prevail. The use of the school computer network system should be in support of education and research, consistent with the educational mission or objectives of the School and in accordance with federal law, Ohio law and the Scholar Code of Conduct.

Scholars and staff have no expectation of privacy with respect to the use of technology, the Internet, intranet or email. Maintenance and monitoring of the school network system may lead to the discovery that a user has or is violating school policy or the law. Violations of school policy, the Scholar Code of Conduct or the law may result in severe penalties, up to and including expulsion.

The school makes no warranties of any kind, either expressed or implied, that the functions or the services provided by or through the school technology system will be error-free or without defect. The school will not be responsible for any damage users may suffer, including but not limited to, loss of data, interruption of service, or computer viruses. The school is not responsible for the accuracy or quality of the information obtained through or stored on the school system. The school will not be responsible for financial obligations arising through the authorized use of the system.

In accordance with the Children's Internet Protection Act ("CIPA"), the school has placed a filter on its Internet access as one step to help protect its users from intentionally or unintentionally viewing inappropriate material. The school blocks the categories that are determined to be potentially inappropriate. However, families must be aware that some material accessible via the Internet contains illegal, defamatory, inaccurate, or potentially offensive language and/or images. While the goal of the school is to use Internet resources to achieve educational goals, there is always a risk of scholars accessing other materials. guardians should be aware of these risks.

### ***School Closings***

In the event of most inclement weather, Breakthrough Public Schools will follow the Cleveland Metropolitan School District's decision to close school. Sometimes, Breakthrough Public Schools may close, even if Cleveland Metropolitan Schools are open, due to specific building needs or weather patterns. Families that keep their numbers up to date with our front desk will receive a call or text

informing them of school closings, school emergencies, and any other upcoming events.

School closings for Breakthrough Public Schools are announced on channels 3, 5, 8, and 19. It is the responsibility of guardians and scholars to access this information.

### ***Food Service***

BPS provides its scholars with breakfast and lunch. The school participates in the National School Lunch Program, which provides free or reduced price breakfasts and lunches as well as free milk to eligible scholars.

Breakfast is served from 7:35 – 7:55 a.m. and is optional for all scholars. Scholars must arrive at school by 7:50 a.m. in order to eat breakfast.

### ***School Property***

BPS expects scholars to treat school property and equipment with care and responsibility. School property includes the building and grounds, equipment including all technology, books and any other material possessions of BPS. Intentional actions to damage or harm school property may lead to a suspension or an expulsion hearing. Should the damage be deemed as an unintentional act, scholars may be given the option of reimbursing the school and/or completing community service determined at the discretion of the schools.

### ***Textbooks and Novels***

Scholars may be provided with school textbooks and novels. Scholars must maintain these books in good condition throughout the year. Damaged or lost books will be the responsibility of the scholar and must be paid for based upon an amount assessed by the school. Report cards may be held if book fees are not paid.

### ***Personal Property***

All property brought to school is brought at the owner's risk. The school does not assume responsibility for any property belonging to scholars. Distracting or inappropriate objects will be taken from a scholar and a guardian will be required to pick up the item from an administrator. Scholars should not bring large sums of money to school.

### ***Electronic Communication Devices***

While on school property, in a school vehicle, or while attending school-sponsored or school-related activities, whether on or off school property, scholars shall be permitted to possess electronic communication devices, including, but not limited to, smartphones, smartwatches, tablets, e-readers, laptops, wireless earbuds, handheld gaming devices, or other devices deemed to be distracting, provided they observe the following conditions:

1. Students may have electronic devices in their possession during the regular school day, but the device must remain out of sight in a backpack or locker and be turned off or on a silent mode. This includes during lunch and transition times.

2. Electronic devices may be used if specifically allowed by law, an IEP, a Section 504 Accommodation Plan, a Health Care Plan, or testing/assessment directions.
3. Students may use an electronic device in an emergency situation that threatens the health, safety or well-being of students (including themselves), school employees or others.
4. Students may use an electronic device for medical reasons.
5. If students intentionally use or respond to electronic devices during the school day the electronic device may be confiscated.
6. Devices may be retrieved by individuals designated by the school. Students may also be subject to school discipline.
7. Teachers may opt to gather devices to be held in a reasonably secure place during instructional, curricular or extracurricular time (including rehearsal, practice, or extracurricular activities) as deemed beneficial to the purpose at hand.
8. Devices shall not be used in a manner that disrupts the educational process, or educational mission including, but not limited to, posing a threat to academic integrity or violating confidentiality or privacy rights of another individual. Unless an emergency situation exists that involves imminent physical danger or a certified employee authorizes the scholar to do otherwise, devices shall be turned off during the school day. They may be stored in the scholar's locker or in a pocket during the school day, but may only be turned on and operated before and after the regular school day.
9. When scholars violate this prohibition, they shall be subject to disciplinary action, including but not limited to losing the privilege of bringing the device onto school property. In addition, an administrator may confiscate the device, which shall only be returned to the scholar's guardian. All requests to confiscate these items must be complied with in a spirit of cooperation. If, upon confiscation, the school becomes aware of other misuse of the device, or has a reasonable suspicion of other violations of school policy, the scholar may be disciplined for additional violations of this or other school policies. In other words, a scholar loses their privacy rights in the device and information contained in the device, once a school policy is violated and the device confiscated so long as the school has a reasonable suspicion of misuse.
10. Scholars are responsible for devices that they bring to school. The school shall not be responsible for loss, theft, or destruction of devices brought onto school property.
11. Scholars shall comply with any additional rules developed by the school concerning appropriate use of electronic communication devices.
12. Scholars shall not utilize an electronic communication device in a manner that would violate the School's Technology and Internet Acceptable Use Policy or its Scholar Code of Conduct.

Examples of types of prohibited behavior involving electronic communication devices include, but are not limited to:

- text messaging on or off School Property during school hours to or from a scholar on School Property;
  - sexting, which is the act of sending sexually explicit messages or photographs, primarily between mobile phones or other electronic communication devices;
  - using digital cameras or camera phones to invade the privacy of others by transmitting unauthorized or derogatory photos or video clips to another person via email, to another camera phone or by posting it on the web;
- using digital cameras, camera phones, or any other device to cheat on examination;

- playing digital games; and
- using digital cameras, camera phones, or any other device to harass or bully another.

### ***Student Cellular Phones in School***

To support school environments in which students can fully engage with their classmates, their teachers, and instruction, the Board of the School has determined the use of cell phones by students during school hours should be limited.

The objective of this policy is to strengthen the School's focus on learning, in alignment with its mission to ignite students' passion for learning, cultivate a strong foundation of knowledge, and foster a sense of community within the School.

#### Research

Research shows that student use of cellphones in schools has negative effects on student performance and mental health. Cell phones distract students from classroom instruction, resulting in smaller learning gains and lower test scores. Increased cell phone use has led to higher levels of depression, anxiety, and other mental health disorders in children.

#### Applicability

This policy applies to the use of cell phones by students while on school property during school hours.

#### Use of cell phones

In an effort to minimize distractions in classroom settings and improve student achievement, student cellular telephone use shall be as limited as possible during school hours while the student is on school property. The School shall require students to silence their cellular telephones and place them out of view during instructional time. Cellular telephone usage shall not be permitted during times of instruction.

#### Cell phone storage

Students shall keep their cell phones in a secure place, such as the student's locker, a closed backpack, or a storage device provided by the School, at all times when cell phone use is prohibited.

#### Exception

Nothing in this policy prohibits a student from using a cell phone for a purpose documented in the student's individualized education program developed under Chapter 3323 of the Ohio Revised Code or a plan developed under section 504 of the "Rehabilitation Act of 1973," 29 U.S.C. 794.

In the case of an emergency or for other necessary purposes, cellular telephones may be used at the discretion of School administration.

Cellular telephones may be used for learning purposes at the discretion of the teaching staff.

Additionally, a student may use a cell phone to monitor or address a health concern.

### Discipline

If a student violates this policy, a teacher or administrator shall take the following progressively serious disciplinary measures:

- A. Give the student a verbal warning and require the student to store the student's cell phone in accordance with this policy.
- B. Securely store the student's cell phone in a teacher- or administrator-controlled locker, bin, or drawer for the duration of the class or period.
- C. Place the student's cell phone in the school's central office for the remainder of the school day.
- D. Place the student's cell phone in the school's central office to be picked up by the student's parent or guardian.
- E. Schedule a conference with the student's parent or guardian to discuss the student's cell phone use.
- F. Other discipline as appropriate pursuant to the School's Code of Conduct.



### ***Lost and Found***

The school's lost and found is located near the front desk. Items not claimed within a month are donated to charitable organizations.

### ***School Supplies***

It is the responsibility of scholars to come with appropriate materials to school. Families will receive a school supply list at the end of July. If circumstances make this impossible, guardians should speak with one of the Directors of Curriculum and Instruction

### ***Scholar Records and Release of Information (294)***

#### Parents and Eligible Scholars

For the purposes of this section, “eligible Scholars” shall include any Scholar who is at least eighteen (18) years of age or an emancipated minor. Parents and eligible Scholars shall receive annual notice of their rights under this section.

Parents and eligible Scholars have the right to inspect and review the Scholar’s education records within forty-five (45) days of the receipt of a request for access to such records. Such request must be in writing and the school shall make arrangements for access to such records and shall notify the parent or eligible Scholar of the time and place where such records may be inspected.

Parents and eligible Scholars have the right to request in writing an amendment of a record that they believe is inaccurate. In the event the school determines that the requested amendment will not be made, the parent or eligible Scholar shall be informed of the reasons for such decision in writing and the school shall advise the parent or eligible Scholar of their right to a hearing regarding the request for amendment.

#### Release of Directory Information

The School may disclose directory information if it has given public notice to parents or Scholars of the types of personally identifiable information that the School has designated as directory information.

Accordingly, the School shall choose one of the options as indicated:

- X (1) The School may choose not to identify or define any directory information. If the School so chooses, then it will not issue any personally identifiable information and will not be able to provide directory information in response to records requests or inquiries made by third parties.
- (2) The School may choose to issue a directory information designation notice to its Scholars or their parents in order to designate personally identifiable Scholar information as directory information. If the School so chooses, the School shall not permit the release of education

records or personally identifiable information, other than directory information, without the written consent of a parent.

The School shall provide annual notice to parents and eligible Scholars regarding their rights under FERPA and also whether the school will make available, upon request, "directory information". Directory information may (but does not have to) include a Scholar's name, address, telephone listing, date and place of birth, photograph, major field of study, participation in officially recognized activities and sports, dates of attendance, date of graduation, awards received, honor rolls, and scholarships. In its notice, the School shall clearly specify which of the above information it designates as directory information. Such information shall not be provided to any organization for profit-making purposes. Within ten (10) days of receiving notice of the intent to disclose directory information, a parent or eligible Scholar may object to the release of such information without prior written consent, upon notification of which the school shall not release directory information without first obtaining such consent.

See Notice of Rights Under the Family Educational Rights and Privacy Act ("FERPA") and Authorization to Release Scholar Directory Information.

Exceptions to the released personally identifiable information are allowed in the following circumstances:

1. to school officials who have a legitimate educational interest.

A "School Official" is a person employed by the School in an administrative, supervisory, academic or support staff position; a member of the school law enforcement unit, which consists of the Director of Safety & Security and Facilities Manager; a person with whom the School has contracted to perform a special task (i.e. Attorney, auditor, outside consultant); a person serving on the Board.

A School Official has a "legitimate educational interest" in an education record when the official needs to review the record in order to fulfill his or her responsibility on behalf of the School, such as when the official is performing a task that is specified in his or her job description or by a contract agreement or other official appointment; performing a task related to a Scholar's education; performing a task related to the discipline of a Scholar; or providing a service or benefit relating to the Scholar or Scholar's family, such as health care, counseling, assisting with the college application procedure; any other purpose that the Board deems necessary as related to a Scholar's education.

2. to officials of other schools or school systems in which the Scholar seeks or intends to enroll, upon the condition that the Scholar's parents be notified of the transfer, receive a copy if desired and have an opportunity for a hearing to challenge the content of the record.
3. to appropriate parties in connection with an emergency if such knowledge is necessary to protect the health and safety of the Scholar or other individuals. This exception is limited to the period of the emergency and generally does not allow for a blanket release of personally identifiable information from a Scholar's education record.
4. when images of Scholars captured on security video tapes are maintained by the school's law enforcement unit;
5. when information is obtained through a school official's personal knowledge or observation and not from the Scholar's education record. For example, if a teacher overhears a Scholar making

threatening remarks to other Scholars, that information is not protected and the teacher may disclose what he or she overheard to appropriate authorities.

The School shall provide the Ohio Department of Education (“ODE”) with personally identifiable Scholar information under the following circumstances:

1. A testing scoring company has notified ODE that the Scholar’s written response to a question on a state achievement test included threats or descriptions of harm to the Scholar or another person and ODE needs the information to identify the Scholar for the purpose of alerting the School of the potential for harm;
2. The School asks ODE to verify the accuracy of the Scholar’s score on an achievement test; or
3. The Scholar has passed all but one of the Ohio Graduation Tests (OGT) and ODE must determine whether the Scholar satisfies the alternative requirements for a high school diploma.

If agreed to in and required by its Charter Contract with its Sponsor, the School may provide its Sponsor, as an authorized representative of the Ohio Department of Education, with access to Scholar or other records if necessary and in connection with the audit and evaluation of federally supported education programs, or in connection with the enforcement of the federal legal requirements which relate to such programs. When collection of personally identifiable information is specifically authorized by federal law, no such data shall be disclosed to anyone other than authorized representative of the Ohio Department of Education, or as otherwise allowed by law. The Sponsor must, by law, destroy such personally identifiable information when no longer needed for the audit, evaluation, and enforcement of the federal legal requirements.

#### Scholar Records Log

School officials maintaining records shall keep a log identifying all individuals (whether from the school or not), agencies or organizations, who request or obtain access to non-directory information within a Scholar’s education record. The log shall contain the reason why access was requested and shall be kept by the person responsible for maintaining the records. All Scholar records must be reviewed on the School premises.

#### Health and Safety Emergency Exception

The School may, taking into account the totality of the circumstances, disclose personally identifiable information from an education record to appropriate parties in connection with an emergency, if knowledge of the information is necessary to protect the health or safety of a Scholar or others. The School must determine and record the articulable and significant threat, and it then may disclose information from education records to any person whose knowledge is necessary to protect these individuals.

*20 U.S.C. § 1232g.*

*R.C. 3319.321*

*R.C. 3301.0716*

See Notification of Rights Under the Family Educational Rights and Privacy Act (“FERPA”) and Authorization to Release Scholar Directory Information, and Request and Consent for Release of Records. See also Standards for the Ethical Use of Tests.

***Notice of Rights Under the Family Educational Rights and Privacy Act (“FERPA”) and Authorization to Release Scholar Directory Information***

FERPA affords parents and scholars over 18 years of age (“eligible scholars”) certain rights with respect to the scholar’s education records. These rights are:

1. The right to inspect and review the scholar’s education records within 45 days of the day the School receives a request for access. Parents or eligible scholars should submit to the School principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible scholar of the time and place where the records may be inspected.
2. The right to request the amendment of the scholar’s education records that the parent or eligible scholar believes are inaccurate or misleading. Parents or eligible scholars may ask the School to amend a record that they believe is inaccurate or misleading. They should write the School principal [or appropriate official], clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the School decides not to amend the record as requested by the parent or eligible scholar, the School will notify the parent or eligible scholar of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible scholar when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the scholar’s education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School in an administrative, supervisory, academic or support staff position; a member of the school law enforcement unit, which consists of the School Leader; a person with whom the School has contracted to perform a special task (i.e. Attorney, auditor, outside consultant); a person serving on the Board. A School official has a “legitimate educational interest” in an education record when the official needs to review the record in order to fulfill his or her responsibility on behalf of the School, such as when the official is performing a task that is specified in his or her job description or by a contract agreement or other official appointment; performing a task related to a scholar’s education; performing a task related to the discipline of a scholar; or providing a service or benefit relating to the scholar or scholar’s family, such as health care, counseling, assisting with the college application procedure; any other purpose that the Board deems necessary as related to a scholar’s education. Upon request, the School discloses education records without consent to officials of another school or school district in which a scholar seeks or intends to enroll.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

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

5. The school intends to forward any and all education records to another school or post-secondary institution at which the scholars seeks or intends to enroll, upon the condition that the scholar's parents be notified of the transfer, receive a copy if so desired, and have an opportunity for a hearing to challenge the content of the record.

The Family Educational Rights and Privacy Act of 1974 (FERPA) protects the privacy of scholars' education records. Under FERPA, most information about our scholars cannot be made public without the consent of parents/guardians. However, if the School designates information as directory information, FERPA allows the release of scholar directory information unless the scholar's parent(s)/guardian(s) inform the School in writing not to release such information.

**OFFICIAL DESIGNATION**

The School must choose one of the following options and mark appropriate lines with an "X".

This School:

  N/A   HAS NOT designated any personally identifiable information as directory information and will not include such information in school publications, recognition lists, programs or scholar directories or give such information to third parties without parental consent

**OR**

  X   HAS designated the following marked information as directory information ("X" applicable information below):

- X   Scholar's name
- Scholar's address
- Scholar's electronic mail address
- Scholar's photograph
- Scholar's telephone number
- Scholar's date and place of birth
- Scholar's major field of study
- X   Scholar's participation in officially recognized activities or sports
- the weight and height of members of athletic teams
- X   dates of attendance
- X   awards received
- X   date of graduation

The School will use the designated directory information (if any) in the following manner [school check appropriate lines]

- all school related publications
- yearbook

- honor roll
- other recognition lists
- activity programs
- awards or awards ceremonies
- graduation programs
- sports
- scholar directory
- other \_\_\_\_\_
- all of the above

Officially designated directory information can also be disclosed to outside organizations unless parent(s)/guardian(s) have advised the School that they do not want their scholar’s information disclosed without their prior approval.

If the School has chosen to not designate directory information, no directory information will be released (see above) and no parental opt out is required.

If the school has chosen to release directory information, and if you do **NOT** want the School to disclose directory information from your child’s education records without your consent, you must notify us in writing within ten days of your receipt of this notice or on \_\_\_\_\_, whichever is later.

The form below may be utilized for that purpose.

\_\_\_\_\_

Please do not make available my scholar’s directory information without my prior written permission.

Name of Scholar(s): \_\_\_\_\_

\_\_\_\_\_  
Parent or Responsible Custodian/Guardian Signature Date

\_\_\_\_\_  
Printed Name of Parent or Responsible Custodian/Guardian Date

***Release of Photographs and Other Information***

The school will periodically create publications to highlight scholar achievement, school life and school events and will maintain a regular website with this information. These publications and websites will be developed for the purposes of admissions, public relations, fundraising, and other uses that promote the school. From time to time, the school may also get media requests to highlight the school and its scholars.

During the registration process, each guardian will be provided with a Scholar Photo/Information Release form. The school will honor these forms, such that scholar photographs will be included in publications only if the guardian has granted permission.

### ***Distribution of Published Materials or Documents***

Publications prepared by and for the school may be posted or distributed to the greater community, with prior approval by the Principal. Such items may include school posters, brochures, murals, etc. The school newspaper and the yearbook are available to scholars. All school publications are under the supervision of a teacher, sponsor, and the Directors of Curriculum and Instruction.

Unless a scholar obtains specific prior approval from the Principal, written materials, handbills, photographs, pictures, petitions, films, tapes, posters, or other visual or auditory materials may not be posted, sold, circulated, or distributed at school or on campus. Materials displayed without this approval will be removed.

### ***Commerce***

Scholars may not sell any goods or services on school property without the permission of the Principal. They may not make a collection of money or materials for their own purposes or for an organization to which they belong outside of school without prior permission from the Principal.

## ***Appendix A: Arrival and Dismissal***

Specific information regarding arrival and dismissal will be distributed to families and guardians at the start of the school year. Details for the arrival and dismissal process may vary by grade level and/or class. The bulleted points below serve as general reminders for families.

### ***Arrival***

- The school officially opens to scholars at 7:35 a.m. each day.
- Scholars arriving before 7:35 a.m. must behave in an orderly fashion at the front door. The Scholar Code of Conduct is in effect even before the doors open for breakfast.
- Scholars arriving late (after 8:00 a.m.) must report to the front desk to sign the tardy log and get a pass.
- Unless scholars and families have made an appointment with individual teachers or other staff beforehand, scholars and families must remain outside the building until 7:35 a.m.

### ***Dismissal***

- Monday to Friday, the school day officially ends at 2:15 p.m.
- Families must make every reasonable effort to pick up scholars by 2:45 pm. The school reserves the right to call Children and Family Services if a scholar is picked up after 3:00 pm.
- Scholars are escorted to their dismissal station five minutes before the start of dismissal. Under no circumstances should guardians remove scholars from their class line on the way to dismissal. All scholars are to be released by a school administrator. This is done to protect the safety and well-being of all of our scholars.
- Families must submit a release form located in the enrollment paperwork listing the names and information for any individuals, besides guardians, who regularly are authorized to pick up their children.
- Note that any updates to dismissal plans need to be received by the front office by 1:45pm each day.



## ***Appendix B: Classroom Parties, Birthdays, and Other Events***

The schools support each scholar's emotional growth by celebrating their achievements. Most of these celebrations take the form of school-wide events, which celebrate scholar academic achievement and character growth. These include Morning Meetings and regular celebrations throughout the year.

To maintain the structure and consistency of the school day as well as to preserve sacred learning time, Breakthrough Public Schools only allow for the celebration of birthdays during the lunch block. Our focus must be on instruction during the instructional day and parties or treats will shift the focus of the school day away from instruction. Please keep in mind that all BPS schools are nut-free schools.

Families wishing to involve classmates in the celebration of his or her scholar's birthday or other holidays can do so by inviting them to a party that occurs outside of school hours. The school can support such families by distributing a flier to families in that scholar's class. To avoid hurt feelings and distractions from learning, however, the school can only do this if **every** scholar in the class is invited. Families wishing to have such an invitation distributed should send it to school. Invitations must be general (as in not addressed to specific scholars) and must be issued to all scholars in the class. In order to minimize competition and distractions from learning, scholars must be in full uniform on their birthdays and other holidays.

## ***Appendix C: Admissions Policy***

Breakthrough Public Schools will not discriminate against any scholar based on race, color, national origin, gender, sexual orientation, age or disability or for any other basis that would be unlawful for a public school. Breakthrough Public Schools shall be open to any child who is eligible under the laws of the State of Ohio for admission to a public school, and Breakthrough Public Schools shall ensure compliance with all applicable anti-discrimination laws governing public schools, including Title VI of the Civil Rights Act, the Americans With Disabilities Act, and Chapter 3314 of the Ohio Revised Code. New scholars will be admitted each year without regard to prior measures of achievement or aptitude, athletic ability, disability, handicapped condition, ethnicity, race, creed, gender, national origin, religion, sexual orientation, age or ancestry.

### ***Publicity and Outreach***

Each year, the school holds information sessions to inform families and community members about the school and the admissions process. These information sessions are held at the school and perhaps at other community-based locations. The sessions are publicized widely, through means such as flyers, mailings, and informational sessions at daycares, community organizations, and local businesses. Families are encouraged to visit the school to see classes in action and meet currently enrolled scholars.

### ***Enrollment Process***

Families interested in enrolling a child at Breakthrough Public Schools are required to submit a completed entry form. The entry forms are made available at the school's information sessions. After submitting the entry form, guardians are required to attend a Mandatory guardian Orientation where school systems, procedures, and rules are reviewed in detail. There are no fees associated with the filing of an application, nor are there any tuition charges for attending the school.

### ***Admission Lottery***

In the event that the school receives more applications than allotted spaces, the school holds a lottery. This random and publicly held lottery is audited by a disinterested independent organization. All applicants are notified of the time and the place of the lottery and are invited to attend. If needed because of enrollment demands, this lottery will be held before April 1<sup>st</sup> each year.

### ***Admissions Process and Lottery Standards***

Any individual entitled to attend school in the State of Ohio may be an applicant, subject only to legal preferences as stated below, and limitations in space and of grade levels offered.

The School will not discriminate in admission based on creed, color, disability, sex, gender, intellectual ability or measure of achievement. The School will comply with all federal and state laws concerning the education of scholars with disabilities.

A. The admissions process for the next school year is held in the second half of the current school year and shall be subject to the following legal preferences:

- Scholars attending the then current school year (e.g. attending in 21-22 and is applying for 22-23)
- Siblings of scholars who attend the current school year

- Scholars of School Staff, provided the total number of scholars receiving this preference are no more than 5% of the School's total enrollment
- Scholars residing in the district where the School is located

B. If there are more applicants than there are spaces, a lottery shall be conducted in accordance with the following standards:

- Each applicant will be assigned a number
- Numbers will be drawn or selected randomly by or in front of a disinterested third party witness
- The School shall separate the lottery by grade level and by any or all legal preferences.
- Applicants not receiving a space in the lottery will be placed on a waiting list in the order randomly selected.
- If your prospective scholar is on a waiting list the School will contact you if a space becomes available, at the contact information you have provided. It is the parent/guardian's responsibility to keep contact information updated with the School. If the School cannot reach you after three attempts over three business days, the next person on the waiting list will be contacted and your place on the waiting list will be removed.
- Waiting lists will last through October 1 of the year of admittance and then be extinguished.

C. Re-enrollment of current scholars

The School must plan for limited classroom space and for staffing. Therefore, each year our School conducts a re-enrollment of then current Scholars for the upcoming school year. Parents receive notice of the re-enrollment period, including the start date and the deadline for re-enrollment.

If you have missed re-enrollment and still wish for your current scholar to attend our school in the next school year you must do one of two things:

1. Contact the Office of Scholar Enrollment and notify them that you wish for your current scholar to be submitted in the lottery, OR,
2. If you have missed the lottery, or if there is not a lottery, contact the Office of Scholar Enrollment and notify them that you wish for your scholar to be placed on the waiting list for the next school year.

In any situation where you have not re-enrolled your child during the re-enrollment process, it is important to be prompt and to communicate with their school as soon as possible.

If your scholar is placed in the lottery he or she retains the preference of a current scholar along with all other prospective or current scholars having a legal preference, as stated in Part A, above. He or she may still be placed on the waiting list if his/her name is not drawn in the lottery

If your scholar is on the wait list, the wait list operates on a first come-first served basis. Please see Part B, above for the waitlist procedure.

If you have not re-enrolled your scholar, you authorize the School to remove your scholar from the school roster until re-admitted if at all, through the lottery or pursuant to the waitlist.

If you are sure your child will not be attending our School, please communicate with your school to withdraw them for the upcoming school year as soon as possible.

RC 3313.65, RC 3314.06

See also, Policy No. 241.5 Enrollment and Residency

### ***Scholar Recruitment Activities***

*The schools may undertake the measures below, among others, to recruit scholar applicants:*

- Sending letters to residents of the Cleveland Metropolitan School District and surrounding districts;
- Posting flyers and notices in local newspapers, supermarkets, churches, community centers, and apartment complexes;
- Conducting open houses at public and private elementary daycares, after-school programs, and youth centers;
- Visiting local organizations in surrounding neighborhoods; and/or
- Canvassing neighborhoods to further reach interested families.

Breakthrough Public Schools' aim is to attract a scholar population that is similar in demographics to those of the Cleveland Metropolitan School District (CMSD). Through extensive outreach, Breakthrough Public Schools will attract scholars who reflect the demographics of CMSD, including scholars with disabilities and scholars who have Limited English Proficiency. Breakthrough Public Schools are committed to attracting and retaining such scholars by offering a high-quality educational program, hiring and training highly-qualified teachers, and communicating regularly with families.

### ***Enrollment and Eligibility***

All scholars who are accepted for enrollment must complete all of the school's enrollment forms by the date required on the forms to secure provisional enrollment. Breakthrough Public Schools reserve the right not to enroll any scholar whose forms are not returned by the designated date. All new scholars must take the school's baseline standardized tests. Guardians and scholars are required to attend information sessions and orientations, sign the Entry Form and Family-School Contract, and agree to fulfill their obligations to Breakthrough Public Schools including adherence to the Code of Conduct.

In addition, a child may not be eligible for admission if the guardian and scholar fail to complete all required forms truthfully.

Scholars are considered re-enrolled for the following school year unless guardians notify the school otherwise by the end of the current school year.

### ***Vacancies***

To fill any vacancies, separate waiting lists are maintained for each grade level. The random lottery used for scholar admission also serves to place scholars in preferential order on these waiting lists. Breakthrough Public Schools reserve the right to fill a vacancy when unexpected attrition occurs. If the school chooses to fill a vacancy, the school contacts the guardian of the scholar next on the appropriate waiting list. Reasonable attempts are made to contact the family of the first scholar on the waiting list to determine whether the scholar remains interested in enrolling at the school before proceeding to the next name on the list. If attempts to contact the scholar's guardian(s) are unsuccessful, the school may remove that scholar from the waiting list. Documentation of attempts made to contact the guardian(s) of any scholar removed from the waiting list are maintained by the school.

***Withdrawal from the School***

Breakthrough Public Schools are schools of choice. As such, circumstances may arise in which a guardian wishes to transfer their child to a different school. When guardians withdraw their child from a school, they should schedule a meeting with the Dean of Culture to fill out the Withdrawal Form. Scholars who miss 72 consecutive hours of school without excuse are subject to being unenrolled. A scholar who attends another school is subject to being unenrolled from Breakthrough Public Schools. The school ensures the timely transfer of any necessary school records to a scholar's new school.

## ***Appendix D: Discipline Due Process***

### ***Suspension Due Process***

The following procedure does not apply to in-school suspensions. The Principal or designee may suspend a scholar if the following procedure is met:

1. Prior to the imposition of the suspension, a written Notice of Intent to suspend will be given to the scholar, which contains the following:
  - a. The reasons for the intended suspension; and
  - b. If the suspension is based on one of the serious criminal offenses for which permanent exclusion is allowed, and if the scholar is age 16 or older, the notice must also indicate the possibility that the Superintendent may seek permanent exclusion.
2. If the scholar is in grades pre-kindergarten through three, whenever possible, the Principal or designee shall consult with a mental health professional under contract with the School, if any, prior suspending the scholar. If the events leading up to the suspension indicate a need for additional mental health services, the Principal or mental health professional shall, in any manner that does not result in a financial burden to the School, assist the scholar's parent or guardian with locating providers or obtaining those services, including referral to an independent mental health professional.
3. The scholar must be allowed an informal hearing before the Principal or their designee to challenge the reasons for the intended suspension or otherwise explain their actions. The scholar is not entitled to call witnesses at this informal hearing.
4. Within one school day after the suspension is imposed, the Principal or their designee shall provide written notification to the guardian or custodian of the scholar and the treasurer of the Board of the suspension. The notice must contain the following:
  - a. The reasons for the suspension;
  - b. Notification of the right to appeal to the Board or its designee. The intent to appeal must be in writing and received by the Board within 14 days after receiving the notice;
  - c. The right to representation at all appeals;
  - d. The right to a hearing before the Board or its designee; and
  - e. The right to request that the hearing be held in executive session.

If the suspension is based on one of the serious criminal offenses for which permanent exclusion is allowed, and the scholar is age 16 or older, the notice must also indicate the possibility that the Superintendent may seek permanent exclusion.

If an out-of-school suspension is imposed during the last ten (10) days of the school year, the suspension will not be carried over into the following school year. However, the Principal may require the scholar to participate in a community service program or another alternative consequence for the number of hours equal to the remaining part of the period of the suspension, during the first full week day of the summer break. If the scholar fails to complete the community service or alternative consequence, the School may determine the next course of action, provided however, that the School not require the scholar to serve the remaining time of the out-of-school suspension at the beginning of the following school year. The Principal or their designee may develop an appropriate list of alternative consequences.

### ***Expulsion Due Process***

Only the Superintendent may expel a scholar. The following procedure is required:

1. Prior to the imposition of the expulsion, the Superintendent must provide not only a scholar, but also the guardian, or custodian written notice of his intention to expel. The notice must include the following:
  - a. The reasons for the intended expulsion; and
  - b. The time and place for a hearing, which must be scheduled for not less than three (3) nor more than five (5) school days after giving the notice, unless the period is extended by the Superintendent at the request of the scholar, their guardian or custodian. The guardian or custodian must be sent a written notice of any extension, and the subsequent notice should contain the same information required in the original notice.
  - c. If the scholar is age 16 or older and the expulsion is for one of the serious criminal offenses for which permanent exclusion is allowed, the notice must also indicate the possibility that the Superintendent may seek permanent exclusion.
2. If the scholar is in grades pre-kindergarten through three, whenever possible, the Principal or designee shall consult with a mental health professional under contract with the School, if any, prior suspending the scholar. If the events leading up to the suspension indicate a need for additional mental health services, the Principal or mental health professional shall, in any manner that does not result in a financial burden to the School, assist the scholar's parent or guardian with locating providers or obtaining those services, including referral to an independent mental health professional.
3. A hearing must be scheduled not less than three (3) or more than five (5) school days after giving the notice, for the scholar and their guardian, custodian or representative to appear in person before the hearing officer to challenge the reasons for the expulsion or otherwise explain their actions.
4. Within one school day after the expulsion is imposed, the Superintendent shall provide written notification of the expulsion to the guardian, or custodian of the scholar and the Treasurer of the Board. The notice must include the following:
  - a. The reasons for the expulsion;
  - b. Notification of the right to appeal to the Board or its designee. The intent to appeal must be in writing and received by the Board within 14 days after receiving the notice;
  - c. The right to representation at all appeals;
  - d. The right to an appeal hearing before the Board or its designee;
  - e. The right to request that the hearing be held in executive session;
  - f. If the expulsion is based on one of the serious criminal offenses for which permanent exclusion is allowed, and the scholar is age 16 or older, the notice must also indicate the possibility that the Superintendent may seek permanent exclusion;
  - g. When the Superintendent expels a scholar for more than twenty (20) days or for any period of time extending into the next trimester or school year, the School shall provide, along with this notice, the scholar and their guardian or custodian with information about services or programs offered by public and private agencies that work toward improving those aspects of the scholar's attitudes and behaviors that contributed to the incident giving rise to the expulsion. The information must include names, addresses, and phone numbers or the appropriate public and private agencies.

During the period of expulsion, the school may, but is not required to, continue educational services in an alternative setting.

The Superintendent is required to follow through on expellable offenses even if the scholar in question withdraws from the school prior to the hearing or the Superintendent's decision.

The Superintendent may apply any remaining part or all of the period of expulsion into the following year.



**Appendix E: Serious Discipline Infractions, Definitions, and Consequences  
(Behavior Matrix)**

Appendix E: BPS 2024-2025 Behavior Matrix					
Level 1 = Demerit/Redirection Level 2 = Reflection/Detention Level 3 = In-School Suspension Level 4 = Out-of-School Suspension Level 5 = Expulsion					
Infraction	Definition	First Offense	Second Offense	Third Offense* <i>*may constitute habitually disruptive behavior</i>	Fourth Offense* <i>*may constitute habitually disruptive behavior</i>
Academic Misconduct	Plagiarizing, cheating, copying another’s work or internet publishing, gaining unauthorized access to material, using, submitting, or attempting to obtain data or answers dishonestly or by means other than authorized by the teacher. Falsifying information (signing homework, etc.).	Level 1-3 disciplinary action	Level 2-3 disciplinary action	Level 3 disciplinary action	Level 3 disciplinary action
Altering Official Documents	The forgery, falsifying, or unauthorized alteration of a document.	Level 2-3 disciplinary action	Level 3-4 disciplinary action	Level 3-4 disciplinary action	Level 3-4 disciplinary action
Bomb Threat	Making a bomb threat to a school building or to any premises at which a school activity is occurring at the time of the threat.	Level 4-5 disciplinary action. Can include 1 year discretionary expulsion.	Level 4-5 disciplinary action. Can include 1 year discretionary expulsion.	Level 4-5 disciplinary action. Can include 1 year discretionary expulsion.	Level 4-5 disciplinary action. Can include 1 year discretionary expulsion.
Bullying and Cyberbullying	Bullying is a pattern of targeted behavior that causes intentional harm to others.  Cyberbullying is a subset of bullying and involves the use of information and communication technologies, including but not limited to social media, email, cell phone and text messages, defamatory personal websites, to support deliberate or repeated, or hostile behavior by an individual or group, that is intended to harm, intimidate or harass others on school time or the	Level 3-4 disciplinary action	Level 3-4 disciplinary action	Level 3-5 disciplinary action	Level 4-5 disciplinary action

	school premises, at school events, programs or activities or off school time or school premises if such acts affect other scholars or staff of the school.)				
Damage/Destruction of Property	Causing, attempting to cause, or threatening to cause damage to school or private property (including graffiti).	Level 2-3 disciplinary action	Level 2-4 disciplinary action	Level 2-4 disciplinary action	Level 2-4 disciplinary action
Display of Affection	Any physical display of affection between scholars is prohibited.	1-4	1-4	1-5	1-5
Disruptive Behavior	Engaging in any conduct that causes or results in the breakdown of the orderly process of instruction and/or school activities, including but not limited to failure to carry out directions and/or school guidelines, failure to cooperate with school personnel or volunteers, verbally remedial result in for habitually harassing other scholars, and running and/or making excessive noise in the building.	1-3	2-4	2-4	2-5
Firearm	Bringing a firearm to the School or onto School Property (any Property owned, used, or leased by the school for school, school extracurricular or school-related events).	1 year mandatory expulsion.	1 year mandatory expulsion.	1 year mandatory expulsion.	1 year mandatory expulsion.
Firearm (Extracurriculars, Another Person)	Bringing a firearm to an interscholastic competition, an extracurricular event, or any other school program or activity that is located at a school or on School Property.  Possessing a firearm at school, on school property or at an interscholastic competition, an extracurricular event, or any other school program or activity in which the firearm was initially brought onto School Property by another person.	Level 5 disciplinary action and 1 year discretionary expulsion.	Level 5 disciplinary action and 1 year discretionary expulsion.	Level 5 disciplinary action and 1 year discretionary expulsion.	Level 5 disciplinary action and 1 year discretionary expulsion.
Gambling	Illegal participation in, or the organization of, games of chance for money and/or other items of	2-3	2-3	3-4	3-4

	value.				
Gang Activity	No scholar shall be involved in initiations, hazing, intimidations and/or related activities of group affiliations which are likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to Scholars or Staff. No Scholar shall wear, carry or display gang paraphernalia or exhibit behaviors or gestures which symbolize gang membership or cause and/or participate in activities which intimidate or affect the attendance of another scholar.	3-4	3-4	4-5	4-5
Hazing	Committing any act or coercing another, including the victim, to do any act of initiation into any scholar or other organization that causes or creates risk of causing mental or physical harm to any person. Permission, consent, or assumption of risk by an individual subjected to hazing does not lessen the prohibition in this policy.	2-3	3-4	4-5	4-5
Illegal or Dangerous Substances	Using, selling/purchasing, distributing, possessing, or attempting to possess, substances capable of producing a change in behavior or altering a state of mind or feeling; and/or paraphernalia. This also includes any promotion, paraphernalia, tag/repost, and/or use of drugs/alcohol on any social media platform.	4-5	4-5	4-5	4-5
Insubordination	Verbal or nonverbal refusal to comply with a reasonable request or directive while on School Property or at any school related activity or event.	1-3	2-3	3-4	4-5
Threats; Intimidating and Menacing Behavior	A communication of an intent to harm someone that may be spoken, written, gestured, or expressed in some other form (such as text messaging). Behaviors, verbal or physical, that	2-4	3-5	4-5	4-5

	inflict fear, injury, or damage.				
Knife	<p>Bringing a knife to school, onto school property, to an interscholastic competition, an extracurricular event, or any other program or activity sponsored by the school or that the school is a participant.</p> <p>Possessing a knife at school, on school property or at an interscholastic competition, an extracurricular event, or any other program or activity which knife was initially brought onto School Property by another person</p>	Level 4-5 disciplinary action and 1 year discretionary expulsion.	Level 4-5 disciplinary action and 1 year discretionary expulsion.	Level 5 disciplinary action and 1 year discretionary expulsion.	Level 5 disciplinary action and 1 year discretionary expulsion.
Loitering	<p>Presence of an individual in or about a School under one or more of the following circumstances:</p> <ul style="list-style-type: none"> <li>--After a reasonable request to leave</li> <li>--Does not have a legitimate reason for presence</li> <li>--Does not have written permission from proper authority for presence</li> <li>--Refusal to identify self</li> </ul>	2-4	2-4	3-5	3-5
Lying	Intentionally giving untrue communication.	1-2	1-3	3-4	3-4
Misuse of Technology	Scholars using school-provided technology equipment (including Chromebooks, software, hardware, headphones, and online services and programs) for inappropriate, obscene, and/or illegal purposes, or for any promotion, paraphernalia, tag/repot, and/or use of drugs/alcohol on any social media platform.	1-3	2-3	3-4	3-4
Obscenities, Verbal Abuse, Vulgarities, Profanity, and/or Hate Speech	Directing obscene, abusive, vulgar, profane, harassing, insulting, racial, sexual, religious, or ethnic slurs, written or verbal, toward another student or any member of the school community. This shall include the use of obscene gestures and signs that willfully intimidate, insult, or in any other manner, abuse others. This also includes any	2-4	2-4	3-5	3-5

	promotion, paraphernalia, tag/repost, and/or use of drugs/alcohol on any social media platform.				
Out of Area	Failure to report to assigned location, causing a safety concern. This may also include walking out of class without permission and/or leaving the building without permission.	2-4	2-5	3-5	4-5
Physical Contact	Participating in unacceptable physical contact, including but not limited to fighting, pushing, and/or horseplay.	2-4	3-4	3-5	3-5
Physical Harm	Committing an act that results in serious physical harm to a person or persons, including students and staff.	3-5	3-5	3-5	3-5
Refusal to Do Classroom Work	The refusal to complete work, labs, projects, or other assignments given by the teacher.	1-2	1-2	2-3	2-3
Safety	Scholars shall be concerned about their own safety and that of others. Scholar actions that may be considered a safety risk include but are not limited to inciting panic, talking or yelling during safety drills and/or running, pushing, or other inappropriate behaviors.	1-2	2-3	3-4	4-5
Sale, Use, Possession or Distribution of Alcohol, Drugs, Tobacco, or other Chemically Controlled Substances	Using, selling, purchasing, distributing, possessing, or attempting to possess, mood-altering chemicals or substances (including alcohol, narcotics, tobacco, drugs and also including all counterfeit and/or look-alike substances), on school grounds and/or at school functions or events, including on school-provided transportation. This also includes equipment such as vapes.	4-5	4-5	5	5
School Telephone	Use of telephones by scholars is strongly discouraged. To help scholars develop responsibility, phone calls home require the written consent of the scholar's	1-2	2-3	3-4	3-4

	teacher. Violations include but are not limited to calls not approved by the teacher/principal.				
Severe Physical Altercation	Intentionally initiating or engaging in a physical altercation that includes but not limited to headbutting, slamming another individual, and/or causing physical harm to another individual.	Level 4-5 disciplinary action	Level 4-5 disciplinary action	Level 4-5 disciplinary action	Level 5
Sexual or Other Harassment	Unwelcome advances of a sexual nature, requests for sexual favors, and/or other verbal or physical conduct or communication of a sexual nature. Sexual harassment that includes unwelcome physical contact shall be assumed to have the effect of substantially interfering with the victim's employment or educational environment. Note that the Title IX process may direct consequences for involved parties per discretion of the Title IX Coordinator and Principal.	4	4-5	4-5	5
Social Media	Use of social media during school or outside of school, including for the use to cause harm to others	2-4	3-4	3-5	3-5

	through gossip, bullying, etc.				
Theft	Stealing, attempting to steal, possessing or transferring School or private property, or participating in the theft or attempted theft of School or private property.	1-4	2-4	3-5	3-5
Toys or Play Objects	School is a place of learning. Distractions cause scholars to be inattentive. Therefore scholars are to keep all toys or play objects at home unless the teacher designates a specific day for sharing what a scholar owns. If a Scholar chooses to share a toy or other object on such an occasion, the School is not responsible for these items. Violations include but are not limited to bringing toys or distracting objects to school and/or creating toys or distracting objects at school.	1-2	1-2	1-3	1-3
Transportation	Riding the bus, or other transportation provided by the district, is a privilege. The applicable guidelines, rules and policies established by the local school district which provides transportation will be supported by the School. Violations include but are not limited to: <ul style="list-style-type: none"> <li>* Disrespectful behavior towards the driver or another scholars</li> <li>* Physical violence and/or abusive language (swearing)</li> <li>* Eating on the bus</li> <li>* Constant yelling or screaming (which could endanger the lives of others)</li> <li>* Failure to remain seated</li> <li>* Threatening behavior</li> <li>* Fighting</li> <li>* Possession of drugs, glass, weapons, animals or stolen merchandise</li> </ul>	Level 1-5 disciplinary action including being permanently removed from transportation.	Level 2-5 disciplinary action including being permanently removed from transportation.	Level 3-5 disciplinary action including being permanently removed from transportation.	Level 3-5 disciplinary action including being permanently removed from transportation.
True Threat	Posing a true threat to an individual or the school community while on campus or off campus.	4-5	4-5	4-5	4-5

Weapon - Possession or Bringing	Bringing a weapon onto school property or possessing a weapon on School Property. Weapon means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury. Lookalikes and/or toys may also be subject to the same consequences pending investigation.	Level 4-5 disciplinary action. Can include 1 year discretionary expulsion.	Level 4-5 disciplinary action. Can include 1 year discretionary expulsion.	Level 4-5 disciplinary action. Can include 1 year discretionary expulsion.	Level 4-5 disciplinary action. Can include 1 year discretionary expulsion.
Weapon - Threat	Threatening the use of a weapon to cause physical harm to another person or to school property.	3-5	4-5	4-5	4-5



Scholar Name: \_\_\_\_\_

## ***Breakthrough Public Schools: Family, School, and Scholar Commitment Form***

Our mission to prepare scholars to enter, succeed in, and have a choice filled life is a family activity. When choosing to send your scholar(s) to our schools, all parties must commit 100% to the educational model:

### **SCHOOL COMMITMENT**

- We commit to work, think, and behave to the best of our ability, and we promote our school's mission and support our scholars.
- We commit to supporting all scholars socially, emotionally, academically, and physically.
- We commit to provide a safe, structured, rigorous, college-preparatory experience.
- We commit to operate the school in accordance with its mission and charter.
- We commit that teachers always come to class prepared and that they do everything required to ensure that their scholars learn.
- We commit to keep the school's doors open to families and be open to hearing feedback.
- We commit to enforce the school's code of conduct evenly and fairly in all circumstances.
- We commit to interact professionally with all families and respond promptly to family questions or concerns.
- We commit to provide a safe and structured school environment.
- We commit to encourage scholars to live out the values within school.
- We commit to communicate on a monthly basis and inform families of questions or potential obstacles to scholar learning as they arise.

### **FAMILY COMMITMENT**

- We commit to supporting Breakthrough Public Schools demanding academic programs, the official Code of Conduct, and extended school day and year.
- We commit to ensure that our scholar(s) reach their academic and behavior goals, as well as follow the schools' cultural rules and expectations.
- We commit to making sure our child arrives at school on time and in uniform every day by 8:00am. If the scholar is unable to attend for a legitimate reason, I will notify the school by 9:00 am.
- We commit to make arrangements so our child can remain at school until 2:15pm (M-F).
- We commit to make arrangements so that our child can remain after school if needed for activities or Reflection.
- We commit to make arrangements for our child to attend Summer school if required. We commit to be responsible for the actions of our child, and will make ourselves available for school wide conferences and teacher communication.
- We commit to maintaining an environment at home where my child can do their homework and will check our child's homework every night.
- We commit to allow our child to go on school field trips.
- We commit to attend voluntary and required school functions (Orientations, Conferences, and Family Nights).

**SCHOLAR COMMITMENT**

- I commit to bringing my whole self to school and ask for help if needed.
- I commit to arrive at school on time and in uniform every day by 8:00 am (M-F).
- I commit to remain at school until 2:15pm (M-F). I will remain at school until 3:15 pm if I have Reflection.
- I commit to work, think, and behave in the best way I know how and I will do whatever it takes for me and my fellow scholars to learn.
- I commit to completing my homework every night and ask for help when I need it.
- I commit to making myself available to guardians and teachers when they have concerns.
- I commit to being honest about my actions and accept responsibility when I make mistakes.
- I commit to being responsible for my actions and accept the consequences of anything I do.
- I commit to asking for help academically.
- I commit to following school rules and act to protect the safety, interests, and the rights of all individuals in the classroom.
- I commit to follow the dress code.
- I commit to demonstrate my school's values in all of my actions.
- I commit to strive for the high performing high school and college of my choice.

Scholar Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Principal Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*\*If signing electronically, parent/guardian signature will be collected but a scholar signature will not be. In this case, the guardian signature indicates a commitment to review this document with their scholar.*

## ***Statement of Commitment***

Signing this form acknowledges that the parent/guardian has received a copy of BPS's Scholar and Family Handbook, has had the opportunity to discuss the policies and have questions answered, and understands all of the provisions in the handbook. Although it reflects BPS's current policies, it may be necessary to make changes from time-to-time to best serve the needs of our scholars. However, any changes deemed necessary will be made in writing and the modified policy will be sent home to each family or posted in a public area.

By my signature below, I acknowledge that I have received a copy of the Scholar and Family Handbook. I understand that it is my obligation to read, understand, comply with, and convey the importance of these procedures and policies to my scholar.

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Scholar Name (please print)

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Parent/Guardian Name (please print)

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Scholar Signature

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Parent/Guardian Signature

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Date

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Date