



**Common Parent/Student Handbook  
2020-2021 School Year**

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## School Closing

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- KIPP Philadelphia Public Schools makes its own decisions regarding school closures. Our school closures will be announced on all local television and radio news stations, as well as our social media sites. **Our KYW School Closing System Number is 701.**
- In the event that weather conditions become hazardous during the school day, KIPP Philadelphia Public Schools will contact parents and send students home on the bus. If students are walkers or car riders parents are responsible for arranging transportation for their child.

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## Lunch and Breakfast

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KIPP Philadelphia will be participating in the National School Lunch and School Breakfast programs called the Community Eligibility Provision (CEP) in the 2020-2021 school year. All enrolled students of KIPP Philadelphia Public Schools are eligible to receive a healthy breakfast and lunch at school at no charge to your household each day of the 2020-2021 school year.

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## Snacks

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All students are provided daily afternoon snacks.

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## Uniforms

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All students are required to be in uniform every day unless otherwise noted. Please see your school's uniform policy for specific requirements.

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## Visitor Policy

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KPPS welcomes and encourages parents/guardians to visit their children's school and observe their children in the classroom. To visit, parents/guardians/other visitors need to:

- check in with the school's front desk to register before proceeding to the classroom;
- show the front desk staff a state ID or driver's license;
- receive a school visitor badge; and
- be escorted to the classroom by a school employee.

Please note that some days are not appropriate for visits (e.g., testing days). For this reason, KPPS reserves the right to deny and/or set a timeline for visit requests. Given this, we highly suggest you call or email the school ahead of time so that we are aware the visit and let you know the availability of staff. Additionally, for the safety of our students and staff we do not allow unescorted adults in the building.

KIPP reserves the right to remove parents who are disruptive to the educational process. To that end, parents are reminded that the observation of classes does not allow parents to engage with their individual child(ren), participate in classroom lessons or engage teachers/classroom staff in conversations.

## Attendance

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KPPS requires that school age students enrolled in KIPP schools attend school regularly, in accordance with state laws. It is critically important to the success of your student that he/she attends every day.

KPPS considers the following conditions to be an excused absence:

1. Student illness when the parent/guardian has provided a written description of the illness within three (3) days of its onset and the total days of absence in any one (1) school year does not exceed **ten (10) days**. A doctor's note is required to excuse for any absence for illness **of three (3) or more consecutive school days**;
2. Student illness exceeding ten (10) total school days in one (1) school year, when the parent/guardian provides a note or script signed by a licensed physician describing the illness and substantiating that the illness requires absence from school;
3. Serious illness or death in the family (mother, father, siblings, grandparents, aunts, uncles, cousins, death of a friend);
4. Necessary appointments (doctor, dentist, etc.) that cannot be made outside the school day, upon written request by a parent/guardian and prior approval by the building principal. (KPPS highly encourages scheduling appointments at the beginning or end of the day so that your student misses as little school as possible);
5. Emergencies requiring a student's service or presence at home that can be verified;
6. Required court attendance, upon written request by a parent/guardian and prior approval by the building principal;
7. Educational tours and trips, upon written request by a parent/guardian and prior approval by the building principal;
8. Authorized school activities;
9. Obligatory religious observances of the student's own faith, upon written request by a parent/guardian and prior approval by the building principal; and,
10. Out of school suspension.

All absences will be considered unlawful/unexcused until the school receives a written excuse explaining the reason(s) for the absence, to be submitted within three (3) calendar days of the

absence. It is the responsibility of the Parent/Guardian to ensure that the school receives written excuses within the required time period of three days after absence. Failure to provide a written excuse within three (3) days will result in the absence being counted permanently as unlawful/unexcused

## Truancy

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### Three (3) Unexcused Absences

A child having three (3) or more school days of unexcused absence in the current school year is considered **truant**.

- When a student accumulates three (3) unlawful absences, KIPP sends the parent/guardian/student a letter notifying them that the student has accumulated 3 unlawful absences.
- KIPP will also report these unlawful absences to the Pennsylvania Department of Education.
- A school/family conference will be arranged by KIPP personnel to develop a Student Attendance Intervention Plan (SAIP). At the end of the conference all parties should sign a comprehensive SAIP that is agreed to by the school representative, the child, and/or parents/guardians. The plan could include accessing academic and social/health supports from the school and community organizations, an outline of the family and student responsibilities, and levels of performance monitoring that include rewards and consequences. (NOTE: Parents/guardians may be asked to sign a Release of Records form in an effort to collaborate with outside providers in the development of the SAIP)
- A referral to a truancy prevention program may be made for the student.
- Notice of subsequent unlawful absences will be sent home to the child's parent/guardian advising them that a citation may be sent to the District Attorney.

### Six (6) Unexcused Absences

A child having six (6) or more school days of unexcused absence is considered **habitually truant**.

- Student will be referred the Student Assistance Program (SAP).
- A school/family conference will be arranged by KIPP personnel to develop a Student Attendance Improvement Plan (SAIP). At the end of the conference all parties should sign a comprehensive SAIP that is agreed to by the school representative, the child, and/or parents/guardians. The plan could include accessing academic and social/health supports from the school and community organizations, an outline of the family and

student responsibilities, and levels of performance monitoring that include rewards and consequences.<sup>2</sup>

### **Ten (10) or more school days of unexcused absences**

- Any KIPP student who fails to comply with the compulsory attendance requirements and is habitually truant, shall be referred by KIPP to the District Attorney's office (DA) for services, which may include addressing family issues that may be responsible for the child's truant behavior, or possible adjudication as a "dependent" child under the Juvenile Act.
- The referral to the DA may be in addition to proceeding against the parent/guardian by sending the citation to the appropriate magisterial district judge.
- In its sole discretion, KIPP may decide to refer a family to the DA instead of sending a citation to the appropriate magisterial district judge. If the parent/guardian provides written consent, a copy of the SAIP will be forwarded to the DA.

### **10 Cumulative Absences**

A maximum of ten (10) days of cumulative lawful absences is permitted during one school year. KIPP will issue a "Ten (10) Day" letter informing the family when a student accumulates 10 cumulative absences.

- If warranted, a school/family conference shall be arranged by school personnel to develop a School Attendance Intervention Plan ("SAIP"). At the end of the conference all parties should sign a comprehensive SAIP that is agreed to by the school representative, the child, and/or parents/guardians.
- The plan could include accessing academic and social/health supports from the school and community organizations, an outline of the family and student responsibilities, and levels of performance monitoring that include rewards and consequences. A referral to a truancy prevention program may be made for the student.

NOTE: Parents/guardians may be asked to sign a Release of Records form in an effort to collaborate with outside providers in the development of the SAIP.

**NOTE: If a student is absent 10 consecutive days, KPPS must drop the student from active membership unless a legal excuse is provided.**

### **Missed School Work**

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Students who miss a day will be responsible for all missed assignments. Please talk to your teacher about the procedure for make-up work.

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<sup>2</sup> NOTE: Parents/guardians may be asked to sign a Release of Records form in an effort to collaborate with outside providers in the development of the SAIP.

## Tardy

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Please see your school start time. If a student arrives after the start time, they are considered tardy. Note, a student must attend school for at least three hours to be considered present for the day.

## Health Information

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Each student must have a certificate of immunization at the time of registration or no later than the first day of school. KIPP Philadelphia Public Schools will require all students to have all required immunizations and vaccinations. The only exemptions to the school laws for immunizations are:

- Medical reasons;
- Religious beliefs; or
- Philosophical/strong moral or ethical conviction.

If your child is exempt from immunizations, he or she may be removed from school during an outbreak.

Before a child can be permitted to enter and attend school (subject to the initial waiver requirement), parents or guardians must present documentation that their child has received all required doses of vaccines or that their child has received at least one dose of each of the required vaccines and is waiting to receive the subsequent doses at the appropriate time intervals.

NOTE: During the time of COVID-19, immunization deadlines have been extended. Please be in contact with the school about when you are able to meet the immunization requirements.

## Illness During School Hours

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If a child becomes ill or injured during the school day and is not well enough to stay in class, the parent/guardian will be called to pick the child up. We do not have the capacity to watch over and care for ill children. It is necessary to have updated emergency contact numbers on file in the school office in case no one can be contacted at home.

If a child needs to take medicine at school, he/she must give the medicine to the Office Manager at the beginning of the school day with a written note from a doctor (for prescription medicine) or parent (for over the counter items, such as aspirin or cough syrup) with exact dosage and times for administration. This medicine must also be in the correct prescription bottles.

Students with asthma should bring an inhaler prescribed by their doctor to school each day. Asthmatic students should notify a school staff member as soon as breathing becomes difficult.

## Fire Drills/ Natural Disasters

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Posted in every room is a map detailing the evacuation protocol. Students are to follow their

teacher outside in the event of a fire drill, fire, or natural disaster and to stay with their class. Students must not stop at the restrooms or lockers. They must proceed directly to the designated area and wait for instructions. Any student violating this procedure is jeopardizing the safety of our school and will face consequences including possible suspension. *There is to be no talking during a fire drill.*

#### City-wide Emergencies

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In the event of a city-wide emergency, KIPP Philadelphia Public Schools staff will hold all students in the school building or evacuate students to a safe building. Parents should contact the school to arrange transportation for students. If city telephone lines are down or contact with the school is difficult, parents should contact the school staff via their cell phones.

#### Procedure for Parent/Guardian Concerns

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If a parent has a concern or disagreement, they should discuss the matter with the teacher and attempt to resolve the disagreement through informal discussion. If there is no resolution to the problem, the parent/guardian should then contact the Assistant Principal. The Assistant Principal will mediate the problem with all parties involved. If the matter is still not resolved satisfactorily, the parent may contact the School Leader, then the principal's manager. If the matter is still not resolved, the parent may address the concern to the CEO. If the matter remains unresolved, the parent may address the concern to the President of the Board of Trustees. Contact information for the principal's manager, CEO, and President of the Board of Trustees may be obtained by contacting the main office of any of the KIPP Philadelphia Public Schools.

#### Honor Code

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KIPP Philadelphia Public Schools is committed to the academic, social and ethical development of each member of our learning community. We feel that plagiarism and cheating inhibits a student's academic achievement and compromises the trust between teacher and student, which is fundamental to the learning process. The guidelines set forth in this policy identify what constitutes plagiarism and cheating, the consequences of participating in such endeavors, and promotes the values of academic integrity among students, faculty, and administration.

*Cheating is a serious offense. If a student copies another student's class work, homework, project, or test, or if a student gives another student his/her work, it is considered cheating.*

Plagiarism involves the stealing of someone else's ideas or words as one's own or the imitation of the language, ideas, and thoughts of another author (or person) and representation of them as one's original work. This includes simply cutting and pasting directly from websites.

KIPP Philadelphia Public Schools requires adherence to this Honor Code. Students must promise at the beginning of the academic year to always present and turn in his/her own original work. Students found in violation of the Honor Code by cheating on a test or assignment will be in



violation of the KIPP Philadelphia Public Schools' Commitment to Excellence Form. Cheating will also cause the child to receive an appropriate school-based consequence.

### School Books and Equipment

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Depending on the requirements for different classes, students may be assigned textbooks, novels, calculators, or other school equipment. Teachers will track which book or piece of equipment has been given to the individual students, and its condition. If the book or equipment is lost or damaged while in the student's possession, the child and their family is financially responsible for replacing it. The school will give the parent an invoice, and the parent is expected to pay the school the amount therein in cash or with a money order.

### Computer/ Internet Use

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Computers are used to support learning and enhance instruction. Students will use computers frequently in their regular classrooms. However, all computer privileges depend on every student using the technology in a responsible, efficient, ethical, and legal manner. A student may not:

- Use the Internet for any illegal purpose;
- Use profane, obscene, impolite or abusive language;
- Change computer files that do not belong to the user;
- Violate someone else's privacy;
- Share his/her password with anyone except adults at the school.

A student will not be allowed to access the Internet or email until the student and a parent/guardian have signed an Internet Use agreement. Unacceptable use of the Internet will result in immediate revocation of access privileges, and could lead to further consequences as appropriate, including a Performance Improvement Plan.

### Lockers

Lockers are provided for the use of students but remain the property of the school. Students may not use a locker to store a substance or object which is prohibited, or which constitutes a threat to the health, safety, or welfare of the occupants of the school building or the building itself.

Students are required to:

- keep their lockers locked at all times;
- avoid sharing lockers, switching lockers, or using any locker other than the one assigned to them; and
- notify the administration when a lock is lost or a locker is malfunctioning

### Human Rights Policy

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KIPP Philadelphia Public Schools brings together a diverse group of individuals. It is guided by the principle that respect and consideration for all individuals is foremost in all school activities. It is

unlawful to discriminate against any individual based on race, color, religion, sex, nationality, sexual orientation, age or handicap status. KIPP Philadelphia Public Schools is not only obligated to uphold the law concerning equal opportunity but regards the spirit of these laws to be the very core of its values. KIPP Philadelphia Public Schools wishes to stress that it is the responsibility of every member of the KIPP Philadelphia Public Schools community to observe and uphold the principles of equal opportunity as they affect staff, faculty and students in all aspects of school life. It is the responsibility of every member of the KIPP Philadelphia Public Schools community to actively promote appropriate workplace behavior. Any form of coercion or harassment that insults the dignity of others or impedes their freedom to work and learn will not be tolerated. Any such form of coercion or harassment will result in appropriate discipline, up to and including, discharge.

### Harassment

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KIPP Philadelphia Public Schools is committed to equitable and swift resolution of harassment issues. Any student or employee experiencing harassment should follow any or all of these measures:

1. Let the offender know you want the behavior to stop. Be clear and direct. Do not apologize.
2. If you are not comfortable confronting the offender alone, ask a friend to accompany you, or write a letter to the offender, keeping a copy.
3. Make a record of when, where, and how you were mistreated; include witnesses (if any), direct quotations, and other evidence.
4. Students should notify their teacher, or the School Leader. If they are uncomfortable doing so, they should speak with another adult.
5. If you are an adult, notify the School Leader.

As soon as possible, the adult notified will report to the School Leader and/or Chief Operating Officer.

The School Leader or Chief Operating Officer will notify the authorities, if necessary. The School Leader or Chief Operating Officer will appoint independent and qualified individuals to investigate the matter in a swift, confidential and equitable manner. The School Leader will communicate the final decision directly to the parties involved.

### Abuse

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All school personnel are mandated reporters of suspected abuse and/or neglect. Mandated reporters are required to make a report of suspected abuse when they have reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:

- They have contact with the child as part of work or through a regularly scheduled program activity or service OR
- They are responsible for the child or work for an agency that is directly responsible for the child OR
- Someone makes a specific disclosure to the mandated reporter and the child is identifiable.

This includes children that the mandated reporter may not know through their work or volunteer position OR

- A person 14 years old or older makes a disclosure that he/she has committed child abuse. This includes children that the mandated reporter may not know through their work or volunteer position.

The child does NOT have to come before the mandated reporter in order for the mandated reporter to make a report of suspected child abuse.

Mandated reporters must not try to determine whether abuse has happened. They are not investigators and should not ask questions about what happened, who did it, and so forth beyond reaching the threshold of reasonable cause to suspect that the child has been abused.

No one in the workplace, even a supervisor, is permitted to suppress, change, or edit a report of abuse. A mandated reporter who willfully fails to report suspected incidents of child abuse or neglect is subject to license suspension or revocation, and commits a crime which can be graded anywhere from a misdemeanor to a felony of the second degree. Falsely reporting information to the hotline is also a misdemeanor of the second degree.

## Bullying

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First and foremost, KIPP Philadelphia Public Schools takes the safety and interests of each and every child in our school as first priority. We take reports and incidents of bullying extremely seriously and immediately address any issue at the Assistant Principal level, bringing in the School Leader when appropriate.

For purposes of this code, "Bullying" shall mean an intentional electronic, written, verbal or physical act, or a series of acts, including any act of Cyberbullying:

- Directed at another student or students;
- Which occurs in a school setting;
- That is severe, persistent or pervasive; and
- That has the effect of doing any of the following:
  - Substantially interfering with a student's education;
  - Creating a threatening environment; or
  - Substantially disrupting the orderly operation of the school.

The term "school setting" includes "in the school, on school grounds, in school vehicles, at a designated bus stop or at any activity sponsored, supervised or sanctioned by the school."

The term "Cyberbullying" means "willful and repeated harm inflicted through the use of computers, cell phones, the internet or other electronic or mobile devices, including without limitation, sending or posting harmful or cruel text or images to bully, intimidate or embarrass others."

For the purposes of this policy, Bullying shall, at the discretion of KIPP Philadelphia Public Schools,

**General Information**

include acts that occur outside a school setting if those acts cause a substantial disruption within the school setting.

If any of these incidents are reported or witnessed, teachers are instructed to immediately document what has occurred and collect written accounts from all participants and witnesses. This information is then transferred immediately to the designated staff member at the school. The staff member is to then conduct a formal and thorough investigation and inform all parents connected to the incident. If necessary, parents will be brought in for team meetings with the students, deans, and school leader. Appropriate consequences will be determined by the teachers and deans and could include, but is not limited to, loss of KIPP dollars (where applicable), being placed on a Behavior Plan, and/or suspension or expulsion.

Students will be referred to the school's discipline system to determine whether suspension and/or expulsion is warranted. The School Leader to determine whether the child will be suspended and after the conduct of a formal hearing, recommended for expulsion.

#### Student Suspension and Expulsion Policies

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***“Short term suspensions” shall refer to the removal of a student from school for disciplinary reasons for a period of three or fewer days.***

***“Long term suspensions” shall refer to the removal of a student from school for disciplinary reasons for a period of exceeding three days but no more than 10 days.***

***“Expulsions” shall refer to any removal more than 10 days up to the permanent removal of a student from school for disciplinary reasons.***

*Note: Kindergarten and 1<sup>st</sup> grade students may not be suspended unless their actions result in serious bodily injury.*

#### Short Term Suspensions

A student who has committed any of the infractions listed below will be subject minimally to a short-term suspension, unless the School Leader determines that an exception will be made based on the individual circumstances of the incident and the student's disciplinary record. Depending upon the severity of the infraction the student will be subject to a long-term suspension, expulsion, or referral to the appropriate law enforcement agencies

#### *Disciplinary Infractions that May Result in a Short Term Suspension*

- Attempt to assault any student or staff member;
- Vandalize school property causing minor damage;
- Engage in conduct which endangers or threatens to endanger the health, safety, welfare, or morals of others;
- Fail to comply with disciplinary sanctions;
- Steal, or attempt to steal, or possess property known by the student to be stolen;

- Commit extortion;
- Engage in gambling;
- Abuse school property or equipment;
- Use obscene or abusive language or gestures;
- Engage in acts of verbal or physical sexual harassment;
- Make a false bomb threat or pull a false emergency alarm;
- Possess tobacco or alcohol;
- Possession of inappropriate personal items

#### *Procedures for Short-Term Suspension*

The School Leader or Assistant Principal may impose a short-term suspension after conferring with the relevant staff members. Before imposing a short-term suspension, the School Leader or Assistant Principal will verbally inform the student of the suspension, the reason for it, and whether it will be served in school or out of school. The designated staff member will immediately notify the parent(s) or guardian(s) in writing that the student has been suspended from school. Written notice will 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 will be provided by telephone if the school has been provided with a contact telephone number for the parent(s) or guardian(s). Such notice will provide a description of the incident or incidents, which resulted in the suspension and will offer the opportunity for an immediate informal conference with the School Leader or Assistant Principal. The notification will be provided in the dominant language used by the parent(s) or guardian(s).

#### Long Term Suspensions and Expulsions

A student who is determined to have committed any of the infractions listed below shall be subject *minimally* to a long-term suspension (from 4-10 days), perhaps alternative placement, or expulsion; unless the school leader determines that an exception should be made based on the circumstance of the incident and the student's disciplinary record. Such a student may also be subject to any of the disciplinary measures outlined elsewhere in this document including a referral to the appropriate law enforcement authorities.

#### *Disciplinary Infractions that May Result in a Long Term Suspension or Expulsion*

- Assault any other student or staff member;
- Engage in conduct which endangers or threatens to endanger the health, safety, welfare, or morals of others;
- Intentionally causes physical injury to another person, except when student's actions are reasonably necessary to protect him or herself from injury;
- Steal, or attempt to steal, or possess property known by the student to be stolen;
- Commit extortion;
- Vandalize school property causing major damage;
- Make a false bomb threat or pull a false emergency alarm;
- Possess, use, attempt to use, or transfer of any firearm, knife, razor blade, explosive, mace,

tear gas, or other dangerous object of no reasonable use to the student in 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;
- Inappropriate use of an electronic device
- Harassment (including Sexual Harassment)
- Bullying/cyber-bullying
- Intimidation
- Sexual act (non-consensual)

#### Procedures and Due Process for Long Term Suspension

Upon determining that the student's actions may warrant a possible long-term suspension, the school leader will verbally inform the student that he or she is being considered for a long-term suspension and state the reasons for such actions. The school leader will then immediately notify the student's parent(s) or guardian(s) in writing. Written notice will 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 will be provided by telephone if the school has been provided with a contact telephone number for the parent(s) or guardian(s). Such notice will provide a description of the incident or incidents, which resulted in a long-term suspension and will notify the parent(s) or guardian(s) of the time and date of an informal conference with the school leader. The notification will be provided in the dominant language used by the parent(s) or guardian(s). The informal hearing will be held within 5 days of the suspension and also be held in the dominant language. The informal hearing is held to bring forth all relevant information regarding the event for which the student may be suspended and for students, their parent(s) or guardian(s) and school officials to discuss ways by which future offenses may be avoided. (Note that informal hearings are required for long-term suspensions only, not their short-term counterpart.)

At the informal hearing, the student can question witnesses, and speak and present evidence. The school leader and all members of the staff that were involved in witnessing the alleged discipline violation are required to participate in the informal hearing. A decision by the school leader will stand as the final decision regarding the student's long-term suspension status.

#### Procedures and Due Process for Expulsions

Should the school leader recommend that an expulsion is required, he or she will follow the same procedures for a long-term suspension (see above) with the exception that a formal hearing shall be held.

The following due process requirements shall be observed with regard to the formal hearing:

- 1) Notification of the charges shall be sent to the student's parents or guardians by certified mail.
- 2) At least 3 days' notice of the time and place of the hearing shall be given. A copy of the

- expulsion policy, notice that legal counsel may represent the student and hearing procedures shall be included with the hearing notice. A student may request the rescheduling of the hearing when the student demonstrates good cause for an extension.
- 3) The hearing shall be held in private unless the student or parent requests a public hearing.
  - 4) The student may be represented by counsel, at the expense of the parents or guardians, and may have a parent or guardian attend the hearing.
  - 5) The student has the right to be presented with the names of witnesses against the student, and copies of the statements and affidavits of those witnesses.
  - 6) The student has the right to request that the witnesses appear in person and answer questions or be cross-examined.
  - 7) The student has the right to testify and present witnesses on his own behalf.
  - 8) A written or audio record shall be kept of the hearing. The student is entitled, at the student's expense, to a copy. A copy shall be provided at no cost to a student who is indigent.
  - 9) The proceeding shall be held within 15 school days of the notification of charges, unless mutually agreed to by both parties. A hearing may be delayed for any of the following reasons, in which case the hearing shall be held as soon as reasonably possible:
    - a. Laboratory reports are needed from law enforcement agencies.
    - b. Evaluations or other court or administrative proceedings are pending due to a student invoking his rights under the Individuals With Disabilities Education Act (20 U.S.C.A. § § 1400—1482).
    - c. In cases in juvenile or criminal court involving sexual assault or serious bodily injury, delay is necessary due to the condition or best interests of the victim.
  - 10) Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.

### Procedural Safeguards Applicable to Suspension, Transfer or Expulsion of Students with Disabilities

Guidance on the procedures that must be followed when considering discipline for students who are eligible or are thought to be eligible for special education services or who are Protected Handicapped Students.

#### **I. Purpose**

If a student violates the Code of Student Conduct, before consequences or punishment are imposed, a school must consider whether the student has a disability evidenced by an IEP or a Section 504 service plan. While all students may be disciplined, it is both illegal and unjust to punish a child when the offense is directly related to his disability or when the IEP or a Section 504 service plan is not implemented.

#### **II. Legal Standard**

Disciplinary actions give students with disabilities extra legal protections when the discipline constitutes a change in placement. A "change in placement" is a legal term that applies to the following situations:

- Any suspension (even one day), expulsion, or transfer to another school of a student with intellectual disability.
- A suspension, expulsion, or disciplinary transfer to a remedial disciplinary school for either more than 10 consecutive school days or more than 15 cumulative school days in a school year is a change in placement. If a student has transportation on his IEP, then bus suspensions are also counted.
- Suspensions that may total less than 15 cumulative school days in a school year may be a change in placement if they appear as part of a pattern of suspensions. A pattern of suspensions (If a student has transportation on his IEP, then bus suspensions are also counted) may be found if the student is suspended for behavior that is “substantially similar” to behavior for which the child has previously been suspended. Factors may include same type of behavior, same victim, same class, same day of the week or same time of day.
- If the offense is not committed by a student with intellectual disability or if suspensions do not exceed 10 consecutive or 15 cumulative days nor constitute a pattern of suspensions, then it is not a change in placement and the student may be subject to the same consequence the school applies to all students who violate the Code of Student Conduct.

If the offense could warrant a change in placement<sup>3</sup>, the student’s IEP team (including the parent) must hold a Manifestation Determination meeting prior to the change in placement or student returning to the building, within 10 school days. This meeting will answer the following two questions:

1. Was the student’s misconduct caused by or directly and substantially related to the student’s disability.
- Or
2. Was the student’s misconduct a direct result of the school’s failure to follow the child’s IEP?

If the team answers yes to either question, then the student’s behavior is a manifestation of his disability. The student may not be suspended, expelled or transferred to a remedial disciplinary school as a punishment for misbehavior. The team must conduct a functional behavioral assessment and create a behavior plan addressing ways that the school can help a student with the conduct at issue. If the student already has a behavior plan, the plan must be reviewed and modified to address how the school can better assist the student with the conduct at issue.

If all team members agree that the student’s conduct was not a manifestation of his disability, then the student may be subject to the same consequences as all students. If a parent disagrees with the team’s decision that the behavior was not a manifestation of the student’s disability, the parent may request a due process hearing to challenge this finding. If the Hearing Officer agrees with the parent, the student will remain in the school where the offense was committed

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<sup>3</sup> Disciplinary change of placement occurs when a student with a disability, because of a violation of the school code of conduct, is removed from his/her current educational setting for (i) more than 10 school days consecutively, or (ii) more than 15 school days cumulatively in a school year or (iii) when school days 11-15 constitute a pattern of exclusion, or (iv) it is an exclusion of even one school day for a student with intellectual disability, or, under the emergency circumstances described more fully herein.



unless the parent and the school agree otherwise. However, during the period of expulsion or transfer to an alternative placement or remedial disciplinary setting, the student must continue to receive special education services prescribed by his IEP and a Behavior Plan must be created or revised to address the offending conduct.

### **III. Emergency circumstances involving school safety: weapons, drugs or serious injury.**

If a student:

- possesses illegal drugs;
- is selling prescription drugs;
- carries a weapon; or
- causes serious bodily injury to another, (To comply with the law, a 45 school day emergency removal for serious bodily injury must be serious, i.e., requiring medical treatment) either at school or during a school related activity, the school may immediately remove the student for up to (45) school days to an alternative or remedial disciplinary setting.

Because drugs, weapons and serious bodily injury are so dangerous to a safe school climate, a school may remove a student under these circumstances for (45) school days regardless of whether a child has intellectual disability or even if the team believes that the behavior is a manifestation of the student's disability. During the 45 school day period, the school must convene a manifestation determination meeting. If the school determines that the conduct is a manifestation, the school may have the child re-evaluated, create or revise an existing behavior plan, or hold an IEP meeting to consider a more intensive special education placement upon the expiration of the 45 day alternative placement or sooner. If all team members determine that the conduct was not a manifestation of the student's disability, then the 45 school day emergency placement may proceed to a disciplinary proceeding afforded to all students.

### **IV. Emergency Hearing/Dangerousness:**

If a school has valid reasons to believe that keeping the student in his current school is "substantially likely to result in injury to the child or to others", the school will consult with the Special Education Director who may request an emergency hearing to ask a Hearing Officer to transfer the student to an alternative setting for up to 45 school days. Dangerousness may exist even if there is no Code of Conduct violation. It is a consideration based on serious safety concerns for the student and/or the school community.

### **V. Students Without IEPs or 504 Plans:**

Every regular education student who is subject to a disciplinary suspension or expulsion will be subject to a review by the Student Support team to determine whether the student is "thought to be eligible." This screening tool ensures that disciplinary action is not imposed on a student whom the school should have known was in need of an evaluation for a suspected disability before the prohibited conduct occurred.

There are three (3) situations that are legal evidence that the school had knowledge that the student might have a disability:

1. The parent has requested an evaluation.
2. The parents have expressed concerns in writing to the student's teacher or school administration that the student needs special education.
3. The student's teacher or other school staff had told the Regional Director of Special Education or other school supervision personnel of specific concerns about the child's academic or behavior difficulties.

During the review, the school should take all relevant information into consideration including school interventions, mental health evaluations from outside agencies in the school file, and other factors. The team must carefully consider the listed criteria and determine whether there is substantial evidence to conclude that the student should be evaluated for a suspected disability as an alternative to punishment. If the parent requests an evaluation for a suspected disability after the child is sent to an alternative or remedial disciplinary placement, the school must conduct an expedited evaluation at parental request. However, the student remains in the alternative/ remedial placement during the evaluation. If the student is found to have a disability, an IEP must be developed. The IEP team must then determine if the disability had a direct and substantial relationship to the offense. If so, the team needs to reconsider the student's placement in light of the new information.

#### **VI. Notice to Parents:**

Any time a student with an IEP or 504 plan is removed to an alternative or disciplinary setting, the parent must be given a Notice of Recommended Placement (NOREP) stating this decision and a copy of procedural safeguards.

#### *Missed Work/Instructional Time*

Arrangements will be made between the school and each individual family for the delivery of services, pick-up/delivery of work, and the making up of any missed assignments and classroom instructional support. All IDEA mandates will be followed for student with disabilities.

#### Alternative Education for Disruptive Youth (AEDY)

Those students in kindergarten through grade 5 exhibiting a pattern or disruptive behavior(s) and/or committing serious violation(s) of the code of conduct are referred to the Student Assistance Program (SAP) process.

Students in grade 6 through 12 exhibiting a pattern of disruptive behavior(s) and/or committing serious violation(s) of the code of conduct may be referred to an informal hearing. Students who are referred receive full due process, including a hearing to determine whether the student will be transferred to a disciplinary school. The due process for the formal hearing includes:

- Notification of the reasons for the suspension shall be given in writing to the parents or guardians and to the student.
- Sufficient notice of the time and place of the informal hearing shall be given.

- A student has the right to question any witnesses present at the hearing.
- A student has the right to speak and produce witnesses on his own behalf.
- The school entity shall offer to hold the informal hearing within the first 5 days of the suspension. 22 Pa. Code §12.8 (c)
- An intake should not be held at the AEDY program until the informal hearing has been completed.

These schools provide high-quality alternative education programs and supports to help students achieve their intellectual and social potential. Students referred for a hearing will be suspended and provided the procedures indicated in the suspension. The school must complete a Behavior Performance Review (BPR) for regular education students or a Manifestation Determination for special education students and share the results of the review at the parent/guardian conference. When a hearing is not scheduled during the period of a student's suspension, the student has the right to return to his/her school pending the outcome of the hearing, unless the behavior of the student continues to create such a risk of harm to the school community, than the school may request an interim placement.

## Act 26

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In accordance with Act 26, the Pennsylvania Safe Schools Act, KIPP Philadelphia Public Schools will report to the Office of Safe Schools all incidents involving acts of violence, possession of a weapon, or the possession, use or sale of a controlled substance, alcohol or tobacco by any person on school property; at school-sponsored events; and on school transportation to and from school. KIPP Philadelphia Public Schools will also maintain updated summary reports of all incidents of violence; incidents involving possession of a weapon; and convictions or adjudications of delinquency for acts committed on school property. A statistical summary of these records will be maintained at the school and made accessible to the public for examination during regular business hours. We intend to fulfill this reporting requirement by filing the Annual Report on School Violence and Weapon Possession (PDE 360) with the Pennsylvania Department of Education by July 31 each year. An individual incident report will also be filed for each incident involving acts of violence, possession of a weapon, or the possession, use or sale of a controlled substance, alcohol or tobacco by any person on school property; at school-sponsored events; and on school transportation to and from school.

Act 26 also requires the school to expel, for a period of not less than one year, any student who is determined to have brought onto, or is in possession of, any weapon on any school property; at a school-sponsored activity, or onto to any public conveyance providing transportation to a school or school sponsored activity, at the School Leader's discretion. Note the school's discipline policy meets these requirements in Act 26.

Lastly, all parents will be required to complete, prior to their child's enrollment in the school, a sworn statement provided by their students' previous school as to whether the student has been previously or is presently expelled from any public or private school, either in the Commonwealth of Pennsylvania or any other state, for an offense involving weapons, alcohol or drugs, willful infliction of injury to another person or for any act of violence on school property.

Notice of Child Find Procedures and Confidentiality

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Each school district, along with other public agencies in the Commonwealth, must establish and implement procedures to identify, locate and evaluate all children who need special education programs and services because of the child's disability. This notice is to help find these children, offer assistance to parents and describe the parent's rights with regard to confidentiality of information that will be obtained during this process. The content of this notice has been written in English. If a person does not understand any of this notice, he or she should contact KPPS (see Contacts) and request an explanation.

Identification Activity

*Child find* refers to activities undertaken by public education agencies to identify, locate, and evaluate children residing in the State, including children attending private schools, who are suspected of having disabilities, regardless of the severity of their disability, and determine the child's need for special education and related services. The purpose is to locate these children so that a free appropriate public education (FAPE) can be made available. The types of disabilities that if found to cause a child to need services are autism, deaf-blindness, deafness, emotional disturbance, hearing impairment, mental retardation, multiple disabilities, orthopedic impairment, other health impairment due to chronic or acute health problems, specific learning disabilities, speech or language, traumatic brain, injury and visual impairment including blindness: and in the case of a child that is of preschool age, developmental delay.

Each school district is required to annually provide notice describing the *identification* activities and the procedures followed to ensure confidentiality of personally *identifiable information*. This notice is intended to meet this requirement.

*Identification activities* are performed to find a child who is suspected of having a disability that would interfere with his or her learning unless special education programs and services are made available. These activities are sometimes called *screening* activities. The activities include review of group data, conducting hearing and vision screening, assessment of student's academic functioning, observation of the student displaying difficulty in behavior and determining the student's response to attempted remediation. Input from parents is also an information source for *identification*. After a child is identified as a suspected *child with a disability*, he or she is evaluated, but is not evaluated before parents give permission for their child to be evaluated.

1. During the first 3 months of each new school year KIPP will engage in activities and procedures to seek students suspected of having a disability. The Special Education Coordinator and nurse will coordinate screening all new students in the following areas (varies with grade):
  - (a) Vision
  - (b) Hearing
  - (c) Academics
  - (d) Emotional Behaviors
  - (e) Communication
2. KIPP will offer parent information sessions outlining the Special Education Department and highlighting issues to be aware of when parents suspect a disability may be impacting their child's

3. The Special Education Coordinator and Administrator will develop and distribute information on how to spot potential disabilities.
4. Teachers will receive and be trained on academic and behavioral checklists designed to identify areas of concern.
5. All students identified as suspicious will be referred for regular education intervention and review by an Intervention Team.
6. All student data will be reviewed by the Intervention Team who will determine regular education interventions or referral for a full special education evaluation.

### Confidentiality

If after screening a disability is identified, upon your permission your child will be evaluated. A written record of the results is called an education record, which is directly related to your child and is maintained by KIPP. These records are personally identifiable to your child. *Personally identifiable information* includes the child's name, the name of the child's parents or other family member, the address of the child or their family, a personal identifier such as social security number, a list of characteristics that would make the child's identity easily traceable or other information that would make the child's identity easily traceable. KIPP will gather information regarding your child's physical, mental, emotional and health functioning through testing and assessment, observation of your child, as well as through review of any records made available to KIPP through your physician or other providers of services such as day care agencies.

KIPP protects the confidentiality of *personally identifiable information* by one school official being responsible for ensuring the confidentiality of the records, training being provided to all persons using the information, and maintaining for public inspection a current list of employees' names and positions who may have access to the information. KIPP will inform you when this information is no longer needed to provide educational services to your child and will destroy the information at the request of the parent, except general information such as your child's name, address, phone number, grades, attendance record, classes attended, and grade level completed may be maintained without time limitation.

As the parent of the child you have a number of rights regarding the confidentiality of your child's records. The right to inspect and review any education records related to your child that are collected, maintained, or used by KIPP. KIPP will comply with a request for you to review the records without unnecessary delay and before any meeting regarding planning for your child's special education program (called an IEP meeting), and before a hearing should you and your school district disagree about how to educate your child who needs special education, and

in no case, take more than 45 days to furnish you the opportunity to inspect and review your child's records.

You have the right to an explanation and interpretations of the records, to be provided copies of the records if failure to provide the copies would effectively prevent you from exercising your right to inspect and review the records, and the right to have a representative inspect and review the records. Upon your request, KIPP will provide you a list of the types and the location of education records collected, maintained, or used by the agency.

You have the right to request in writing amendment on your child's education records that you believe are inaccurate or misleading, or violate the privacy or other rights of your child. KIPP will decide whether to amend the records within a reasonable time of receipt of your request. If KIPP refuses to amend the records, you will be notified of the refusal and your right to a hearing. You will be given at that time, additional information regarding the hearing procedures, and upon request, the district will provide you a records hearing to challenge information in your child's educational files.

Parent consent is required before *personally identifiable information* contained in your child's education records is disclosed to anyone other than officials of KIPP collecting or using the information for purposes of identification of your child, locating your child and evaluating your child or for any other purpose of making available a free appropriate public education to your child. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Additionally, KIPP, upon request, discloses records without consent to officials of another school district in which your child seeks or intends to enroll.

When a child reaches age 18, the rights of the parent with regard to confidentiality of *personally identifiable information* is transferred to the student.

A parent may file a written complaint alleging that the rights described in this notice were not provided. The complaint should be addressed to: Pennsylvania Department of Education

Bureau of Special Education Division of Compliance 333  
Market Street  
Harrisburg, PA 17126-0333

The Department of Education will investigate the matter and issue a report of findings and necessary corrective action within 60 days. The Department will take necessary action to ensure compliance is achieved.

Complaints alleging failures of KIPP with regard to confidentiality of *personally identifiable information* may also be filed with: *Family Policy Compliance Office*  
*U.S. Department of Education 400*  
*Maryland Avenue, SW Washington,*  
*D.C. 20202-4605*

### Contacts

If you wish to learn more, have questions, or believe your child may need to be identified, please contact the School Leader of your child's school or Jason Waugh, Regional Director of Special Education at 610-220-5670, [JWaugh@kippphiladelphia.org](mailto:JWaugh@kippphiladelphia.org).

### Notification of Rights under FERPA for Elementary and Secondary Schools

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The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day the school receives a request for access.

Parents or eligible students should submit to the school leader or operations leader a written request that identifies the records they wish to inspect. The school leader will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the school to amend a record should write the school leader or operations leader clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and 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 student when notified of the right to a hearing.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or

grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

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

#### Directory Information

The *Family Educational Rights and Privacy Act* (FERPA), a Federal law, requires that KIPP Philadelphia Public Schools (KPPS), with certain exceptions, obtain your written consent before disclosing any personally identifiable information from your child's education records. However, we may disclose appropriately designated "directory information" without written consent, unless you have advised us otherwise in accordance with our school's procedures.

The primary purpose of directory information is to allow KPPS to include this type of information from your child's education records in certain school publications. Examples of these publications can include an annual yearbook; honor roll or other recognition lists; a program, showing your student's role in a music production; and graduation programs.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent or guardian's prior written consent. Outside organizations can include, but are not limited to, companies that publish yearbooks.

If you do not want KPPS to disclose directory information from your child's education records without your prior written consent, you must notify us in writing by October 1, 2020. For your reference, KPPS has designated the following information as directory information:

- Student's name
- Address
- Grade level
- Dates of attendance
- Most recent school attended
- Telephone listing
- Electronic mail (e-mail) address
- Photograph



- Date and place of birth
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received

### McKinney-Vento Education for Homeless Children and Youth

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The McKinney-Vento Act defines children and youth who are homeless (twenty-one years of age and younger) as:

- Children and youth who lack a fixed, regular, and adequate nighttime residence, and includes children and youth who are:
  - sharing the housing of other persons due to loss of housing, economic hardship or a similar reason (sometimes referred to as double-up);
  - living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
  - living emergency or transitional shelters; abandoned in hospitals; or
  - awaiting foster care placement.
- Children and youth who have a primary nighttime residence that is a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings.
- Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
- Migratory children who qualify as homeless because they are living in circumstances described above.

If you are personally aware of or are acquainted with any children who may qualify according to the above criteria, KIPP Philadelphia Public Schools provide the following assurances to parents of homeless children:

- The liaison for homeless children is the school's social worker or principal designee.
- There shall be immediate enrollment and school participation, even if educational and medical records and proof of residency are not available.
- All educational opportunities and related opportunities for homeless students (preschool to age 21), including unaccompanied youth, shall be the same as for the general student population.
- Enrollment and transportation rights, including transportation to the school of origin. "School of origin" is defined as the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

- Written explanation of a child or youth's school placement, other than school of origin or the school requested by the parent, with the right to appeal within the local dispute resolution process.
- Meaningful opportunities for parents to participate in the education of their children.
- These shall include: special notices of events, parent-teacher conferences, newsletters, and access to student records.

Please contact the school's social worker or principal's designee for more information.

Student and Parent Handbook Signature Page

I have received and reviewed the KIPP Parent / Student Handbook for the 2020-2021 School Year, including Student Code of conduct. I agree to abide by the policies and procedures contained therein, including the Student Code of Conduct. I understand that the policies contained in the handbook may be added to, deleted, or changed at any time.

All updates and/or revisions to this handbook will be sent home with your children.

Please fill out this form and return to your child's homeroom teacher.

Student's Name: \_\_\_\_\_

Parent's Name: \_\_\_\_\_

Parent's Signature: \_\_\_\_\_

Date: \_\_\_\_\_