

DISCOVERY CHARTER SCHOOL BOARD OF TRUSTEES MEETING AGENDA

August 4, 2023, 8:00-10:00 a.m.

Location for Public Meeting: 133 Hoover Drive, Rochester NY 14615

Remote Attendance for Public Meeting Option: Zoom Link

The meeting information was included in Public Notice as well as on the school's website:

Topic: **Discovery Charter School- Board of Trustees Meeting
8.21.2023**

8:00 AM Eastern Time (US and Canada)

Zoom link:

<https://us06web.zoom.us/j/86450663136?pwd=RkdPU3dTRGJmNkFzKy9CUlc2Nys0QT09>

Meeting ID: 864 5066 3136

Passcode: Discovery

1. Call to Order
2. Proof of Public Notice of Meeting
3. Conflict of Interest Reminder
4. Public Comment
5. Consent Agenda (*Action Required*): Approve Minutes for Meeting of 7.21.2023.
6. Committee Reports:
 - a. Audit & Finance Committee Report—July Minutes for Finance/Personnel Committee Meeting included in Board Materials
 - b. Governance Committee Report
 - c. Executive Committee Report
 - d. Academic Excellence Committee
 - e. Personnel Committee Report
 - f. Committee on Diversity, Equity, and Inclusion
 - g. Parent Representative
7. DCS Employee Retention Proposal for Staffing (*Action Required*): **Resolution #503**
8. Charter Renewal Application (*Action Required*): **Resolution # 497**: Approval of Board Cover Letter for Charter Renewal Application
9. Five-year Budget (*Action Required*): **Resolution # 498**: Approval of Five-year Budget
10. Revision of Policies (*Action Required*): **Resolution #504**: Revision of Policies #4200 and 4201
11. 2023 Board Self Evaluation Survey
12. 22-23 Strategic Plan
13. Motion to Adjourn (*Action Required*)

Next Regular Meeting: September 15, 2023, 8:00 a.m.

DISCOVERY CHARTER SCHOOL BOARD OF TRUSTEES

MEETING MINUTES

July 21, 2023; 8:00 A.M.

133 Hoover Drive, Rochester, New York 14615

Physical Location for Public Meeting: 133 Hoover Drive, Rochester NY 14615 (Art Room)

Remote Attendance for Public Meeting Option: Zoom Link

The meeting information was included in Public Notice as well as posted at the school and on the website

Topic: Discovery Charter School- Board of Trustees Meeting 7.21.23

Time: July 21, 2023 8:00 AM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/86450663136?pwd=RkdPU3dTRGJmNkFzKy9CUlc2Nys0QT09>

Meeting ID: 864 5066 3136

Passcode: Discovery

Trustees Present: S. Varhus, L. Lewis (Chair), R. Stiles, L. Bridges, D. Braveman, C. Wilkins, S. Adair (Treasurer)

Trustee Participating Remotely: none

Trustees Excused: M. Galarza-Ruiz (Secretary), S. Fazili (Vice Chair)

Also Present: M. Bradstreet (Data Coordinator), A. Culver (Finance/HR Manager), J. Schultz (Math Coach/Coordinator), C. Diaz (ELA Coach/Coordinator), Joyce Johnson (Board Candidate)

Participating Remotely: S. Polowitz (Legal Council)

1. Call to Order

- a. The Chair called the meeting to order at 8:01, and it was determined that a lawful quorum of seven was present.

2. Proof of Public Notice of Meeting

- a. Public Notice was provided in the *Democrat and Chronicle*, posted at the school and on the school website

3. Conflict of Interest Reminder

- a. The Chairperson read the following statement: “The Chair reminds everyone that, if a potential conflict of interest exists concerning a subject under discussion by the Board, you have an obligation to disclose the potential conflict and, if deemed a conflict, recuse yourself and leave the room during any discussion and vote on the subject.”

4. Opportunity for Public Comment: no public comment

5. Update on Trustees, Welcome and Farewell- L. Bridges is new

Trustee; J. Johnson’s nomination is in process. C. Wilkins will be stepping down.

6. Consent Agenda: Approve Minutes for Meeting of 6.21.2023, **Resolution #496:** Checks

Over \$5000 April, May, June, **Resolution #502** New Hires - Moved by S. Adair, seconded by D. Braveman, approval was unanimous, no abstentions.

7. Committee Reports

- a. Executive Committee: (*Working on renewal application, will meet as a board 8/4*)
- b. Academic Excellence Committee: (*no report, S. Varhus will chair*)
- c. Governance Committee Report: (*Met, New Trustee Orientation*)

- d. Personnel Committee Report: *(Will meet with Finance Committee to discuss retention)*
- e. Audit & Finance Committee Report: *(Minutes included in Board Materials, finished the year favorably due to stimulus funds, were projected to finish in debt but will finish the year with a surplus)*
- f. Committee on Diversity, Equity & Inclusion: *(no report, D. Braveman will chair)*
- g. Parent Representative Report: *(no report, S. Castner working on potential candidates)*

8. Charter Renewal Application (Action Required) Resolution #497: Approval of Board Cover Letter for Charter Renewal Application : Renewal Application is due August 15, Board will meet August 4 to finalize and approve.

9. Five-Year Budget (Action required) Resolution #498 : Board will meet August 4 to review and approve.

10. Revision of Policies: Resolution #499: Revision of Policies #1300, #1310, #1400, #2500, #3700, #4400. Moved by S. Adair, seconded by S. Varhus, approval was unanimous, no abstentions.

11. Committee Membership (Action Required) Resolution #500: Committee Membership 2023-24: Moved by D. Braveman, seconded by C. Wilkins, approval was unanimous, no abstentions.

12. Interest Bearing Account with Merrill Lynch (Action Required) Resolution #501 Interest Bearing Bank Account: Moved by S. Adair, seconded by R. Stiles, approval was unanimous, no abstentions.

13. Board Contact Information: Collection of updated contact information

14. Q4 Academic Progress (Q4 Benchmark Data): J. Schultz and C. Diaz shared iReady and Benchmark end of year data. For iReady, 56% of students were on grade level for math, 53% on grade level for ELA. K-2 grades are doing exceptionally well, testing grades possibly feeling fatigued due to multiple tests around the same time of year. On state tests, expectations are high due to the work that was put in this year.

15. Executive Session: The board moved into executive session to discuss a confidential personnel matter. Moved by D. Braveman, Seconded by C. Wilkins, approval was unanimous, no abstentions. Motion to leave Executive Session: Moved by D. Braveman –Seconded by R. Stiles–approval was unanimous, no abstentions.

16. Motion to Adjourn: Moved by C. Wilkens, Seconded by S. Varhus, approval was unanimous, no abstentions.

Next Regular Meeting: 8/4/23 8:00 AM

Minutes submitted by M. Bradstreet



Finance/Personnel Committee Meeting Minutes
 Meeting Date / Time: 7/26/23 8am-9am
 Minutes Recorded By: Lisa Lewis

Committee Chair:	Lisa Lewis		
Committee Members	Name	Present	Excused
	Lisa Lewis (LL)	X	
	Matthew Bradstreet (MB)	X	
	Anne Culver (Ac)	X	
	Sareer Fazili (SF)		X
	Scott Adair (SA)	X	
	Robert Stiles (RS)	X	
	Joyce Johnson (JJ)	X	
	Sara Castner(SC)	X	
Also present: Sara Varhus (SV)			

MEETING AGENDA, MINUTES AND ACTION ITEMS

Agenda Item	Discussion	Action Item	Responsible Party	Due Date
Employee Retention Credit	SA- reviewed with the committee the employee retention credit-rec'd approximately 300K in funding for the 1 st quarter. Anticipate receiving another 300k for the 2 nd quarter.	Addressing DCS staffing retention	Scott Adair – finance committee	8/4/2023
	SA- recommended that DCS and the board agree to set aside approximately 150K from monies received in the 2 nd quarter for professional development for staffing to increase diverse in school leadership.	All committee members agree this recommendation should include in DCS proposal if appropriate.	All	
	SV- proposed DCS learn about the alternative plan for teachers retirement plan- Pension Plan Option for Improved Staff Attraction and Retention Sara emailed the DCS leadership team. Recommended that DCS leadership attend the meeting and investigate the cost for pension plan option. Time 5:00pm to 6:00pm Where: CCR Office 1100 S. Goodman St., Suite 200			

Retention Proposal	<p>When: 8/8/23</p> <p>Committee members discussed the options for the use of the total 300k rec'd for staffing retention.</p> <p>RS: 1. questioned do we have a recommendation from school leadership- members agreed that the plan should come for the team.</p> <p>2. questioned do we know the status of the work from the Burke group. Requested that we place at call to the Burke group to gain info to add to the proposal from the DCS leadership team.</p> <p>Short Term Compensation for additional work duties</p> <p>Committee members recommended the following DCS. leadership draft a proposal for the retention monies to include:</p> <ol style="list-style-type: none"> 1. Criteria of how dollar amount for 63 staff was devised- may length of service, retention for new staff, based on min-max dollar amount (up to 5K per staff) 2. Retention be distributed 2x during school year- start/end of school year. 3. Will look at if mandatory benefits must be deducted and if that impact the dollar amount rec's by staff? <p>Proposal will be reviewed and finalized at board meeting on 8/4.</p>	<p>Matthew Bradstreet will attend.</p> <p>Scott Adair will reach out the Burke group and provide info back to DCS/board.</p> <ol style="list-style-type: none"> 1. All members agree upon the recommendation to DCS leadership. 2. DCS leadership proposal for employee retention credit monies 	<p>Scott Adair</p> <p>Sara Castner/Matthew Bradstreet/Team</p>	<p>8/4/2023</p> <p>8/4/2023</p> <p>8/4/2023</p>



Finance/Personnel Committee Meeting Minutes
Meeting Date / Time: 7/26/23 8am-9am
Minutes Recorded By: Lisa Lewis

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Meeting Adjourn at 8:31am

DISCOVERY CHARTER SCHOOL

RESOLUTION 497

At a Regular Meeting of the Board of Trustees of Discovery Charter School (the “School”) held on the 4th day of August 2023 at **133 Hoover Drive, Rochester NY 14615 (School Director’s Office)** with the option for attendance via Zoom link:

<https://us06web.zoom.us/j/86450663136?pwd=RkdPU3dTRGJmNkFzKy9CUlc2Nys0QT09>

Meeting ID: 864 5066 3136
Passcode: Discovery

WHEREAS: The School’s Charter Renewal Application has been presented to the Board of Trustees for its review, and

WHEREAS: The Board of Trustees has ascertained that Discovery Charter School presents evidence that it meets the Benchmarks in the Performance Framework;

IT IS, THEREFORE, RESOLVED: To approve Application for a Charter Renewal, and Direct the Chair of the Board of Trustees to submit a letter endorsing the Charter Renewal Application, to be filed with the NYS Education Department no later than August 15, 2023.

Date: August 4, 2023

Marisol Galarza-Ruiz

DISCOVERY CHARTER SCHOOL

RESOLUTION 498

At a Regular Meeting of the Board of Trustees of Discovery Charter School (the “School”) held on the 4th day of August 2023 at **133 Hoover Drive, Rochester NY 14615 (School Director’s Office)** with the option for attendance via Zoom link:

<https://us06web.zoom.us/j/86450663136?pwd=RkdPU3dTRGJmNkFzKy9CUlc2Nys0QT09>

Meeting ID: 864 5066 3136

Passcode: Discovery

the following Resolution was adopted by the Board of Trustees:

WHEREAS: The School’s Charter Renewal Application has been finalized and presented to the Board of Trustees for its review, and

WHEREAS: The DCS Treasurer has presented a five-year budget plan for the Charter Renewal Period, 2024-2029, assuming an enrollment of 300 students and modest increases in both revenues and expenses,

IT IS, THEREFORE, RESOLVED: To approve the budget for the 2024-2029 Charter Renewal Period.

A handwritten signature in black ink, appearing to read 'M. Galarza-Ruiz', written over a horizontal line.

Marisol Galarza-Ruiz

Date: August 4, 2023

DISCOVERY CHARTER SCHOOL

RESOLUTION 503

At a Regular Meeting of the Board of Trustees of Discovery Charter School (the “School”) held on the 4th day of August 2023 at **133 Hoover Drive, Rochester NY 14615 (School Director’s Office)** with the option for attendance via Zoom link:

<https://us06web.zoom.us/j/86450663136?pwd=RkdPU3dTRGJmNkFzKy9CUlc2Nys0QT09>

Meeting ID: 864 5066 3136
Passcode: Discovery

the following Resolution was adopted by the Board of Trustees:

WHEREAS: Discovery Charter School will receive a substantial Employee Retention Credit from the federal government, and

WHEREAS: Discovery Charter School staff have achieved the school’s academic goals, and

WHEREAS: Retaining these staff will contribute to the school’s continued improvement, and

WHEREAS: The School Director has recommended a plan for distributing employee retention stipends;

IT IS, THEREFORE, RESOLVED: To allocate \$300,000 of Employee Retention Credit funds to support employee retention stipends, as recommended by the School Director.

Marisol Galarza-Ruiz

Date: August 4, 2023

DISCOVERY CHARTER SCHOOL

RESOLUTION #504

At a Regular Meeting of the Board of Trustees of Discovery Charter School (the “School”) held on the 4th day of August, 2023 at **133 Hoover Drive, Rochester NY 14615 with the option for attendance via Zoom link:**

Zoom link:

<https://us06web.zoom.us/j/86450663136?pwd=RkdPU3dTRGJmNkFzKy9CUlc2Nys0QT09>

Meeting ID: 864 5066 3136

Passcode: Discovery

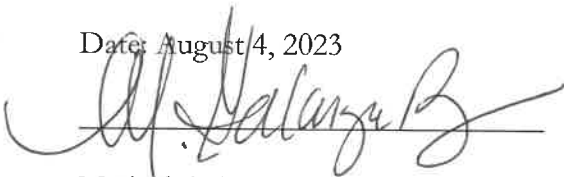
the following Resolution was adopted by the Board of Trustees:

WHEREAS: It is the policy of the DCS Board of Trustees to review each policy annually ; AND

WHEREAS: Revision of Policies #4200 and #4201 has been proposed by the School Director and Board Counsel; IT IS THEREFORE

RESOLVED: That the Board approves and adopts the recommended changes to policies #4200 and 4201.

Date: August 4, 2023

A handwritten signature in dark ink, appearing to read 'M. Galarza-Ruiz', is written over a horizontal line.

Marisol Galarza-Ruiz, Secretary

DISCOVERY CHARTER SCHOOL

RESOLUTION #505

At a Regular Meeting of the Board of Trustees of Discovery Charter School (the “School”) held on the 4th day of August 2023 at 133 Hoover Drive, Rochester NY 14615 (School Director’s Office) with the option for attendance via Zoom link:

Zoom link:

<https://us06web.zoom.us/j/86450663136?pwd=RkdPU3dTRGJmNkFzKy9CUlc2Nys0QT09>

Meeting ID:
864 5066 3136

Passcode:
Discovery

the following Resolution was adopted by the Board of Trustees:

WHEREAS: It is the responsibility of the Board of Trustees to establish plans for Discovery Charter School; and

WHEREAS: A plan for 2023-24 has been drafted by DCs staff with input from the Board of Trustees; now it is therefore

RESOLVED: That the Board of Trustees approve the 2023-24 Action Plan.

Date: August 4, 2023



Marisol Galarza-Ruiz Secretary



August 4, 2023

Dear Chancellor Young:

The Board of Trustees of Discovery Charter School has submitted an Application for Charter Renewal, which will come before the Board of Regents in the 2023-2024 school year. On behalf of the DCS trustees, I am writing to you to outline the ways in which we have met the terms of our charter--by promoting the academic success of our students, marshalling our resources to support the needs of our students, and fulfilling our mission to serve neediest children and their families in a safe, supportive, and joyful learning community.

Now in the third of a three-year charter, DCS has successfully implemented key strategies to increase the academic success of our students. These efforts have included adopting rigorous curricula in ELA and Math, articulating high expectations for instruction, providing professional support for teachers, and using data to establish the school's academic goals--and to identify the needs of each student. As a result, in 2021-2022, our students demonstrated proficiency in English Language Arts, Mathematics, and Science at levels that far exceeded the aggregate proficiency of students in the Rochester City School District; they also met or exceeded the state-wide averages for proficiency in those three academic areas. 95% of these students document Economic Disadvantage, and 85% reside in the City of Rochester.

In addition, DCS continues to engage both children and adults in a culture of respect, responsibility, courage and kindness. Our social and behavioral curriculum teaches social skills and encourages students to take risks and be leaders. The school involves families in children's learning and helps families gain access to needed health and social services. Annual surveys of our families document strong satisfaction with the school. The demand for seats at DCS continues to be high. After available seats for the 2023-2024 school year were assigned via lottery, more than 290 students remained on the list.

The Board of Trustees and school leaders have advanced the success of the school by focusing relentlessly on our children's academic achievement, ensuring that the DCS leaders and staff are highly effective, and establishing budget and organizational priorities to support these efforts. Our board reflects a variety of perspectives in the Rochester community, and we are united in our effort to give our children a foundation for success.

Thank you for your consideration.

Yours,

A handwritten signature in blue ink, appearing to read "Lisa Lewis", with a stylized flourish extending to the right.

Lisa Lewis, Chair
Discovery Charter School Board of Trustees

Real Skills for the Real World

133 Hoover Drive - Rochester, NY 14615

Phone: (585) 342-4032 - Fax: (585) 342-4003 - contact@RochesterDiscovery.com

DISCIPLINE POLICY

4200

To ensure that an environment is created where teaching and learning can flourish, Discovery Charter School has developed a series of rules that address proper student behavior, maintenance of order within the school and while people are engaged in school activities, and a statement of student rights and responsibilities.

School staff will ensure that parents and students are well informed of these policies both before enrollment and at the time that students sign up for enrollment in the charter school. As such, students will be completely knowledgeable about the behavior that is expected from them, and parents will be reassured that a positive and productive classroom environment will be maintained in the charter school. Parents will also be aware of the consequences for their children of disrupting the school environment. All staff will be trained in the implementation of these policies.

The discipline and order policies of the Discovery Charter School include the following components:

- I. Student Disciplinary Code
- II. Maintenance of Public Order on School Property
- III. Student Rights and Responsibilities

I. Student Disciplinary Code

Existing student discipline policies from many public school districts were examined in developing this code, and components of those district policies are evident throughout the disciplinary code of the Discovery Charter School.

This Code sets forth the school's policy regarding how students are expected to behave when participating in school activities, on and off school grounds, and how the school will respond when students fail to behave in accordance with these rules.

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

Definitions. For the purposes of this Code:

- o "**short term suspension**" shall refer to the removal of a student from school for disciplinary reasons for a period of five or fewer days;
- o "**long term suspension**" shall refer to the removal of a student from school for disciplinary reasons for a period of more than five days; and
- o "**Expulsion**" shall refer to the permanent removal of a student from school for disciplinary reasons.

A. Short Term Suspensions

A student who is determined to have committed any of the infractions listed below shall be subject minimally to a short term suspension, unless the Director determines that an exception should be made based on the individual circumstances of the incident and the student's disciplinary record. Such student also may be subject to any of the disciplinary measures set forth in Part C of this Code, and, depending on the severity of the infraction, a long term suspension also may be imposed and referrals to law enforcement authorities may be made.

Disciplinary Infractions

- Continued, willful disobedience, insubordination or open and persistent defiance of proper authority
- Endangering the physical safety of another by the use of force or threats of force that reasonably place the victim in fear of imminent bodily injury
- Engaging in conduct that disrupts school or classroom activities, or endangers or threatens to endanger the health, safety, welfare, or morals of others
- Willful destruction or defacing of school property

- Engaging in acts of sexual harassment, including—but not limited to—sexually related physical contact or offensive sexual comments
- Repeatedly committing minor behavioral infractions that, in the aggregate, may be considered an infraction subject to formal disciplinary action
- Committing any other act that school officials reasonably conclude warrants a disciplinary response

Procedures and Due Process for Short Term Suspensions

The members of the discipline team may impose a short term suspension. Before imposing a short term suspension, the member of the discipline team shall inform the student of the suspension verbally or in writing, the reason or reasons for it. The student shall be given an opportunity to deny or explain the charges. The leadership team member also shall immediately notify the parent(s) or guardian(s) in writing that the student is suspended from school. Written notice shall be provided by personal delivery, express mail delivery, or equivalent means reasonably calculated to assure receipt of such notice within 24 hours of suspension. Where possible, notification also shall be provided by telephone. Such notice shall provide a description of the incident or incidents that resulted in the suspension and shall offer the opportunity for an immediate informal conference with whoever has imposed the suspension. The notification and informal conference shall be in the dominant language used by the parent(s) or guardian(s). Such notice and opportunity for an informal conference shall take place prior to the suspension of the student unless the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, in which case, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

The decision to impose a short term suspension or removal may be appealed first to the Board of Trustees of the charter school and next to the chartering entity, the New York State Board of Regents.

B. Long Term Suspensions and Expulsion

A student who is determined to have committed any of the infractions listed below shall be subject minimally to a long term suspension, unless the Director or Board of Trustees determines that an exception should be made based on the circumstances of the incident and the student's disciplinary record. Such student may also be subject to any of the disciplinary measures set forth in Part C, to referral to law enforcement authorities, and/or expulsion.

Disciplinary Infractions

- Possess, use, attempt to use, or transfer any firearm, knife, razor blade, explosive, mace, tear gas or other dangerous object of no reasonable use to the student at school
- Commit, or attempt to commit, arson on school property
- Possess, sell, distribute or use any alcoholic beverage, controlled substance, imitation controlled substance, or marijuana on school property or at school-sponsored events
- Assault any other student or staff member
- Intentionally cause physical injury to another person, except when the student's actions are reasonably necessary to protect himself or herself from injury
- Vandalize school property causing major damage
- Intense repeated bullying
- Commit any act that school officials reasonably conclude warrants a long term suspension

In addition, a student who commits any of the acts that would ordinarily result in a short term suspension may, instead or in addition, be subject to a long term suspension at the Director's discretion.

Federal and State Laws require the expulsion from school for a period of not less than one year of a student who is determined to have brought a firearm to a school, or to have possessed a firearm at school, except that the Director may modify such expulsion requirement for a student on a case-by-case basis, if such modification is in writing.

Procedures and Due Process for Long Term Suspensions and Expulsions

The discipline team may impose a long-term suspension. Such a suspension will typically only be imposed only after the student has been found guilty at a formal suspension hearing. In extreme circumstances, the Director may expel the student from school. Upon determining that a student's action warrants a possible long-term suspension, the Director shall verbally inform the student that he or she is being suspended and is being considered for a long-term suspension (or expulsion) and state

the reasons for such actions. The Director also shall immediately notify the student's parent(s) or guardian(s) in writing. Written notice shall be provided by personal delivery, express mail delivery, or equivalent means reasonably calculated to assure receipt of such notice within 24 hours of suspension at the last known address. Where possible, notification also shall be provided by telephone. Such notice shall provide a description of the incident or incidents that resulted in the suspension and shall indicate that a formal hearing will be held on the matter, which may result in a long-term suspension (or expulsion). The notification provided shall be in the dominant language used by the parent(s) or guardian(s). At the formal hearing, the student shall have the right to be represented by counsel, question witnesses, and present evidence.

If the suspension proceeding has been initiated by the Director, the Director shall personally hear and determine the proceeding, or may—at his or her discretion—designate a hearing officer to conduct the hearing. The hearing officer's report shall be advisory only and the Director may accept or reject all or part of it. The Director's decision after the formal hearing to impose a long term suspension or expulsion may be appealed first to the Board of Trustees and next to the chartering entity, the New York State Board of Regents.

C. Additional Disciplinary Measures

The disciplinary measures listed below may be imposed in addition to short term or long term suspensions or, if an exception has been made by the Director to the imposition of a minimum suspension, in place of such suspension. Behavior not listed in A or B (above) of this Code but determined by appropriate school staff to warrant disciplinary action, including but not limited to poor attendance, also may be subject to these additional disciplinary measures.

Suspensions may be imposed only by the discipline team and their designees. All other disciplinary measures may be imposed by the Director or a teacher, who must inform the Director of such action by the end of the school day.

a. Behavioral Contract: School staff may design written agreements with students subject to punishment under this code to identify target behaviors, define expectations, and describe consequences, provided that the affected student and his or her parent(s) or guardian(s) are informed that the decision to enter into such a contract is voluntary.

b. Detention: After notice to the student and parent(s) or guardian(s), and provided that there is no objection from the student and parent(s) or guardian(s) and the student has appropriate transportation home, a student may be detained after school in detention.

c. Loss of School Privileges: After notice to the student and parent(s) or guardian(s), a student may be suspended from participation in any or all extra-curricular activities. The student and parent(s) or guardian(s) shall be given an opportunity to meet informally with the Director or teacher involved. If possible, the Director or teacher involved shall hold any requested meeting prior to imposing the suspension from participation in extra-curricular activities.

d. In-School Short Term Suspension: Students may be temporarily removed from the classroom and placed in another area of the school where the student will receive substantially equivalent instruction. The student and his or her parent(s) or guardian(s) will be given an opportunity for an informal conference regarding such suspension with whoever was involved in imposing the suspension.

e. Suspension from School Transportation: As the result of misconduct occurring on a bus or other student transportation for school outings, and after notice to the student and his or her parent(s) or guardian(s), a student may be suspended from school transportation that may be offered for school outings.

D. Provision of Services during Removal or Expulsion

The Charter School will ensure that alternative educational services are provided to a child who has been suspended or removed to help that child progress in the school's general curriculum. Actual instruction—not merely the provision of classroom assignments—will be provided by a certified teacher. For a student who has been expelled, alternative instruction will be provided by a certified teacher until the student enrolls in another school, two weeks or until the end of the school year, whichever comes first.

E. Disciplinary Procedures for Students with Disabilities

In addition to the discipline procedures applicable to all students, the following procedures are applicable to students with disabilities. The school will comply with sections 300.519-300.529 of the Code of Federal Regulations and the following procedures, except that in the event that the following procedures are inconsistent with federal law and regulations, such federal law and regulations shall govern.

1. Students for whom the Individualized Education Program (IEP) includes specific disciplinary guidelines will be disciplined in accordance with those guidelines. If the disciplinary guidelines appear not to be effective or if there is concern for the health and safety of the student or others if those guidelines are followed with respect to a specific infraction, the matter will be immediately

referred to the Committee on Special Education (CSE) of the student's district of residence for consideration of a change in the guidelines.

2. Students for whom the IEP does not include specific disciplinary guidelines may be disciplined in accordance with standard school policy relating to each infraction. The CSE of the student's district of residence shall be notified immediately of any suspension or removal from classes, and the school shall work with the CSE to arrange appropriate alternate instruction. If there is any reason to believe that the infraction is a result of the student's disability, the student will immediately be referred to the referring CSE. If a connection is found, no penalty may be imposed, and the school will work with the CSE to consider a possible program modification following consultation with the referring educational agency. If a student identified as having a disability is suspended during the course of the school year for a total of eight days, such student will immediately be referred to the CSE of the student's district of residence for reconsideration of the student's educational placement. Such a student shall not be suspended for a total of more than 10 days during the school year without the specific involvement of the district's CSE prior to the 11th day of suspension or removal, because such suspensions or removals may be considered to be a change in placement. In considering the placement of students referred because of disciplinary problems, the CSE of the student's district of residence is expected to follow its ordinary policies with respect to parental notification and involvement.

3. In order to keep the resident district's CSE appropriately informed of any disciplinary actions taken, the school will notify the resident district's CSE whenever a procedural safeguards notice is issued pursuant to 34 CFR §300.523.

4. The school shall work with the district to ensure that the CSE of the student's district of residence meets within 7 days of notification of any of the following:

- The commission of an infraction by a student with a disability who has previously been suspended for the maximum allowable number of days.
- The commission of any infraction that is a result of the student's disability.
- The commission of any infraction by a disabled student, regardless of whether the student had previously been suspended during the school year if, had such infractions been committed by a non-disabled student, the Director would seek to impose a suspension or removal in excess of five days.

5. The school shall immediately notify the resident district's CSE whenever it suspends or removes a student for more than 10 school days in a year or

commences a removal that constitutes a change in placement so that the CSE of the student's district of residence may meet to establish a behavioral intervention plan or modify such a plan or its implementation. The school shall work with the resident district's CSE to ensure that each student's behavior modification plan is fully implemented.

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

A student not specifically identified as having a disability but whose school district of residence or charter school has a basis of knowledge (in accordance with 34 CFR ss.300.527 (b)) that a disability exists prior to the behavior which is the subject of the disciplinary action may request to be disciplined in accordance with these provisions.

Provision of Services during Removal for Children with Disabilities

Those students removed for a period of less than ten days will receive all classroom assignments and a schedule to complete such assignments during the time of his or her suspension. Provisions will be made to permit a suspended student to make up assignments or tests missed as a result of such suspension. The school will also provide additional alternative instruction with the reasonable promptness and by appropriate means to assist the student, so that the student is given full opportunity to complete assignments and master curriculum, including additional instructions, phone assistance, computer instruction and/or home visits and one-on-one tutoring.

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

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

During any subsequent removal that does constitute a change in placement, but where the behavior is not a manifestation of a disability, the CSE of the student's district of residence will make the service determination.

CSE Meetings

Meetings of the CSE of the student's district of residence to either develop a behavioral assessment plan or, if the child has one, review such plan are required when (1) the child is first removed from his or her current placement for more than 10 school days in a school year; and (2) when commencing a removal which constitutes a change in placement.

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

Due Process

If discipline which would constitute a change in placement is contemplated for any student, then (1) not later than the date on which the decision to take such action is made, the parents of the student with a disability shall be notified of that decision and provided the procedural safeguards notice described in 34 CFR §300.504; and (2) immediately, if possible, but in no case later than 10 school days after the date on which such decision is made, the CSE of the student's district of residence and other qualified personnel shall meet and review the relationship between the child's disability and the behavior subject to the disciplinary action.

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

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

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

Records of Student Discipline

The charter school will maintain written records of all formal suspensions and expulsions including the name of the student, a description of the behavior engaged in, the disciplinary action taken, records of all correspondence with parents, documentation of alternative instruction by a certified teacher, and a record of the number of days a student has been suspended or removed for disciplinary reasons.

II. Maintenance of Public Order on School Property

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

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

A. Prohibited Conduct: No person, either singly or in concert, shall:

1. Willfully cause physical injury to any other person, or threaten to use force that would result in such injury;

~~2. Physically restrain or detain any other person, nor remove such person from any place where he or she is authorized to remain, except as necessary to maintain the established educational process.~~

~~23.~~ Willfully damage or destroy school property, nor remove or use such property without authorization.

~~34.~~ Without permission, express or implied, enter into any private office or classroom of an administrative officer, teacher, or staff member.

~~45.~~ Enter or remain in any building or facility for any purpose other than its authorized use or in such a manner as to obstruct its authorized use by others.

~~56.~~ Without authorization, remain in any building or facility after it is normally closed, nor without permission enter any building or facility prior to its normal opening.

~~67.~~ Refuse to leave any building or facility after being required to do so by the Director or an authorized administrative officer or his or her designee.

~~8. Willfully obstruct or interfere with the free movement of persons and vehicles.~~

~~79.~~ Deliberately disrupt or prevent the peaceful and orderly conduct of classes, lectures, and meetings or deliberately interfere with the freedom of any person to express his or her views, unless such disruption is necessary to maintain order of the educational process.

~~840.~~ Possess on school property any rifle, shotgun, pistol, revolver, knife, chain, club or other weapon, whether or not the person has a license to possess such weapon. Further, it is the duty of the Director to inform the police of the presence or use of any such weapon or implements used as weapons on school property.

~~944.~~ Commit acts that threaten the safety and welfare of persons on school property.

~~1042.~~ Violate any federal or state statute or regulation, local ordinance or school policy.

~~1143.~~ Possess, use or distribute alcohol, drugs or drug paraphernalia.

~~1244.~~ Harass or coerce any person.

~~13~~¹⁵. Refuse or fail to comply with a lawful order or direction of a school official in the performance of his or her duty.

~~16. Distribute or post on school property any written material, pamphlets or posters without the prior approval of the Director.~~

B. Penalties and Enforcement: Penalties for violations of these rules include, but are not limited to:

- withdrawal of authorization to remain upon school property;
- ejection;
- arrest;
- for students, suspension or other disciplinary action; and
- For school employees, dismissal or other disciplinary action.

Staff members are required to report known violations of these rules to the Director and to make reasonable efforts when prudent to stop the prohibited conduct. The Director is responsible for the enforcement of these rules.

III. Student Rights and Responsibilities

A. Participation in School Activities: All students have the following rights:

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

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

B. Records

The Family Education Rights and Privacy Act of 1974 (FERPA) requires a school to protect a student's privacy. The school will not disclose any information from the student's permanent records except as authorized pursuant to FERPA, or in

response to a subpoena, as required by law. The parent(s) or guardian(s) of a student under 18 years of age, or a student 18 years of age or older, is entitled to access to the student's school records by submitting a written request to the Director. Further information concerning the disclosure of student information and limitations on such disclosure may be found in FERPA.

C. Freedom of Expression

1. Students are entitled to express their personal opinions verbally, in writing, or by symbolic speech. The expression of such opinions, however, shall not interfere with the freedom of others to express themselves, and written expression of opinion must be signed by the author. Any form of expression that involves libel, slander, the use of obscenity, or personal attacks, or that otherwise disrupts the educational process, is prohibited. All forms of expression also must be in compliance with the Student Disciplinary Code, violations of which are punishable as stated in the Disciplinary Code.
2. Student participation in the publication of school sponsored student newsletters, yearbooks, literary magazines and similar publications is encouraged as a learning and educational experience. These publications, if any, shall be supervised by qualified faculty advisors and shall strive to meet high standards of journalism. In order to maintain consistency with the school's basic educational mission, school authorities control the content of such publications.

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~~No person shall distribute any printed or written materials on school property without the prior permission of the Director. The Director may regulate the content of materials to be distributed on school property to the extent necessary to avoid material and substantial interference with the requirements of appropriate discipline in the operation of the school. The Director may also regulate the time, place, manner and duration of such distribution.~~

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D. Search and Seizure

1. A student and/or the student's belongings may be searched by a school official if the official has a reasonable suspicion to believe that a search of that student will result in evidence that the student violated the law or a school rule. Items which are prohibited on school property, or which may be used to disrupt or interfere with the educational process, may be removed from the student by school authorities.

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

E. Off-Campus Events

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

F. Discipline

1. Prohibited conduct and acceptable school responses to such conduct are set forth in the Student Disciplinary Code. In disciplinary matters, students shall have the opportunity to present their version of the facts and circumstances leading to the imposition of disciplinary sanctions to the professional staff member imposing such sanction.
2. A student may be suspended from instruction only after his or her rights to due process have been observed.

Approved by the Board of Trustees

January 18, 2011

Revised by the Board of Trustees

June 19, 2014

Reviewed by the Board of Trustees

June 18, 2018

DISCIPLINE POLICY

4200

To ensure that an environment is created where teaching and learning can flourish, Discovery Charter School has developed a series of rules that address proper student behavior, maintenance of order within the school and while people are engaged in school activities, and a statement of student rights and responsibilities.

School staff will ensure that parents and students are well informed of these policies both before enrollment and at the time that students sign up for enrollment in the charter school. As such, students will be completely knowledgeable about the behavior that is expected from them, and parents will be reassured that a positive and productive classroom environment will be maintained in the charter school. Parents will also be aware of the consequences for their children of disrupting the school environment. All staff will be trained in the implementation of these policies.

The discipline and order policies of the Discovery Charter School include the following components:

- I. Student Disciplinary Code
- II. Maintenance of Public Order on School Property
- III. Student Rights and Responsibilities

I. Student Disciplinary Code

Existing student discipline policies from many public school districts were examined in developing this code, and components of those district policies are evident throughout the disciplinary code of the Discovery Charter School.

This Code sets forth the school's policy regarding how students are expected to behave when participating in school activities, on and off school grounds, and how the school will respond when students fail to behave in accordance with these rules.

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

Definitions. For the purposes of this Code:

- “**short term suspension**” shall refer to the removal of a student from school for disciplinary reasons for a period of five or fewer days;
- “**long term suspension**” shall refer to the removal of a student from school for disciplinary reasons for a period of more than five days; and
- “**Expulsion**” shall refer to the permanent removal of a student from school for disciplinary reasons.

A. Short Term Suspensions

A student who is determined to have committed any of the infractions listed below shall be subject minimally to a short term suspension, unless the Director determines that an exception should be made based on the individual circumstances of the incident and the student's disciplinary record. Such student also may be subject to any of the disciplinary measures set forth in Part C of this Code, and, depending on the severity of the infraction, a long term suspension also may be imposed and referrals to law enforcement authorities may be made.

Disciplinary Infractions

- Continued, willful disobedience, insubordination or open and persistent defiance of proper authority
- Endangering the physical safety of another by the use of force or threats of force that reasonably place the victim in fear of imminent bodily injury
- Engaging in conduct that disrupts school or classroom activities, or endangers or threatens to endanger the health, safety, welfare, or morals of others
- Willful destruction or defacing of school property

- Engaging in acts of sexual harassment, including—but not limited to—sexually related physical contact or offensive sexual comments
- Repeatedly committing minor behavioral infractions that, in the aggregate, may be considered an infraction subject to formal disciplinary action
- Committing any other act that school officials reasonably conclude warrants a disciplinary response

Procedures and Due Process for Short Term Suspensions

The members of the discipline team may impose a short term suspension. Before imposing a short term suspension, the member of the discipline team shall inform the student of the suspension verbally or in writing, the reason or reasons for it. The student shall be given an opportunity to deny or explain the charges. The leadership team member also shall immediately notify the parent(s) or guardian(s) in writing that the student is suspended from school. Written notice shall be provided by personal delivery, express mail delivery, or equivalent means reasonably calculated to assure receipt of such notice within 24 hours of suspension. Where possible, notification also shall be provided by telephone. Such notice shall provide a description of the incident or incidents that resulted in the suspension and shall offer the opportunity for an immediate informal conference with whoever has imposed the suspension. The notification and informal conference shall be in the dominant language used by the parent(s) or guardian(s). Such notice and opportunity for an informal conference shall take place prior to the suspension of the student unless the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, in which case, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

The decision to impose a short term suspension or removal may be appealed first to the Board of Trustees of the charter school and next to the chartering entity, the New York State Board of Regents.

B. Long Term Suspensions and Expulsion

A student who is determined to have committed any of the infractions listed below shall be subject minimally to a long term suspension, unless the Director or Board of Trustees determines that an exception should be made based on the circumstances of the incident and the student's disciplinary record. Such student may also be subject to any of the disciplinary measures set forth in Part C, to referral to law enforcement authorities, and/or expulsion.

Disciplinary Infractions

- Possess, use, attempt to use, or transfer any firearm, knife, razor blade, explosive, mace, tear gas or other dangerous object of no reasonable use to the student at school
- Commit, or attempt to commit, arson on school property
- Possess, sell, distribute or use any alcoholic beverage, controlled substance, imitation controlled substance, or marijuana on school property or at school-sponsored events
- Assault any other student or staff member
- Intentionally cause physical injury to another person, except when the student's actions are reasonably necessary to protect himself or herself from injury
- Vandalize school property causing major damage
- Intense repeated bullying
- Commit any act that school officials reasonably conclude warrants a long term suspension

In addition, a student who commits any of the acts that would ordinarily result in a short term suspension may, instead or in addition, be subject to a long term suspension at the Director's discretion.

Federal and State Laws require the expulsion from school for a period of not less than one year of a student who is determined to have brought a firearm to a school, or to have possessed a firearm at school, except that the Director may modify such expulsion requirement for a student on a case-by-case basis, if such modification is in writing.

Procedures and Due Process for Long Term Suspensions and Expulsions

The discipline team may impose a long-term suspension. Such a suspension will typically only be imposed only after the student has been found guilty at a formal suspension hearing. In extreme circumstances, the Director may expel the student from school. Upon determining that a student's action warrants a possible long-term suspension, the Director shall verbally inform the student that he or she is being suspended and is being considered for a long-term suspension (or expulsion) and state

the reasons for such actions. The Director also shall immediately notify the student's parent(s) or guardian(s) in writing. Written notice shall be provided by personal delivery, express mail delivery, or equivalent means reasonably calculated to assure receipt of such notice within 24 hours of suspension at the last known address. Where possible, notification also shall be provided by telephone. Such notice shall provide a description of the incident or incidents that resulted in the suspension and shall indicate that a formal hearing will be held on the matter, which may result in a long-term suspension (or expulsion). The notification provided shall be in the dominant language used by the parent(s) or guardian(s). At the formal hearing, the student shall have the right to be represented by counsel, question witnesses, and present evidence.

If the suspension proceeding has been initiated by the Director, the Director shall personally hear and determine the proceeding, or may—at his or her discretion—designate a hearing officer to conduct the hearing. The hearing officer's report shall be advisory only and the Director may accept or reject all or part of it. The Director's decision after the formal hearing to impose a long term suspension or expulsion may be appealed first to the Board of Trustees and next to the chartering entity, the New York State Board of Regents.

C. Additional Disciplinary Measures

The disciplinary measures listed below may be imposed in addition to short term or long term suspensions or, if an exception has been made by the Director to the imposition of a minimum suspension, in place of such suspension. Behavior not listed in A or B (above) of this Code but determined by appropriate school staff to warrant disciplinary action, including but not limited to poor attendance, also may be subject to these additional disciplinary measures.

Suspensions may be imposed only by the discipline team and their designees. All other disciplinary measures may be imposed by the Director or a teacher, who must inform the Director of such action by the end of the school day.

- a. Behavioral Contract: School staff may design written agreements with students subject to punishment under this code to identify target behaviors, define expectations, and describe consequences, provided that the affected student and his or her parent(s) or guardian(s) are informed that the decision to enter into such a contract is voluntary.
- b. Detention: After notice to the student and parent(s) or guardian(s), and provided that there is no objection from the student and parent(s) or guardian(s) and the student has appropriate transportation home, a student may be detained after school in detention.

c. Loss of School Privileges: After notice to the student and parent(s) or guardian(s), a student may be suspended from participation in any or all extra-curricular activities. The student and parent(s) or guardian(s) shall be given an opportunity to meet informally with the Director or teacher involved. If possible, the Director or teacher involved shall hold any requested meeting prior to imposing the suspension from participation in extra-curricular activities.

d. In-School Short Term Suspension: Students may be temporarily removed from the classroom and placed in another area of the school where the student will receive substantially equivalent instruction. The student and his or her parent(s) or guardian(s) will be given an opportunity for an informal conference regarding such suspension with whoever was involved in imposing the suspension.

e. Suspension from School Transportation: As the result of misconduct occurring on a bus or other student transportation for school outings, and after notice to the student and his or her parent(s) or guardian(s), a student may be suspended from school transportation that may be offered for school outings.

D. Provision of Services during Removal or Expulsion

The Charter School will ensure that alternative educational services are provided to a child who has been suspended or removed to help that child progress in the school's general curriculum. Actual instruction—not merely the provision of classroom assignments—will be provided by a certified teacher. For a student who has been expelled, alternative instruction will be provided by a certified teacher until the student enrolls in another school, two weeks or until the end of the school year, whichever comes first.

E. Disciplinary Procedures for Students with Disabilities

In addition to the discipline procedures applicable to all students, the following procedures are applicable to students with disabilities. The school will comply with sections 300.519-300.529 of the Code of Federal Regulations and the following procedures, except that in the event that the following procedures are inconsistent with federal law and regulations, such federal law and regulations shall govern.

1. Students for whom the Individualized Education Program (IEP) includes specific disciplinary guidelines will be disciplined in accordance with those guidelines. If the disciplinary guidelines appear not to be effective or if there is concern for the health and safety of the student or others if those guidelines are followed with respect to a specific infraction, the matter will be immediately

referred to the Committee on Special Education (CSE) of the student's district of residence for consideration of a change in the guidelines.

2. Students for whom the IEP does not include specific disciplinary guidelines may be disciplined in accordance with standard school policy relating to each infraction. The CSE of the student's district of residence shall be notified immediately of any suspension or removal from classes, and the school shall work with the CSE to arrange appropriate alternate instruction. If there is any reason to believe that the infraction is a result of the student's disability, the student will immediately be referred to the referring CSE. If a connection is found, no penalty may be imposed, and the school will work with the CSE to consider a possible program modification following consultation with the referring educational agency. If a student identified as having a disability is suspended during the course of the school year for a total of eight days, such student will immediately be referred to the CSE of the student's district of residence for reconsideration of the student's educational placement. Such a student shall not be suspended for a total of more than 10 days during the school year without the specific involvement of the district's CSE prior to the 11th day of suspension or removal, because such suspensions or removals may be considered to be a change in placement. In considering the placement of students referred because of disciplinary problems, the CSE of the student's district of residence is expected to follow its ordinary policies with respect to parental notification and involvement.

3. In order to keep the resident district's CSE appropriately informed of any disciplinary actions taken, the school will notify the resident district's CSE whenever a procedural safeguards notice is issued pursuant to 34 CFR §300.523.

4. The school shall work with the district to ensure that the CSE of the student's district of residence meets within 7 days of notification of any of the following:

- The commission of an infraction by a student with a disability who has previously been suspended for the maximum allowable number of days.
- The commission of any infraction that is a result of the student's disability.
- The commission of any infraction by a disabled student, regardless of whether the student had previously been suspended during the school year if, had such infractions been committed by a non-disabled student, the Director would seek to impose a suspension or removal in excess of five days.

5. The school shall immediately notify the resident district's CSE whenever it suspends or removes a student for more than 10 school days in a year or

commences a removal that constitutes a change in placement so that the CSE of the student's district of residence may meet to establish a behavioral intervention plan or modify such a plan or its implementation. The school shall work with the resident district's CSE to ensure that each student's behavior modification plan is fully implemented.

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

A student not specifically identified as having a disability but whose school district of residence or charter school has a basis of knowledge (in accordance with 34 CFR ss.300.527 (b)) that a disability exists prior to the behavior which is the subject of the disciplinary action may request to be disciplined in accordance with these provisions.

Provision of Services during Removal for Children with Disabilities

Those students removed for a period of less than ten days will receive all classroom assignments and a schedule to complete such assignments during the time of his or her suspension. Provisions will be made to permit a suspended student to make up assignments or tests missed as a result of such suspension. The school will also provide additional alternative instruction with the reasonable promptness and by appropriate means to assist the student, so that the student is given full opportunity to complete assignments and master curriculum, including additional instructions, phone assistance, computer instruction and/or home visits and one-on-one tutoring.

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

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

During any subsequent removal that does constitute a change in placement, but where the behavior is not a manifestation of a disability, the CSE of the student's district of residence will make the service determination.

CSE Meetings

Meetings of the CSE of the student's district of residence to either develop a behavioral assessment plan or, if the child has one, review such plan are required when (1) the child is first removed from his or her current placement for more than 10 school days in a school year; and (2) when commencing a removal which constitutes a change in placement.

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

Due Process

If discipline which would constitute a change in placement is contemplated for any student, then (1) not later than the date on which the decision to take such action is made, the parents of the student with a disability shall be notified of that decision and provided the procedural safeguards notice described in 34 CFR §300.504; and (2) immediately, if possible, but in no case later than 10 school days after the date on which such decision is made, the CSE of the student's district of residence and other qualified personnel shall meet and review the relationship between the child's disability and the behavior subject to the disciplinary action.

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

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

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

Records of Student Discipline

The charter school will maintain written records of all formal suspensions and expulsions including the name of the student, a description of the behavior engaged in, the disciplinary action taken, records of all correspondence with parents, documentation of alternative instruction by a certified teacher, and a record of the number of days a student has been suspended or removed for disciplinary reasons.

II. Maintenance of Public Order on School Property

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

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

A. Prohibited Conduct: No person, either singly or in concert, shall:

1. Willfully cause physical injury to any other person, or threaten to use force that would result in such injury

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

B. Penalties and Enforcement: Penalties for violations of these rules include, but are not limited to:

- withdrawal of authorization to remain upon school property;

- ejection;
- arrest;
- for students, suspension or other disciplinary action; and
- For school employees, dismissal or other disciplinary action.

Staff members are required to report known violations of these rules to the Director and to make reasonable efforts, when prudent, to stop the prohibited conduct. The Director is responsible for the enforcement of these rules.

III. Student Rights and Responsibilities

A. Participation in School Activities: All students have the following rights:

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

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

B. Records

The Family Education Rights and Privacy Act of 1974 (FERPA) requires a school to protect a student's privacy. The school will not disclose any information from the student's permanent records except as authorized pursuant to FERPA, or in response to a subpoena, as required by law. The parent(s) or guardian(s) of a student under 18 years of age, or a student 18 years of age or older, is entitled to access to the student's school records by submitting a written request to the Director. Further information concerning the disclosure of student information and limitations on such disclosure may be found in FERPA.

C. Freedom of Expression

1. Students are entitled to express their personal opinions verbally, in writing, or by symbolic speech. The expression of such opinions, however, shall not interfere with the freedom of others to express themselves, and

written expression of opinion must be signed by the author. Any form of expression that involves libel, slander, the use of obscenity, or personal attacks, or that otherwise disrupts the educational process, is prohibited. All forms of expression also must be in compliance with the Student Disciplinary Code, violations of which are punishable as stated in the Disciplinary Code.

2. Student participation in the publication of school sponsored student newsletters, yearbooks, literary magazines and similar publications is encouraged as a learning and educational experience. These publications, if any, shall be supervised by qualified faculty advisors and shall strive to meet high standards of journalism. In order to maintain consistency with the school's basic educational mission, school authorities control the content of such publications.

D. Search and Seizure

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

E. Off-Campus Events

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

F. Discipline

1. Prohibited conduct and acceptable school responses to such conduct are set forth in the Student Disciplinary Code. In disciplinary matters, students shall have the opportunity to present their version of the facts and circumstances leading to the imposition of disciplinary sanctions to the professional staff member imposing such sanction.
2. A student may be suspended from instruction only after his or her rights to due process have been observed.

Approved by the Board of Trustees

January 18, 2011

Revised by the Board of Trustees

June 19, 2014

Reviewed by the Board of Trustees

June 18, 2018

Charter School Name Here

Contact Name: Anne Culver
 Contact Email: aculver@rochesternischools.org
 Contact Phone: 585-342-4032

Proposed Renewal Charter Term: July 1, 2024 to June 30, 2029

PROJECTED BUDGET FOR RENEWAL CHARTER PERIOD

Total Revenue	5,327,969	5,420,127	5,498,351	5,574,350	5,647,539
Total Expenses	5,306,533	5,421,895	5,458,149	5,545,274	5,666,491
Net Income (Before Cash Flow Adjustments)	21,435	(1,769)	40,202	29,076	(18,952)
Actual Student Enrollment	300	300	300	300	300
Total Paid Student Enrollment					

Note: Please insert additional detail lines as appropriate.

REVENUE

REVENUES FROM STATE SOURCES

Per Pupil Revenue:	CY Per Pupil Rate
Greece Central School District	12,813
Rochester City School District	14,316
Gates-Chili	13,011
West Irondequoit	13,017
Spencerport	12,882
School District 6 (Enter Name)	
School District - ALL OTHER	
TOTAL Per Pupil Revenue (Average Districts Per Pupil Funding)	13,208

TOTAL Per Pupil Revenue (Average Districts Per Pupil Funding)

Special Education Revenue

Grants

Other

TOTAL REVENUE FROM STATE SOURCES

REVENUE FROM FEDERAL FUNDING

IDEA Special Needs
 Title I
 Title Funding - Other
 School Food Service (Free Lunch)
 CARES/ARP Funding
 Grants

TOTAL REVENUE FROM FEDERAL SOURCES

LOCAL and OTHER REVENUE

Contributions and Donations
 Fundraising
 Estate Reimbursement
 Earnings on Investments
 Interest Income
 Food Service (Income from meals)
 Text Book
 OTHER

TOTAL REVENUE FROM LOCAL and OTHER SOURCES

TOTAL REVENUE

DESCRIPTION OF ASSUMPTIONS

Note: The completion of this section is mandatory as this additional information is essential for NYSED to follow the assumptions in your budget.

Year 1 2024-2025	Year 2 2025-2026	Year 3 2026-2027	Year 4 2027-2028	Year 5 2028-2029
Per Pupil Revenue Percentage Increase				
1.0%	1.5%	1.5%	1.5%	1.5%
465,881	472,869	479,962	487,161	494,469
3,687,086	3,742,392	3,798,528	3,855,506	3,913,338
39,423	40,015	40,615	41,224	41,842
39,442	40,033	40,634	41,243	41,862
39,032	39,618	40,212	40,815	41,428
4,270,864	4,334,927	4,399,951	4,465,950	4,532,939
350,000	350,000	350,000	350,000	350,000
4,620,864	4,684,927	4,749,951	4,815,950	4,882,939
42,000	44,000	45,000	48,000	50,000
220,000	235,000	245,000	250,000	252,000
43,000	50,000	50,000	50,000	50,000
345,905	350,000	352,000	354,000	356,000
650,905	679,000	692,000	702,000	708,000
5,000	5,000	5,000	5,000	5,000
15,000	15,000	15,000	15,000	15,000
18,200	18,200	18,400	18,400	18,600
18,000	18,000	18,000	18,000	18,000
56,200	56,200	56,400	56,400	56,600
5,327,969	5,420,127	5,498,351	5,574,350	5,647,539

District Textbook Aid
 Fresh Fruits & Vegetables Program

EXPENSES

ADMINISTRATIVE STAFF PERSONNEL COSTS

Executive Management	1	144,840	147,737	150,692	153,705	156,779	Assumes 2% raise each year
Instructional Management	1	86,740	90,515	92,325	94,172	96,055	1.0 School Director
Deans, Directors & Coordinators	5	396,780	404,716	412,810	421,066	429,487	1.0 Asst. School Director 1.0 Data Coordinator, 1.0 Student Svcs Coordinator, 1.0 ELA Curriculum Coordinator, 1.0 Math Coordinator, 1.0 Instructional Coach, 1.0 Dean of Students
CFO / Director of Finance	-	-	-	-	-	-	
Operation / Business Manager	1	90,780	92,596	94,448	96,336	98,263	1.0 Finance Manager
Administrative Staff	2	71,440	74,909	76,407	77,935	79,494	2.0 Administrative Asst
TOTAL ADMINISTRATIVE STAFF	10.00	794,580	810,472	826,681	843,215	860,079	

INSTRUCTIONAL PERSONNEL COSTS

Teachers - Regular	17	841,500	858,330	875,497	893,007	910,867	17.0 Classroom Teachers
Teachers - SPED	8	413,100	421,362	429,789	438,385	447,153	8.0 SPED
Substitute Teachers	2	77,520	79,070	80,652	82,265	83,910	2.0 Building Subs
Teaching Assistants	9	235,400	240,108	244,910	249,808	254,805	9.0 Teaching Assistants
Specialty Teachers	10	324,140	330,623	337,235	343,980	350,860	4.0 Intervention Teachers, 2.0 PE Teachers, 1.0 Visual Arts, 1.0 Performing Arts, 1.0 Instrumental/Vocal Coach, 1.0 ENL Teacher
Aides	-	-	-	-	-	-	
Therapists & Counselors	-	-	-	-	-	-	
Other	1	58,140	59,303	60,489	61,699	62,933	1.0 Social Worker
TOTAL INSTRUCTIONAL	3	77,900	79,458	41,047	41,868	42,705	1.0 Primary Project, 1.0 Behavior Specialist, 1.0 SEL Coach - reduction of 1.0 FTE after conclusion of grant funding in yr 26-27
	50.00	2,027,700	2,068,254	2,069,619	2,111,011	2,153,232	

NON-INSTRUCTIONAL PERSONNEL COSTS

Nurse	-	-	-	-	-	-	
Librarian	-	-	-	-	-	-	
Custodian	-	-	-	-	-	-	
Security	-	-	-	-	-	-	
Other	2.50	61,620	62,852	64,109	65,392	66,699	1.0 Food Svc Mgr, 1.5 Food Svc Worker
TOTAL NON-INSTRUCTIONAL	2.50	61,620	62,852	64,109	65,392	66,699	
SUBTOTAL PERSONNEL SERVICE COSTS	62.50	2,883,900	2,941,578	2,960,410	3,019,618	3,080,010	

PAYROLL TAXES AND BENEFITS

Payroll Taxes	220,618	225,031	226,471	231,001	235,621	235,621	7.65% of Personnel Svc Costs
Fringe / Employee Benefits	364,000	371,280	350,000	357,000	364,140	364,140	Assume 2% increase each year
Retirement / Pension	252,000	257,040	252,181	257,215	262,369	262,369	NYS Teachers Retirement
TOTAL PAYROLL TAXES AND BENEFITS	836,618	853,351	828,652	845,225	862,130	862,130	

TOTAL PERSONNEL SERVICE COSTS

3,720,518	3,794,929	3,789,062	3,864,843	3,942,140	
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CONTRACTED SERVICES

Accounting / Audit	22,000	22,660	23,340	24,040	24,761	3% COLA
Legal	15,000	15,450	15,914	16,391	16,883	3% COLA
Management Company Fee	-	-	-	-	-	
Nurse Services	-	-	-	-	-	
Food Service / School Lunch	329,600	339,488	349,673	360,163	370,968	3% COLA
Payroll Services	32,000	32,960	33,949	34,967	36,016	3% COLA
Special Ed Services	-	-	-	-	-	
Titlment Services (i.e. Title I)	-	-	-	-	-	
Related service provider costs not reimbursed by the district of residence	-	-	-	-	-	
Other Purchased / Professional / Consulting	147,000	146,260	150,648	155,167	159,822	3% COLA
TOTAL CONTRACTED SERVICES	540,600	556,818	573,523	590,728	608,450	

SCHOOL OPERATIONS

Board Expenses	350	350	350	350	350	
Board Development	500	500	500	500	500	
Classroom / Teaching Supplies & Materials	32,000	32,640	33,293	33,959	34,638	2% COLA
Special Ed Supplies & Materials	2,575	2,627	2,679	2,733	2,787	2% COLA
Textbooks / Workbooks	30,000	30,600	31,212	31,836	32,473	2% COLA
Supplies & Materials other	-	-	-	-	-	
Equipment / Furniture	12,000	12,240	12,485	12,734	12,989	2% COLA
Telephone	18,540	18,911	19,289	19,675	20,068	2% COLA
Technology	77,250	78,795	80,371	80,000	51,000	2% COLA
Student Testing & Assessment	15,450	15,759	16,074	16,396	16,724	2% COLA
Field Trips	2,575	2,627	2,679	2,733	2,787	2% COLA
Transportation (student)	41,200	42,024	42,864	43,722	44,596	2% COLA
Student Services - other	4,120	4,202	4,286	4,372	4,460	2% COLA
Office Expense	30,900	31,518	32,148	32,791	33,447	2% COLA
Staff Development	15,000	15,300	15,606	15,918	16,236	2% COLA
Staff Recruitment	7,000	7,140	7,283	7,428	7,577	2% COLA
Student Recruitment / Marketing	5,000	5,100	5,202	5,306	5,412	2% COLA

School Meals / Lunch
Travel (Staff)
Fundraising
Other

515	525	536	547	557	2% COLA
6,200	6,324	6,450	6,579	6,711	2% COLA
301,175	307,182	313,308	287,579	293,314	

TOTAL SCHOOL OPERATIONS

FACILITY OPERATION & MAINTENANCE

Insurance	45,900	47,277	48,695	50,156	51,661	3% COLA
Janitorial	127,500	131,325	135,265	139,323	143,502	3% COLA
Building and Land Rent / Lease	369,240	380,317	391,727	403,479	415,583	3% COLA
Repairs & Maintenance	5,100	5,253	5,411	5,573	5,740	3% COLA
Equipment / Furniture	10,200	10,506	10,821	11,146	11,480	3% COLA
Security						
Utilities	66,300	68,269	70,338	72,448	74,621	3% COLA
TOTAL FACILITY OPERATION & MAINTENANCE	624,240	642,967	662,256	682,124	702,588	

DEPRECIATION & AMORTIZATION

Insert Detail as Applicable
Insert Detail as Applicable
Insert Detail as Applicable

120,000	120,000	120,000	120,000	120,000	120,000
120,000	120,000	120,000	120,000	120,000	120,000

TOTAL DEPRECIATION AND AMORTIZATION

*****TOTAL FUNDS IN DISSOLUTION ESCROW & RESERVES / CONTINGENCY

TOTAL EXPENSES

NET INCOME

\$100,000 by December 31st of FY 2 (2024-2025). You should already

ENROLLMENT - * School Districts Are Linked To Above Entries*

Greece Central School District
Rochester City School District
Gates-Chili
West Irondequoit
Spencerport
School District 6 (Enter Name)
School District - ALL OTHER

Add as many school districts as necessary.

36	36	36	36	36	36
255	255	255	255	255	255
3	3	3	3	3	3
3	3	3	3	3	3
3	3	3	3	3	3
3	3	3	3	3	3
300	300	300	300	300	300
17,760	18,067	18,328	18,581	18,825	
17,688	18,073	18,194	18,484	18,888	

TOTAL ENROLLMENT

REVENUE PER PUPIL

EXPENSES PER PUPIL

CASH FLOW ADJUSTMENTS

OPERATING ACTIVITIES

Example - Add Back Depreciation
Other

120,000	120,000	120,000	120,000	120,000	120,000
120,000	120,000	120,000	120,000	120,000	120,000

Total Operating Activities

INVESTMENT ACTIVITIES

Example - Subtract Property and Equipment Expenditures
Other

(100,000)	(95,000)	(75,000)	(75,000)	(75,000)	(75,000)
(100,000)	(95,000)	(75,000)	(75,000)	(75,000)	(75,000)

Total Investment Activities

FINANCING ACTIVITIES

Example - Add Expected Proceeds from a Loan or Line of Credit
Other

Total Financing Activities

Total Cash Flow Adjustments

NET INCOME

Beginning Cash Balance

ENDING CASH BALANCE

20,000	25,000	45,000	45,000	45,000	45,000
41,435	23,231	85,202	74,076	26,048	
250,000	291,435	314,667	399,869	473,944	
291,435	314,667	399,869	473,944	499,992	