



University Prep
Charter Middle School
Family Handbook

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I. Mission, Role of the Parent, and Family Commitment Contract

The School's Mission

Every community member at U Prep Middle School is committed to building a strong, equitable, and purposeful scholarly and artistic community that prepares all students to succeed in middle school, at University Prep Charter Middle School, and at a college of their choice and beyond. We achieve this mission by creating a student-centered environment that unifies the efforts of family, community and school to foster life-long learning, cross-cultural relationships, social responsibility, and academic excellence.

The Role of the Parent

The parental and family role is essential in the work to achieve this mission. Students might be dismissing themselves from school by grades five and six, but it is still the parent's responsibility to ensure they are in school every day on time and in full uniform with their homework completed, their Chromebooks fully charged, their reading logs complete, their independent reading done, and their backpacks prepared with everything needed for success that day.

It is also imperative that parents and families know where their student is once he or she leaves school, ensuring that he or she is acting appropriately. It is the responsibility of the parent to monitor his or her child's actions on social media and as he or she travels. And it's still crucial that parents and families remain deeply involved in the learning life of their child by asking about what your scholar is learning and practicing in class and by reading with, to, and alongside their child at home in the evenings, on the weekends, and during school breaks.

Family Commitment Contract

As part of your child's enrollment and re-enrollment each year, you must sign a Parent Contract in which you pledge to abide by all of U Prep Middle School's culture policies and values. All of these policies and values work together to ensure U Prep's successful school model.

As a U Prep Middle parent/guardian:

1. We understand that every minute of instructional time counts and will ensure that our child **attends U Prep Middle every day for 181 school days each year**—missing very few school days during the year.
2. We will ensure that our child **arrives to school on time every day**, even when traveling to school alone—and we understand that even a minute late is tardy.
3. We will ensure that our child **comes to school in his complete uniform**, ready to learn each day.
4. We will **not accept or make any appointments for our child that interferes with the school day**—except for those extraordinary instances when it is unavoidable, and the school is notified ahead of time.

5. If our child must be absent due to illness or some other unavoidable circumstance, **we will notify U Prep no later than arrival time on the day of the absence and send a note with our child the next day.**
6. We will ensure that our child **observes the stated guidelines for expected behavior** at U Prep Middle.
7. We will **be aware of our child's whereabouts and actions before and after school—** and we will reinforce that she is **accountable for her actions as a U Prep student outside of school and in public.**
We will **monitor our child's activity on social media** and **support school efforts to combat cyberbullying.**
8. We commit to **attending all family meetings and academic events** as requested by U Prep Middle.
9. We will **respond to all non-emergency school communications within 24 hours and any urgent communications immediately.**
10. We understand that throughout the year U Prep Middle will **call, e-mail, text, and request to meet in person with us** about our child's academic and behavioral growth and achievements.
11. We commit to **interacting frequently with staff** and contacting our child's teachers **before issues arise.**
12. We will **proactively provide all information** necessary to provide a safe environment for all the school's students—including medical documents, contact information, and updates to our child's files.
13. We will **talk every evening with our child about what he is learning and practicing in class.**
14. We will ensure that our child **completes all reading and all homework** assigned to him every night.
15. We will ensure that our child **reads independently for at least 45 minutes each day** outside of school.
16. We understand that our child is **responsible for tracking the number of minutes and pages she reads each day outside of school** and we will ensure that all **reading logs are completed** by the due date.
17. We will **set aside time to read with/alongside or to our child multiple times per week**, including weekends and over both holiday breaks and the summer break.
18. We understand that **U Prep Middle assigns homework over both holiday breaks and the summer break** to prevent the potential loss of gains that students make over the course of the school year.
19. We understand that **cheating and plagiarism of any type results in severe consequences—**ranging from earning a failing grade for an assignment to failing a class for the entire marking period.

20. We will work with U Prep Middle to **provide our child with the support she needs to be successful**—including, if asked, giving informed consent for specialized evaluations and special education services.

II. Core Values: The Core Four and Parent Investment

Our Values

Students at U Prep Middle School govern themselves around four core values that keep them on course to be successful in school, at U Prep Middle, and at the college of their choice and beyond:

- **Core 1: Accepting Personal Responsibility**: students see themselves as the primary cause of their outcomes and experiences
- **Core 2: Discovering Self-Motivation**: students find purpose in their lives by discovering personally meaningful goals and dreams
- **Core 3: Mastering Self-Management**: students plan for and take purposeful actions in pursuit of their goals and dreams
- **Core 4: Creating Positive Interdependence**: students build mutually supportive relationships that help them achieve their goals and dreams—while helping others do the same

Parent Investment

As a parent, you play a critical role in setting your student up for success. It is your responsibility to ensure that your child is prepared for school each day and that you make homework completion and independent reading a priority at home. You must also engage in respectful, timely, and responsive communication with school staff to create a strong foundation to support your student. As a parent, you commit to meeting the following expectations:

Homework and Independent Reading Supervision

What is expected:

You make homework completion and independent reading a priority at home. Your child completes all regular and vacation homework, and completes all their independent reading and independent reading logs.

Why this is important:

Effective homework advances a child's understanding and knowledge, and factors into whether a student is ready to advance to the next grade. By middle school, homework becomes an essential part of learning by doing and impacts students' GPA. Homework assignments count for up to 15% of a middle school student's course grade and helps develop self-discipline and the time-management skills critical for success in college, where almost all work is done outside of class. Independent reading ensures that your child is reading enough

to make good progress in all aspects of their reading ability. There isn't nearly enough time to read during school hours, so ensuring that students read at least 45 minutes a night, six nights a week, is critical to your child's overall academic success. Your child's teachers know that they have completed this work by looking at students' independent reading logs, which need to be submitted to your child's advisory teacher on a weekly basis.

School Readiness

What is expected:

Your child attends school every day and arrives on time and in uniform. Your child has no unexcused absences, tardies, uniform infractions, or suspensions. Your child acts responsibly at school and while in transit to and from school.

Why this is important:

Students miss so much learning when they aren't in school. Each day is packed full, and even being a few minutes late can impact your child's progress. Disruptive behavior takes away from important learning time as well. Understanding the importance of being on time and embodying the honor code will help students succeed long after they leave U Prep Middle. Together, we are helping them become responsible and productive citizens.

Parent Responsiveness and Investment

What is expected:

You respond to all communications (including meeting requests) from your child's teachers, principal, or school staff within 24 hours—just as you can expect us to respond to your requests in a timely way. You complete requests (like submitting required student forms) by the stated deadline. You attend all required school events and meetings, such as Curriculum Night and Parent Teacher conferences. You are respectful when interacting with your child's teachers, principal, or any school staff, just as we are respectful to you.

Why this is important:

First and foremost, good communication between school staff and parents and guardians is essential. When issues arise, it is important they are addressed in the moment to ensure that students are getting the support, reinforcement, or congratulations they need for progress. Second, our community is built on respect. Even if you don't agree with something happening at school, discussing it from a place of respect allows for progress. Some meetings are required when information is best delivered in person with the opportunity to ask and respond to questions.

III. Academic Guidelines and Homework

Academic Guidelines

- The school year is divided into **four marking periods**.

- **Progress reports** will be distributed in the middle of each marking period and reviewed with students during advisory.
- Progress reports will also be distributed during **parent-teacher conference nights**.
- If a student is **failing a class**, teachers will reach out to families.
- If a student is **failing two or more classes**, advisors and counselors will reach out to families.
- **Report cards will be mailed home to families** at the end of the marking periods; students will also receive report cards in advisory.

Homework

Homework is a critical element of U Prep Middle’s design. Effective homework is work that advances a child’s understanding and knowledge; it is not busywork. Homework is vital for different reasons at different ages. By middle school, homework becomes critical to prepare for upcoming lessons. Students read texts and solve problems that provide necessary information for future learning. Students need to experience learning as an independent act and plan for both long-term projects and quick turnaround assignments to develop a robust set of time-management skills. By middle school, students need to not only read often but also write on a regular basis. By writing on a variety of topics and in various styles, students strengthen their skills and also find their own voice. Homework is preparation for more rigorous high school coursework. Also in middle school, homework completion becomes an integral part of a student’s GPA.

Even with students’ growth in responsibility and independence, it is still a parent’s responsibility to ensure that your child completes all homework assignments on time. You can help support the development of your child’s study habits, which will be critical for college admission and persistence.

Students will have approximately 10 to 18 hours of homework each week based on their grade, with the expectation that they do more homework on early dismissal afternoons, over the weekend, and during school breaks. Teachers may also assign a reasonable amount of homework over a weekend if it pertains to long-term projects that require additional out-of-class effort, studying math facts or vocabulary, or reading a class novel or independent reading book. Students will have access to audiobooks, e-books, and physical books, and they are expected to read at least four independent reading books per month. Students must log their nightly reading in their digital reading logs to track their progress toward the monthly goal. These reading logs will be checked each week.

Grades 5 and 6: Weekly Time on Homework: 10 hours, 30 minutes

- Independent Reading: 4 books/month (3.5 hours)
- English (Literature & Writing): 2 hours
- History: 1.5 hours
- Math: 2.5 hours

- Science: 1 hour

Grade 7: Weekly Time on Homework: 14 hours, 30 minutes

- Independent Reading: 4 books/month (3.5 hours)
- English (Literature & Writing): 3 hours
- History: 2 hours
- Math: 4 hours
- Science 2 hours

Grade 8 Weekly Time on Homework: 17 hours, 30 minutes

- Independent Reading: 4 books/month (3.5 hours)
- English (Literature & Writing): 4 hours
- History: 3 hours
- Math: 4 hours
- Science: 3 hours

Summer and Holiday Homework

We assign homework over holidays and summer break so that every student is prepared to move to the next lesson when school resumes. This is particularly important in middle school to ensure that students have all the content knowledge they need for exams and high school.

IV. Inclement Weather Policy

- In the event of inclement weather, **U Prep Middle will follow the school closing schedule of the DOE**. Parents should listen to information broadcast by news radio or television stations, such as **WINS (1010 AM)** or **NY1**; call 311; or visit the New York City official website at **nyc.gov** to determine if DOE schools are closed. The Mayor and Chancellor’s decision to close schools is generally announced before 6:00 am.
- U Prep Middle may choose to have a delayed opening in the event of inclement weather. In this instance the delay may or may not be observed by the DOE. Parents will be notified via phone call and information about the delay will be posted on our school’s website before 6:00 am.
- It is expected that regular dismissal times will be adhered to. In the event that a storm intensifies during the school day, the Chancellor may authorize an early dismissal. Please make emergency arrangements now with a friend, relative or neighbor that may be home during the day in the event that an early dismissal is announced and your student needs supervision.

V. School-Wide Policies

Absences, Lateness, & Participation

Students' presence and active participation during class is required.

- **Attendance** is recorded during the first five minutes of every class. Absent students will receive a call home inquiring about the circumstances.
- If a student accumulates **more than 9 unexcused absences** during one quarter for any course, they are considered truant. The student will receive an automatic grade of 55 for that quarter.
 - An **excused absence** occurs when a student is absent and, upon their return, furnishes the school with a signed doctor's note, supplies documentation for required county / state court appointment, attends funeral services, or attends a pre-approved college visit / other school-related trip. Appropriate documentation should be delivered to the main office upon return to school.
 - An **unexcused absence** occurs when a student is absent from school without supplying appropriate and official documentation. This includes but is not limited to: truancy, sickness without supplying medical documentation, family trips and vacations, babysitting, job interviews, etc. Parental knowledge and consent of these activities **does not constitute an excused absence**.
- **Late** students sign in on the Student Entry Log, indicating the time they arrive and receive a pass to give to their teacher.
 - An **excused lateness** occurs when a student is late and upon their arrival, furnishes the school with a signed doctor's note, supplies documentation for required county / state court appointment, attends funeral services, or attends a pre-approved college visit / other school-related trip. Appropriate documentation should be delivered to the main office upon arrival to school and then a pass will be issued. Only under these circumstances will a student be excused from their late consequence.
 - An **unexcused lateness** occurs when a student is late to school without supplying appropriate and official documentation. This includes but is not limited to: waking up late, commuting delays of all kinds, being dropped off late by a parent, etc. Parental knowledge and consent of these activities **does not constitute an excused absence. Regardless of reason, without documented excuse as outlined above, a phone call or email notification from a parent or guardian does not excuse a late student from their consequence.**
- **The consequence for an unexcused lateness** is detention.
- **Active Participation** is defined as exemplary responsiveness to tasks, questions, and texts as well as active listening and note-taking.

- **Issues that arise with absences, lateness, or participation** will be addressed with students and families.

Student Safety

- In the event of **illness or accident**, school staff will render emergency care, and parents/guardians will be notified of the illness or injury as soon as possible.
- Students who are ill must be **signed out in the office by their parent or guardian** before leaving campus.

Communication and Social Media

- Students should **check their UPPublicSchools.org e-mail address daily**, and respond within 24 hours.
- When **writing emails to teachers**, students should proofread emails before sending; include clear & direct subject lines; begin with a professional salutation; end with a professional closing and your full name.
- Students may not connect on social media sites with current University Prep teachers.
- Students should not engage in inappropriate use of social media or engage in any form of bullying, online or otherwise. Such behavior will be subject to severe disciplinary action.

Dress Code

- **Shirt:** navy blue collared shirt (button-down or polo) with sleeves [tank tops and sleeveless shirts are not permitted]
- During **cold weather**, students are permitted to wear a **navy blue crewneck sweatshirt or a zip-up hooded solid navy blue sweatshirt** worn over their collared navy blue shirt. Please do not wear pull over hooded sweatshirts.
- **Slacks:** khaki, worn at waist level; solid black or brown belts are permissible
- **Footwear:** solid black (sneakers are permissible as long as they are 100% solid black including any logos or markings on the shoes)
- **Accessories** such as hats, headphones, hoods, & non-religious headwear are not permissible. Simple, solid-color headbands are permissible.
- **Failure to dress according to code** will be treated as insubordination and result in detention.
- **Repeated failure to dress according to code** will result in families being asked to purchase a uniform to be kept by U Prep Middle staff. Should the student arrive at school out of uniform, he/she will be expected to change into the uniform kept by U Prep Middle staff.

Student MetroCards and Yellow Bus Service

- In both grades 5 and 6, students who live 1.5 miles or more from school are eligible for a **full-fare Student MetroCard**, as per NYC Metropolitan Transit Authority (MTA) guidelines.
- At the beginning of the year, please make sure the school has your most **current home address and contact information**.
- Students who lose their student MetroCard can request **up to two replacement cards** per year.
- The school makes **every effort to secure yellow bus service for those families in grades 5 and 6 that request it and who live more than 1.5 miles from the school and within the borough of the Bronx**. However, there is no guarantee that yellow bus service can be provided for every student; it is dependent on the NYC DOE. In the event that yellow bus service cannot be provided, students are entitled to a Student MetroCard.

Recess

Just like math and science, recess is a critical part of a student’s day—and it is not optional. Our students want, and need, a break from the rigors of the academic day and the opportunity to exercise outside and socialize with their peers. We go outside for recess just about every day. Even in the winter months, we do not stop outdoor play, including when it snows. Unless it is raining heavily or there is ice on the playground, weather should not be a barrier to outside play. **Please make sure your child comes to school dressed appropriately for the weather so that he or she can fully enjoy recess.**

Food Policy

U Prep Middle has a strict ban on sugary drinks and junk food. Schools offer students a nutritious lunch and snack daily, and we expect our families to adhere to our nutritional standards. Any candy, soda, and other junk food, like potato chips, that scholars bring to school will be confiscated and thrown away.

There is a snack period for 20 minutes every day after period 2. You are welcome to pack a snack for your child, or we will provide one to him or her.

PowerSchool

- Teachers update their course grades in PowerSchool on a weekly basis. It is the responsibility of parents to **regularly check PowerSchool** to monitor your child’s progress. This system will also keep you apprised of any anecdotal information logged about your child by faculty and staff.
-

Regents Exams and State Exam Procedures

- All students in grade 8 math (Algebra I) and grade 8 history will **sit for the Regents exam**.
- All students will sit for the grades 5, 6, 7 and 8 **State Math and English exams**.
- All students will attend **mandatory Saturday academies to prepare for the State exams and Regents exams**.
- Students are required to stay in the testing room a **minimum of two and a half hours**.
- Students are **not permitted access to electronic devices** in testing rooms.
- All testing modifications will be honored as per state regulations.
- Cheating will not be tolerated. Receiving or providing answers during a Regents exam will result in test invalidation and disciplinary action.

Phones and Other Electronic Devices

- Electronic devices such as headphones, earbuds, wires, phones, laptops, & tablets are to be **out of sight and set to silent** during school hours.
- **Phones are collected prior to entry in the morning, and they are returned at the end of the last period of the day.**
- U Prep Middle staff reserve the right to **grant approval** or **prohibition** and/or to **withdraw previously granted approval** for any device.
- In cases where electronic devices are confiscated, they will be returned after class, after school or, for repeated offenses, during a meeting with the student's parent/guardian.
- UPCMS is **not responsible for any loss of or damage** to electronic devices brought to school. If a student chooses to bring an electronic device, he or she is solely responsible for its safekeeping.

Hall Passes

- Students are not permitted to leave the classroom **during the first or last 10 minutes of the period**, barring emergencies.
- Only **one student** is permitted to be out of the classroom at a time, with a pass.
- **No passes are given during advisory** unless a student is directly requested by another teacher.
- **Passes** are required in the hallway at all times.

VI. Student Discipline

- Consequences for behavior infractions are at the discretion of the UPCMS administration and will depend on the severity of the infraction. The **Progressive Disciplinary Response Ladder** divides infractions into five levels of severity:

Level 1 Infractions: uncooperative or noncompliant actions, lateness, dress code violation

Level 2 Infractions: disorderly and malicious behavior, repeated lateness, repeated dress code violation

Level 3 Infractions: repeatedly disruptive behavior, or displaying a pattern of negative behavior

Level 4 Infractions (immediate In-school suspension): aggressive and/or excessive pattern of negative behavior, any instance of bullying in-person or online

Level 5 Infractions (immediate probation or expulsion): injurious, violent, or dangerous behavior, a pattern of bullying in-person or online

- Additional information about student discipline at UPCMS can be found in the **Student Discipline Policy (See Appendix A)**.

VII. Academic Honesty Policy

U Prep Middle students are expected to comport themselves with integrity and honesty at all times. As it will be in college, academic honesty is highly valued at U Prep. Cheating and plagiarism will not be tolerated. Students found guilty of plagiarism and cheating will face severe consequences.

Plagiarism and cheating is fraud, deceit, or dishonesty on any academic assignment. It is the use of or attempted use of answers, ideas, content, or work from another source, the internet, or student.

Students who violate the academic honesty policy more than the number of times outlined, or who have multiple violations in different school years, will have their status in the school evaluated by the principal and Leadership Committee.

VIII. Facility, Security, and Maintenance Policies

When the order is given to **evacuate** verbally or by alarm, students should be led out of the building through an assigned exit, school leaders should be notified if there are any extra, missing, or injured students.

- When a **soft lockdown** occurs, this means that the danger is outside the building. Students will be brought into the classroom from the hallway, the classroom doors will be locked, the lights turned off, and classes should proceed as normal. No staff or students should leave the classroom for any reason until the lockdown has been lifted.
- When a **hard lockdown** occurs, this means that the danger is inside the building. Students will be brought into classrooms from the hallway, the classroom doors will be locked, lights turned

off, and everyone should be out of the sight lines of the door windows. No staff or students should leave the classroom for any reason until the lockdown has been lifted.

- When everyone is told to **shelter in place**, due to an event outside the school building, class should be conducted as usual but no one may leave the building; students may be asked to exit through different doors.
- Students are **not permitted to be on school grounds during or after school without the supervision of a U Prep staff member**. This includes outdoor areas. Any misconduct or theft of personal items that occurs on school grounds during an unauthorized time is not the responsibility of the school.

IX. Confidentiality and Student Records

Family Educational Rights and Privacy Act (FERPA)

- FERPA is a Federal law that protects the privacy of scholar education records. FERPA gives parents the following rights with respect to their scholar's education records:
 - Parents or eligible students have the right to inspect and review the student's education records maintained by the school.
 - Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading.
 - Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, U Prep can disclose those records without consent to the following people or under the following conditions:
 - School officials with legitimate educational interest;
 - Other schools to which a student is transferring;
 - Specified officials for audit or evaluation purposes;
 - Appropriate parties in connection with financial aid to a student;
 - Organizations conducting certain studies for or on behalf of the school;
 - Accrediting organizations;
 - To comply with a judicial order or lawfully issued subpoena;
 - Appropriate officials in cases of health and safety emergencies; and
 - State and local authorities, within a juvenile justice system, pursuant to specific State law.

The safety, well-being and protection of our students is the paramount consideration in all decisions UPCMS staff make about confidentiality. The appropriate sharing of information between school staff is an essential element in ensuring our students well-being and safety. UPCMS is mindful that it is placed in a position of trust by all stakeholders and there is a general expectation that a professional approach will be used in all matters of confidentiality.

Freedom of Information Law (FOIL)

U Prep complies with New York State's "Freedom of Information Law" (FOIL). When the school receives a request for information under the Freedom of Information Law, it responds to it in the following manner:

- Within five (5) business days of receipt of a written request, the school shall make the information available to the person requesting it, deny the request in writing, or provide a written acknowledgment of receipt of the request that supplies an approximate date, which shall be reasonable under the circumstances, for when the request will be granted or denied.
- If the school determines to grant a request in whole or in part, and if circumstances prevent disclosure to the person requesting the record or records within twenty (20) business days from the date of the acknowledgement of the receipt of the request, the school shall state, in writing, both the reason for the inability to grant the request within twenty (20) business days and a date certain within a reasonable period, depending on the circumstances, when the request will be granted in whole or in part.
- If an individual is denied access to a record, he or she may, within thirty (30) days (or such period as defined by law, as may be modified over the course of the charter), appeal such denial to the Principal.
- Upon timely receipt of such an appeal, UPCMS shall, within ten (10) business days of the receipt of the appeal (or such period defined by law, as may be modified over the course of the charter), fully explain the reasons for further denial or provide access to the record sought. The school also must forward a copy of the appeal, as well as its ultimate determination, to the New York State Committee on Open Government.
- Exceptions to disclosure: UPCMS may deny access to a requested record for a variety of reasons, including that: a) such access would constitute an unwarranted invasion of personal privacy; b) such access would violate either state or federal law; c) such records are compiled for law enforcement purposes; and/or d) such records are inter-agency or intra-agency materials which are not statistical or factual tabulations of data, instructions to staff that affect the public or a final policy. Except for records specified in Public Officers Law §87(3), the school shall not be required to prepare any record that it does not maintain or have in its possession.
- The school may charge a copying fee for each paper page (up to 9"x14") requested to be copied. The fee shall be the maximum fee allowed by New York law. Preparation of electronic copies of records will be charged in accordance with NY Public Officers Law § 87(1)(c).
- The school shall promulgate FOIL regulations pursuant to Public Officers Law § 87(1)(b) and 21 NYCRR Part 1401.

- The school shall post required FOIL information on its website in accordance with Public Officers Law § 87(4)(c).

X. Field Trips

- Students will be given a **Walking Field Trip Permission Form** at the start of the year, which will allow students to participate in walking trips in the U Prep neighborhood throughout the year.
- Field trips to destinations outside of the U Prep neighborhood require a separate permission slip.
- All field trips must be approved by the principal, and there must be a 1:15 ratio of staff to students on each trip.

XI. Summer School and Class Recovery Policies

- **In rare instances and when approved by the principal, students may make up a failed course during summer school.**
- In most cases, summer school courses are not permitted, and students will have to retake the course, or repeat the academic year, during the regular school year.

XII. Role of the Parent/Guardian

- **Parents are encouraged to be involved in all areas of their child's education.** Four Parent-Teacher Conference sessions are held per year. Please see the school calendar for dates. Flexibility in timing for Parent Teacher Conferences can be arranged. Telephone conferences can be held, but they are by no means a substitute for a face-to-face meeting.
- Parents should keep the communication between the school and home open. **Please be sure to inform the school of any changes in the home that may affect your child's performance at school.**
- **Parents can encourage appropriate behavior at home and in school.** If your child is continually acting inappropriately in school, you can work with U Prep teachers, administration and counselors to develop a behavior management plan that will be consistent between the home and school.
- **Parents are urged to become active members of the U Prep Middle Parent Council.**
- **We have an open door policy. You are welcome to see your child in school to observe how he/she is progressing.** Please arrange these visits with the principal ahead of time.

Parent Council

- **Parent involvement plays an important role in your child's education.** Parents are strongly encouraged to join the Parent Council and participate in as many events as possible.
- The Parent Council Executive Board (PCEB) consists of the following officers:
 - **President**
 - **Vice President**
 - **Secretary**
 - **Treasurer**

Attendance

- **Regular school attendance is extremely important and will be closely monitored.** However, if your child is ill, he/she should remain at home until well. If the child comes to the school ill, the school nurse will contact you. In some instances, you may be required to come to the school to pick up your child.
- **Information pertaining to school absence should be provided to the school in the form of a note after each absence, including a doctor's note if appropriate.** You may also call the school when you know your child will be absent. You will be required to notify the school of the date your child is expected to return to school.

Immunization

- The New York State Department of Education and the Board of Health require that documentation be secured proving that **all students who come to school are fully immunized.** We are required to exclude students if they are not immunized and do not have documentation from a physician indicating that they have received all required immunization.

Picking your child up from school

- Sometimes it is necessary for a family member to pick up a child at school before dismissal. Please try to let the school know in advance if you are planning to pick him/her up early. **All parents must sign in at the security desk and present a form of identification. They will report to the main office to sign their child out of school.**
- **If someone other than a parent will be picking a child up, please make sure that their name is listed as an emergency contact; otherwise we will not release the child. Parents or Guardians can update this information in person in the main office.**
- **Under no circumstances can a child be released during the school day by themselves. Children can also not be released based upon a note from the parent.**

XIII. UPCMS Athletic Policy

Participation in athletics is a privilege maintained through excellence in academics, behavior, and character. Student athletes at U Prep are committed to general standards of conduct and performance including but not limited to:

- Appropriate behavior in and out of school
- Academic effort
- Adherence to all school and team rules
- Respect for opponents and officials
- Commitment to training rules and personal wellness
- Loyalty/commitment to team and teammates
- Dedication to principles of good sportsmanship and fair play
- Maintaining a healthy lifestyle and refraining from the use of drugs, alcohol, tobacco, and other mood altering substances

To be eligible, prospective athletes must:

1. Be passing all their classes at the beginning of the sport season, and continue to do so throughout the season.
2. Have zero suspensions during the season.
3. Maintain 95% attendance before and during the quarters of the season of the sport.
4. Arrive to school on-time, and in proper dress code, to participate in the athletic practices or competitions.
5. Attend an athletic info session at the beginning of the school year.
6. Pass physical education throughout the school year.

XIV. Daily Class Schedules

University Prep Charter Middle School					UPublicschools.org
Monday	Tuesday	Wednesday	Thursday	Friday	
Breakfast: 8:20-8:50	Breakfast: 8:20-8:50	Breakfast: 8:20-8:50	Breakfast: 8:20-8:50	Breakfast: 8:20-8:50	
0 7:55-8:50	0 7:55-8:50	0 7:55-8:50	0 7:55-8:50	0 7:55-8:50	
1 8:55-9:50	1 8:55-9:50	1 8:55-9:50	1 8:55-9:50	1 8:55-9:50	
2 9:55-10:50	2 9:55-10:50	2 9:55-10:50	2 9:55-10:50	2 9:55-10:50	
2+ 10:50-11:10	2+ 10:50-11:10	2+ 10:50-11:10	2+ 10:50-11:10	2+ 10:50-11:10	
3 11:15-12:10	3 11:15-12:10	3 11:15-12:10	3 11:15-12:10	3 11:15-12:10	
4 12:15-1:10	4 12:15-1:10	4 12:15-1:10	4 12:15-1:10	4 12:15-1:10	
Lunch/Recess 1:15-2:05	Lunch/Recess 1:15-2:05	Lunch/Recess 1:15-2:05	Lunch/Recess 1:15-2:05	Lunch/Recess 1:15-2:05	
5 2:10-3:05	5 2:10-3:05	5 2:10-3:05	5 2:10-3:05	Early Release	
6 3:10-4:05	6 3:10-4:05	6 3:10-4:05	6 3:10-4:05		

Appendix A: Discipline Policy

THE ROLES OF SCHOOL PERSONNEL

Administration

University Prep Charter Middle School Administrators shall have a thorough working knowledge of the Discipline Policy, and when necessary will assist staff in implementing classroom and school-wide management procedures. Working with the school's faculty and staff, the Administration will provide training and continued support to teachers and staff as they strive to educate students and teach them to follow school rules.

The Administration will assist staff in responding to severe misbehavior, such as uncooperative behavior and physically dangerous and/or illegal acts, as well as any chronic or recurring problems. In certain cases, the Administration shall initiate parent conferences, suspensions, or other severe consequences. The Principal may also contact the appropriate law enforcement authorities, depending on the nature of the infraction. If the Administration is unavailable to assist with a crisis situation, the Office Lead will direct referrals to another assigned staff member.

Teachers and Instructional Staff

Teachers and instructional staff at University Prep Charter Middle School ("UPCMS") are responsible for the day-to-day discipline in their classrooms within the understanding that teachers have many different roles beyond just disciplinarian. Teachers and staff work with students to meet their individual needs and work together to find a common ground in the classroom, to ensure that learning can take place.

Disciplinary options available to the teachers and staff include, but are not limited to: warning, detention, parent-teacher communication, counseling referral, written assignment, discipline referral to Administration, administrative detention, disciplinary probation, suspension, and expulsion.

STUDENT DISCIPLINE

Behavior Infractions and the Progressive Discipline Ladder

Consequences for behavior infractions are at the discretion of the UPCMS administration and will depend on the severity of the infraction. The *Progressive Disciplinary Response Ladder* divides infractions into five (5) levels of severity:

- Level 1 Infractions:** uncooperative or noncompliant actions, lateness, dress code violation
- Level 2 Infractions:** disorderly and malicious behavior, repeated lateness, repeated dress code violation
- Level 3 Infractions:** repeatedly disruptive behavior, or displaying a pattern of negative behavior
- Level 4 Infractions (immediate In-school suspension):** aggressive and/or excessive pattern of negative behavior, any instance of bullying in-person or online
- Level 5 Infractions (immediate probation or expulsion):** injurious, violent, or dangerous behavior, a pattern of bullying in-person or online

Teacher and Staff Detention

Any UPCMS teacher may assign a teacher's detention to a student. This detention is served at lunch or after school, by giving the student a shortened lunch period (but no shorter than 30 minutes), and may consist of writing an assignment, sitting quietly in a classroom or assisting with cleaning of the campus. School events, activities, or athletics are not valid reasons for missing a detention. After school detentions are typically given in 15 minute increments, with a maximum of 60 minutes. As a general rule, teachers assign a Teacher Detention for minor classroom misconduct and off-task behavior such as but not limited to: chewing gum, passing notes, making noises, unsanctioned cell phone usage or minor inappropriate conflicts with others. Repeated violations by individuals will be referred to the Principal.

When there is a serious violation of the rules, the student will be referred to the Administration.

Administrative Detention

These detentions are held Monday through Thursday. During the detention period, students are to sit quietly. No activity such as listening to music, sleeping, etc. is permitted. This detention is served after school or at lunch, by giving the student a shortened lunch period (but no shorter than 30 minutes) and may consist of writing an assignment, sitting quietly in a classroom or assisting with cleaning of the campus. School events, activities or athletics are not valid reasons for missing a detention. Administrative detentions are typically given in 15 minute increments, with a maximum of 60 minutes.

Progression of Disciplinary Procedures

Upon receiving ten (10) detentions, the parent/guardian will be contacted and a meeting will be held with the student and parent/guardian. At least one parent/guardian, as well as the student must be present at the meeting. At the end of the meeting, a personal "contract" to improve the student's behavior will be developed and signed by the parent/guardian, student, the student's guidance counselor and an administrator. At least one parent/guardian, as well as the student must be present at the meeting, which will be held as soon as scheduling allows and will include the school administrator and possibly the Student Discipline Board.

Parents/guardians may at any time request a conference with the Principal to discuss their son/daughter's behavior.

Serious offenses, including cheating and plagiarism, will be handled on an individual basis. For these, it is not necessary to follow the above procedures. Contact with parent/guardian will be made immediately.

Administrative Detention may be issued for any offense listed above in "Teacher and Staff Detention," as well as the following:

1. Failure to report to a Teacher or Staff Detention
2. Dress code violation
3. Boisterous conduct in buildings

4. Any type of behavior that is disrespectful or subversive in nature to the administration, faculty, or staff of UPCMS.

Disciplinary Probation

Disciplinary Probation refers to a period of time determined by the Administration, during which a student's behavior is monitored and evaluated to determine the student's right to remain at UPCMS. Typically, the probationary period and its stipulations are outlined in a discipline contract. The Disciplinary Probation period is a positive attempt to help the student realize that all choices carry consequences. Therefore, this period is designed to help the student correct his or her behavior. After suspension, a serious, and/or repeated disciplinary problem, the parent/guardian, student, and Administrator will sign a probation contract. Failure to adhere to the terms of the contract may result in dismissal from school. A growth plan should be included in this process.

- Restriction from specified school sponsored activities.
 - Administrator/Student conference and contract with parent signature is required
- A. Probationary Term:** The Disciplinary Probation term officially begins with the issuance of the probation notice or contract. The length of probation will be determined by Administration and may be extended for any violation listed under conduct and behavior.
- B. Violations:** Violations of the probationary conditions outlined in the disciplinary contract may result in a nine-week extension of probation, additional consequences, and possible expulsion.

Suspension

Suspension is intended to remove the student from peers and the class environment. This separation provides the student time to reflect on his or her behavior and a possible pattern of behavior that will be more positive. Suspension is regarded as a serious consequence. Once a student has been suspended, he or she cannot go back and rejoin his or her class. The administration will attempt to contact parents/guardians and inform them of their child's infraction and its basic circumstances. Suspended students should be picked up immediately by their parents. Students not picked up will serve in-school suspension. Proper authorities will be notified if students who are suspended out of school return to school during a period of suspension.

A student may be suspended for any of the following acts:

- Theft, destruction, or defacement of school or personal property during school hours or during school-sponsored events. Parents will be held financially responsible.
- Defiance, disrespect, or abuse of school authority
- Harassment
- Plagiarism, cheating, copying work
- Hazing
- Fighting
- Profanity or vulgarity in word or gesture
- Narcotics possession or use (marijuana, dangerous drugs, or other harmful substances)
- Smoking or possessing tobacco products on campus or at school-sponsored events

- Being under the influence of, or possessing, alcohol or any controlled substance at school or any school-sponsored event
- Writing on, tagging, or defacing school property
- Any infraction not listed but considered sufficiently serious by the Administration

In-School Suspension

A student serving *in-school suspension* reports to school at the regular time in full uniform. Each teacher will provide alternative instruction and give the student written assignments that he or she must complete under the direct supervision of the Principal or designee. The student will not attend any classes or go out for break. The student will eat lunch in the assigned room.

Short-Term Suspension

A short-term suspension refers to an in-school suspension or out of school suspension of a student for disciplinary reasons for a period of five (5) or fewer days. A student who has committed any of the infractions listed above shall be subject minimally to a short-term suspension, unless the Principal reserves the right to adjust the punishment for each infraction per his/her judgment.

The Principal may impose a short-term suspension, and shall follow the due process procedures consistent with federal case law pursuant to *Goss v. Lopez* (419 U.S. 565). Before imposing a short-term suspension, or other, less serious disciplinary measure, the Principal shall provide notice to inform the student of the charges against him or her, and if the student denies the charges, an explanation of the evidence against the student. A chance to present the student's version of events shall also be provided.

Before imposing a short-term suspension, the Principal shall immediately notify the parents or guardian in writing that the student may be suspended from school. Written notice of the decision to impose suspension shall be provided by personal delivery or express mail delivery within 24 hours at the last known address(es) of the parents or guardian. Where possible, notification also shall be provided by telephone. Such notice shall provide a description of the incident(s) for which suspension is proposed and shall inform the parents or guardian of their right to request an immediate informal conference with the Principal. Such notice and informal conference shall be in the dominant language or mode of communication used by the parents or guardian. The parents or guardian of the student and the student shall have the opportunity to present the student's version of the incident. 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 as possible after the suspension as is reasonably practicable.

The Principal's decision to impose a short-term suspension may be challenged by the parent(s) by writing to the school's Board of Trustees.

The letter should explain (1) the problem that you are having with the charter school (2) the reason you disagree with the school's decision, and (3) the specific request that you are making to the Board.

You may address your appeal to the following individual:

Burton Sacks, University Prep Public Schools Trustee
205 East 42nd Street, 11th Floor
New York, NY 10017

Discipline and the Role of the Leadership Committee

The Leadership Committee is an advisory committee to the Principal and is comprised of administrator(s) and several teachers. The Principal convenes the board when needed, is Chair, and is a non-voting member. It is the responsibility of the Principal to have available all pertinent materials for each gathering.

The Leadership Committee convenes when a student commits a serious violation of the discipline code or has broken the terms of his or her particular Contract (Attendance/Academic, Personal, and Disciplinary Probation). The Committee recommends to the Principal its conclusion(s). It may recommend disciplinary action, terms of probation, suspension duration, and/or withdrawal from the school or expulsion. At least one parent/guardian and the student must be present.

Long Term Suspension/Expulsion

A long-term suspension refers to the removal of a student from school for disciplinary reasons for a period of more than five (5) days. Expulsion refers to the permanent removal of a student from school for disciplinary reasons. A student who is determined to have committed any of the infractions listed below shall be subject minimally to a long-term suspension or expulsion, unless the Principal 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.

The Principal may impose a long-term suspension. Such a suspension may be imposed only after the student has been found guilty at a formal suspension hearing. In extreme circumstances, the Principal may expel the student from school. Upon determining that a student's action warrants a possible long-term suspension, the Principal 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 Principal shall provide notice to inform the student of the charges against him or her, and if the student denies the charges, an explanation of the evidence against the student. A chance to present the student's version of events shall also be provided. The Principal 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 if the school has been provided with a contact telephone number for the parent(s) or guardian(s). 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 that 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 and present witnesses, and confront and present evidence.

If the Principal initiates the suspension proceeding, he or she shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer's report shall be advisory only and the Principal may accept or reject all or part of it. The Principal's decision to impose a long-term suspension or expulsion may be challenged by the parent or guardian through an appeal process to the Board of Trustees the details of which shall be determined. NOTE: In any instance where the Principal is directly involved in the instance(s) at issue for a suspension or expulsion, the Principal shall appoint a designee to handle any investigation, hearing and determination.

A student may be expelled from UPCMS for any of the following major violations or for repeating any violation listed under suspension. Length of expulsion is determined by the Discipline Board and at the time of the act in question.

- Brandishing a knife at another person, or possession or use of any weapons or firearms on school premises or at school sponsored events
- Possession of an explosive
- Unlawfully selling a controlled substance including providing or selling narcotics of any kind (immediate expulsion)
- Inflicting or causing bodily harm to any person on campus
- Committing or attempting to commit a sexual assault or committing a sexual battery
- Assault or battery, or any threat of force or violence directed toward anyone
- Fighting
- Theft of, tampering with, or unauthorized handling of a teacher's grade book, textbook, handbook, keys, briefcase, laptop, or other personal items
- Tampering with fire alarms or extinguishers
- Any infraction considered sufficiently serious by the Principal (multiple suspensions, consistent defiance, etc.)

UPCMS will collect suspension and expulsion data, which will be available for District review.

Firearm Violations

Federal and New York law require the suspension from school for a period of not less than one (1) year of a student who is determined to have brought a firearm to the school, or to have possessed a firearm at school, except that the Principal may modify such suspension requirement for a student on a case-by-case basis, if such modification is in writing, in accordance with the Federal Gun-Free Schools Act (as amended) (20 U.S.C. §1761). "Firearm," as used in this law means a "firearm," or "destructive device" as defined by 18 USC § 921(a), and includes firearms and explosives. (New York Education Law § 3214 effectuates this federal law.) The following are included within this definition: (a) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (c) the frame or receiver of any weapon described above; (d) any firearm muffler or firearm silencer; (e) any destructible device, which is defined as any explosive, incendiary, or poison gas, such as a bomb, grenade, rocket having a propellant charge of more than four (4) ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or other similar device; (f) any type of weapon (other than a shotgun or a shotgun shell which the Attorney General finds is generally recognized as particularly suitable for

sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and (g) any combination of parts either designed or intended for use in converting any device into any destructive device and from which a destructive device may be readily assembled. The term “destructive device” shall not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; or any other device which the Attorney General finds is not likely to be used as a weapon, is an antique.

The Principal shall refer a student under the age of sixteen who has been determined to have brought a firearm to school to a presentment agency for a juvenile delinquency proceeding consistent with Article 3 of the Family Court Act except a student fourteen (14) or fifteen (15) years of age who qualifies for juvenile offender status under Criminal Procedure Law § 1.20(42). The Principal shall refer any pupil sixteen (16) years of age or older or a student fourteen (14) or fifteen (15) years of age who qualifies for juvenile offender status under Criminal Procedure Law § 1.20(42), who has been determined to have brought a weapon or firearm to school to the appropriate law enforcement officials.

Special Education Provision: The provisions of the Gun-Free Schools Act shall be construed in a manner consistent with the Individuals with Disabilities Education Act. Therefore, the CSE (as hereinafter defined) will be consulted, even after a manifestation determination that the student’s behavior was not a manifestation of the student’s disability, regarding placement and services for such student.

Alternate Instruction

In all cases of suspension or expulsion, alternate instruction will be provided within 24 hours of such suspension or expulsion and the student will be provided with all assignments for the duration of the suspension, and for a reasonable period after expulsion (the period of time necessary for a student to enroll in a district school, charter school or private school pursuant to the compulsory education laws). Instruction will take place in one of the following locations at the school’s discretion: the student’s home, a contracted facility (e.g., in the school district of location), or a suspension room or other room at the school. During any removal for drug or weapon offenses, additional services shall include strategies designed to prevent such behavior from recurring. Instruction will be provided by one or more of the following individuals who shall be certified or qualified in accordance with § 2854(3)(a-1) of the NY Education Law and the federal Every Student Succeeds Act: the student’s teacher(s), aides or trained volunteers, individuals within a contracted facility, and/or a tutor hired for this purpose.

A student who does not attend alternative instruction shall be marked absent. If the school does not offer alternative instruction, the student shall not be marked absent.

Disciplinary Policy for Students with Disabilities

In addition to the discipline procedures applicable to all students, the school shall implement the following disciplinary policy procedures with respect students with disabilities and students regarding

as having disabilities. A student not specifically identified as having a disability but whose school district of residence or charter school, prior to the behavior which is the subject of the disciplinary action, has a basis of knowledge—in accordance with 34 CFR § 300.534—that a disability exists may request to be disciplined in accordance with these provisions. The school shall comply with sections 300.530 - 300.536 of the Code of Federal Regulations (CFR) 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.

If a student violates the school's discipline code and is being considered for a suspension or removal, the school must ensure the following due process protections are provided to the student and to the student's parent/guardian(s) in addition to those set forth in the regular education discipline code. In addition, the school must provide alternative education to the student during the suspension as set forth below, which may include any special services required by the Individualized Education Program (IEP) prepared by the student's Committee on Special Education (CSE) of their district of residence. Final determination on a suspension or removal of a student, following due process, shall be made by the Principal.

The school shall maintain written records of all suspensions and expulsions of students with a disability including the name of the student, a description of the behavior engaged in, the disciplinary action taken, and a record of the number of days a student has been suspended or removed for disciplinary reasons.

Students for whom the IEP includes a Behavior Intervention Plan (BIP) will be disciplined in accordance with the BIP. If the BIP appears not to be effective or if there is a concern for the health and safety of the student or others if the BIP is followed with respect to the infraction, the matter will be immediately referred to the CSE of the student's district of residence for consideration of a change in the IEP and or BIP.

If a student identified as having a disability is suspended during the course of the school year for total of eight (8) 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 ten (10) days during the school year without the specific involvement of the CSE of the student's district of residence prior to the eleventh (11th) day of suspension, because such suspensions 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.

The school shall work with the district to ensure that the CSE of the student's district of residence meets within seven (7) days of notification of any of the following: (1) the commission of an infraction by a student with a disability who has previously been suspended for the maximum allowable number of days; (2) the commission of any infraction resulting from the student's disability; (3) the commission of any infraction by a disabled student, regardless of whether the student has previously been suspended during the school year if, had such infraction been committed by a non-disabled student, the Principal would seek to impose a suspension in excess of five (5) days.

Also, the school will ensure that when the suspension or removal of a student with a disability will constitute a disciplinary change of placement, the CSE will be immediately notified so that the CSE can meet its required obligations to:

1. Convene a CSE meeting within ten (10) school days with the parent/guardian and IEP Team including school personnel to make a manifestation determination including a review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine:
 - A. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
 - B. If the conduct in question was the direct result of the district and charter school's failure to implement the IEP.
 - C. The conduct must be determined to be a manifestation of the child's disability if the LEA, the parent, and relevant members of the child's IEP Team determine that a condition in either paragraph (a) or (b) immediately above was met.
 - D. If the CSE determines that the IEP was not implemented properly, the CSE must take immediate steps to remedy those deficiencies.
2. Convene a CSE meeting within ten (10) business days to develop a plan to conduct a functional behavioral assessment or review an existing functional behavioral assessment or behavioral intervention plan.
3. Provide the student's parent with a copy of their procedural due process rights.
4. Work closely with the CSE of the students' district of residence in determining education services or the interim alternative educational setting consistent with the FAPE requirements.

Those students removed for a period fewer than ten (10) 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 also shall 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 (10) or more school days during the school year, but does not constitute a change in placement, services must be provided to the extent determined 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 and the CSE, shall make the service determination. The student should receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

During any removal to an interim alternative educational setting not to exceed forty-five (45) days for weapon, drug or infliction of serious bodily injury-related offenses pursuant to 34 CFR §300.530(g)(1), (2) and (3), respectively, 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 will be made by the CSE of the student's district of residence. The school will place students in interim alternative educational settings as appropriate and determined by the

CSE. The student should receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

During any subsequent removal that does constitute a change in placement, but where the behavior is not a manifestation of the disability, the services must be provided to the extent necessary to enable the student to appropriately progress in the general curriculum and in achieving the goals of his or her IEP. The CSE of the student's district of residence will make the service determination.

Meetings of the CSE of the student's district of residence to either develop a behavioral assessment plan or, if the child has one, to review such plan are required when: (1) the student is first removed from his or her current placement for more than ten (10) school days in a school year; and (2) when commencing a removal which constitutes a change in placement. The student's special education teacher (or coordinator) and the general classroom teacher will attend all meetings regarding the student initiated by the CSE from the student's home district.

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.

If discipline which would constitute a change in placement is contemplated for any student, the following steps shall be taken: (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 ten 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 student's behavior was not a manifestation of his or her disability, then the child may be disciplined in the same manner as a student 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 student will remain in his or her current educational placement pending the determination of the hearing.

If a parent requests a hearing or an appeal to challenge the interim alternative educational setting or the manifestation determination resulting from a disciplinary action relating to weapons or drugs, the student shall remain in any 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 the school agree otherwise.

RECORD KEEPING AND TRANSFER

It is important that all students and parents/guardians understand that, in addition to taking disciplinary action at the school level, certain criminal and/or disruptive behavior must be reported to the police and to New York State Education Department through VADIR (Violent and Disruptive Incident Report). The following incidents will be reported:

- Capital Crimes
- Assaults or Threats of Assault
- Possession of Weapons
- Robbery or Theft
- Sexual Abuse
- Property Damage
- Drug or Alcohol Abuse

Additionally, the Principal has the discretion to report any other incident occurring within regular operation of the school.

All suspensions and expulsions will be documented in writing including student name, description of incident, and disciplinary action taken. As charter schools are subject to the federal Family Education Rights and Privacy Act of 1975 (FERPA) which requires a school to protect a student's privacy, the Elementary Academy will not disclose any personally identifying information from the student's permanent records except as authorized pursuant to FERPA, or in response to a subpoena, as required by law, including FOIL. The parent/guardian of a student under eighteen years of age, or student eighteen years of age or older, is entitled to access the student's school records by submitting a written request to the School Leader. Further information concerning the disclosure of student information and limitations on such disclosure may be found in FERPA. If students have records with the New York City Department of Education, they will be transferred in compliance with FERPA regulations.

Search and Seizure

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

1. School authorities will make an individual search of student's book bag, desk, lockers, cubbies, and person 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/interfere with the educational process.
2. Searches will be conducted under the authorization of the Principal or designee. Items which are prohibited on school property, or which may be used to disrupt or interfere with the educational process, may be removed from student's desks, book bag, lockers, and person by school authorities.

Off -Campus Events

Students at school sponsored off-campus events will be governed by all the guidelines of the school and are subject to the authority of school staff. Failure to obey the lawful instruction of school staff

will result in a loss of eligibility to attend school sponsored off campus events and may result in additional disciplinary measures in accordance with the Code of Conduct.

HARASSMENT AND BULLYING

Harassment and bullying of or by any student or school employee will be investigated in a prompt, confidential, and thorough manner. The consequences for bullying will vary depending on the severity of the infraction.

Harassment and bullying occurs when an individual is subjected to treatment or a school environment that is hostile or intimidating because of the individual's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex, and includes, but is not limited to, any of the following:

- **Verbal Harassment/Bullying:** any written or verbal language or physical gesture directed at a teacher or student that is insolent, demeaning, abusive, or implicitly or explicitly implies a threat of bodily harm
- **Physical Harassment/Bullying:** any unwanted physical touching or contact, assault, deliberate impeding or blocking of movements, or any intimidating interference with normal work or movement
- **Visual Harassment/Bullying:** derogatory, demeaning, or inflammatory posters, cartoons, written words, drawings, or gestures
- **Sexual Harassment/Bullying:** includes unwelcome sexual advances and/or verbally or physically offensive conduct of a sexual nature when any or all of the following occur:
 - Submission to such conduct is made either explicitly or implicitly a term or condition of a student's academic status or progress
 - Submission to or rejection of such conduct by a student is used as the basis of academic decisions affecting the individual
 - Such conduct has the purpose or effect of unreasonably interfering with the individual's academic performance or creating an intimidating, hostile, or offensive educational environment
- **Cyberharassment/Cyberbullying:** any form of harassment where some portion of the negative actions taken is done electronically.

DIGNITY FOR ALL STUDENTS POLICY

UPCMS and its Board of Trustees are committed to providing all students with an environment free from harassment, bullying (including cyber bullying) and discrimination. In accordance with New York State's Dignity for All Students Act, the school is committed to preventing and promptly addressing incidents of harassment and/or discrimination of students that impact a positive school culture and impede students' ability to learn.

Students' Rights

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

Disciplinary and Remedial Consequences

The school's Discipline Policy prohibits harassment of students and students who engage in such behavior shall be disciplined as set forth in the Discipline Policy. The school will take appropriate action disciplining students, who engage in harassment of students off school property under circumstances where such off-campus conduct: 1) affects the educative process; 2) actually endangers the health and safety of School students within the educational system; or 3) is reasonably believed to pose a danger to the health and safety of our students. This includes written and/or verbal harassment which materially and substantially disrupts the work and discipline of the school and/or which school officials reasonably forecast as being likely to materially and substantially disrupt the work and discipline of the school.

Remedial responses are also implemented as appropriate which focus on discerning and correcting the reasons why discrimination, harassment and bullying occurred by students and/or employees. The School has designed remedial responses to correct the problem behavior, prevent another occurrence of the behavior, and protect the target of the act. Remedial actions may include:

- Peer support groups;
- Assignment of a mentor at the school for the student to check in with;
- Corrective instruction that reemphasizes behavioral expectations or other relevant learning or service experience;
- Engagement of student in a reflective activity, such as writing an essay about the misbehavior and its impact on others and how the student might handle the situation differently in the future and/or make amends to those who have been harmed;
- Supportive invention and/or mediation where constructive conflict resolution is modeled;
- Behavioral assessment or evaluation;
- Behavioral management plans or behavior contracts, with benchmarks that are closely monitored; and
- Student counseling and parent conferences that focus on involving person in parental relations in discipline issues.

Dignity Act Coordinator

The school designates Margaret Ruiz, the Guidance Counselor, as the Dignity Act Coordinator (DAC). The DAC's contact information is: **Margaret Ruiz**

Guidance Counselor
470 Jackson Ave.
Bronx, NY 10455
mruiz@UPMiddleSchool.org

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

Reporting and Investigating

Personnel at all levels are responsible for reporting harassment, bullying or discrimination of which they have been made aware to their immediate supervisor. Any student who believes that s/he is being subjected to harassment, bullying or discrimination as well as any other person who has knowledge of or witnesses any possible occurrence of such acts, shall report the acts to any staff member or to the principal. A staff member who witnesses harassment, bullying, or discrimination or receives an oral or written report of such acts shall promptly notify the principal or their designee no later than one school day after such employee witnesses or receives a report of such acts, and shall also file a written report with the principal or their designee no later than two school days after making an oral report.

The Principal or their designee shall promptly investigate the complaint and take appropriate action to include, as necessary, referral to the next level of supervisory authority and/or other official designated by the school to investigate allegations of harassment. Follow-up inquiries and/or appropriate monitoring of the alleged harasser and victim shall be made to ensure that harassment has not resumed and that those involved in the investigation of allegations of harassment have not suffered retaliation.

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

No Retaliation

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

Appendix B: Complaint Policies

University Prep Charter Middle School (UPCMS) Complaint Procedures

Informal

Often, issues or complaints can be resolved informally between the complainant and the charter school, and do not need to involve the formal complaint process described below. Where appropriate, you may wish to use this more informal approach, which may result in a more timely resolution of the issue and which is also suited to dealing with issues that do not involve a violation of the charter or law. Even issues involving a violation of the law or charter may be able to resolved informally and you may wish to use this avenue before making a formal complaint (though the School cannot require you to do so and using any informal route the School may have does not prevent you from using the formal complaint process later). In the case of schools for which the Board of Regents is the Charter Entity/Authorizer, the Charter Schools Office would be happy to work with you in trying to resolve your complaint informally. In the case of schools authorized by other Charter Entities, you should contact the appropriate Charter Entity for assistance in resolving your complaint informally.

<http://www.p12.nysed.gov/psc/complaintprocess/complaint.html>

Formal

Section 2855 (4) of the [NYS Charter Schools Act](#) provides a formal complaint process for use by individuals (including parents) or groups who believe that a charter school has violated a term of its charter, a provision of the NYS Charter Schools Act, or any other provision of law relating to the management or operation of the charter school. **That process requires that the complaint be brought first to the School's board of trustees** (or its designee as described in the School's complaint/grievance policy).

University Prep Charter Middle School's complaint/grievance policy is as follows:

Any individual or group may submit complaints to the Board of Trustees of University Prep Charter Middle School. Nothing in the following procedure for addressing complaints precludes an individual or group from submitting a complaint directly to the Board of Trustees.

The formal complaint process begins by submitting the complaint in writing to the Executive Director. Executive Director Andrea d'Amato is located on the fourth floor of 600 St. Ann's Avenue Bronx, N.Y. 10455. Upon receipt of the complaint, the Executive Director will respond in writing or in person within ten business days. If this does not resolve the complaint, or if the complaint pertains to the Executive Director, then the individual or group may submit the complaint, in writing, to the Secretary of the Board of Trustees.

You may address your letter to the following individual:

Burton Sacks
University Prep Public Schools Trustee
205 East 42nd Street, 11th Floor
New York, NY 10017

If the complaint is submitted to the Board of Trustees five business days prior to a regularly scheduled Board meeting, the complaint will be addressed at that Board meeting. If the complaint is submitted fewer than five business days before a regularly scheduled Board meeting, the complaint will be addressed at the next regularly scheduled meeting of the Board of Trustees. Emergency issues will be dealt with on an as-needed basis, with the Board responding at or prior to its next regularly scheduled meeting. The Board of Trustees shall render a determination in writing if appropriate or required.

The names of Trustees, including the Secretary of the Board, as well as the dates of regularly scheduled Board meetings will be prominently posted at the school.

In accordance with Education Law § 2855(4), if after presentation of such a complaint to the Board of Trustees, the individual or group believes that the Board has not adequately addressed the complaint, that individual or group may present the complaint to the School's charter entity, the State University of New York Board of Trustees through the SUNY Charter Schools Institute, which shall investigate and respond appropriately.

If, after making your complaint to the School's board of trustees, you believe that the board of trustees has not adequately addressed your complaint, or if, after a reasonable period of time, the board of trustees or its designee does not respond to your complaint in writing - or does not respond within the time that the School provides in its formal complaint/grievance policy - you then have the right to bring your complaint to the entity that authorized the charter school, the Trustees of the State University of New York (SUNY). Charter Entities/Authorizers have their own guidelines for filing complaints and you should check their web sites (below) or contact them directly for information about their complaint processes:

Trustees of the State University of New York (SUNY): <http://www.newyorkcharters.org/contact/>

Title I Complaint Procedures

- Any public or non-public school parent, teacher, or other interested person or agency may file a complaint.
- All complaints must:
 - Be in written form;
 - Be signed by the person or agency representative filing the complaint;
 - Specify the requirement of law or regulation being violated and the related issue, problem, and/or concern;
 - Contain information/evidence supporting the complaint;
 - State the nature of the corrective action desired.
- Upon receipt of the complaint:
 - The District will issue a letter of acknowledgement to the complainant that contains the following information:
 - The date the District received the complaint;
 - How the complainant may provide additional information;
 - A statement of the ways in which the District may investigate the complaint;
 - The District's commitment to issue a resolution to the complaint.
- The Director of Pupil Personnel Services will investigate or designate a building administrator to investigate the complaint. The complaint investigator will:
 - Carry out an independent onsite investigation of the complaint;

- Review all relevant information and make an independent determination as to whether the District has complied with the federal program(s) in question;
- Issue a complaint investigation report, entitled *Letter of Findings*, to the complainant that addresses each allegation in the complaint and contains Findings of Fact, Conclusions and Corrective Actions (with a specified timeline) where warranted, as well as the reasons for the District's final decision.
- If the investigator determines that a violation has occurred:
 - There will be corrective action to return to compliance.
- If the investigator concludes that no violation of law or regulation has occurred:
 - Attempts will be made to resolve or negotiate the programmatic concern;
 - A complaint investigation report, entitled *Letter of Findings*, will be issued to the complainant that addresses each allegation in the complaint and contains Findings of Fact, Conclusions and Corrective Actions (with a specified timeline) where warranted, as well as the reasons for the District's final decision.
- All complaints and responses will be kept on file in the office of the Director of Pupil Personnel Services. Complainants not satisfied with the findings/remedy of the District may elect to appeal to the New York State Education Department.

Appeals should be sent to:

New York State Education Department
 Title I School & Community Services Office
 Room 365 EBA
 89 Washington Avenue
 Albany, NY 12234

Those dissatisfied with the State Education Department's complaint resolution may file an appeal to the United States Department of Education:

United States Department of Education
 Compensatory Education Programs
 400 Maryland Avenue, S.W.
 Room 3W230, FOB #6
 Washington, D.C. 20202-6132

Appendix C: Open Meetings Law Policy and Procedure

All meetings of University Prep Charter Middle School will be open to the general public, subject to the exceptions described below, as required by the Open Meetings Law (Article 7 of the New York State Public Officers Law, pursuant to Education Law § 2854(1)(e)). For the purposes of this policy, a “meeting” shall be understood as any scheduled or unscheduled gathering of the school’s Board of Trustees (“Board”) to conduct school business at which a quorum of the Trustees shall be present (present includes being present by videoconference). This also includes meetings of committees and subcommittees of the Board.

Public Notice

The school will post a calendar with all Board meeting dates at the school at all times.

For Board meetings scheduled at least one week in advance, the school shall publicize such meetings to the general public in the following manner:

- Provide notice of the time and place of the scheduled meeting to the news media
- Post such notice in one or more public locations at least 72 hours in advance of the scheduled meeting
- Advise the president of the school's parent organization in order that he or she might disseminate the information as he or she sees fit

For Board meetings scheduled less than one week in advance, the school shall publicize such meetings to the general public in the following manner:

- Provide notice of the time and place of the scheduled meeting to the news media (to the extent practicable)
- Post such notice in one or more public locations at a reasonable time in advance of the scheduled meeting
- To the extent possible, the school will publicly post notices of Board meetings immediately after each meeting date is determined

Trustees may participate in Board meetings in person or by videoconferencing. The Board shall provide an opportunity for the public to attend at any site where a Trustee participates. If videoconferencing is to be used, then the public notice will say so, identifying the locations from which members will participate, and state that the public has a right to attend any of these locations.

Minutes of Meetings

The Secretary of the Board shall take minutes at all open meetings and make them available to the public within two weeks of the meeting. Minutes will also be taken at executive sessions and be made available to the public within one week of the meeting. Minutes shall include the date of the meeting, a summary of all motions, proposals, resolutions and any other matter formally voted upon as well as a record of how each Trustee voted. Minutes shall not include any matter not required to be disclosed to the general public. The minutes shall be available at the school.

Executive Sessions

An executive session may be called via motion and majority vote by the Board to enter an executive session. The motion must specifically identify the general area or areas of the subjects to be considered. All Board members may participate in executive sessions, and the Board may authorize others to attend as well. In no case shall public funds be appropriated during an executive session.

Executive sessions may only be held for:

- Matters which imperil the public safety if disclosed
- Any matter which may disclose the identity of a law enforcement agent or informer
- Information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed
- Discussions regarding proposed, pending or current litigation
- When such law applies to the school employees, collective negotiations that are within the scope of Article 14 of the Civil Service Law
- The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation
- The preparation, grading or administration of examinations
- The proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value

Exceptions to the Open Meetings Law

The Board may conduct closed meetings for the following matters which are exempted from the Open Meetings Law:

- Judicial or quasi-judicial proceedings (such as student disciplinary hearings and employee grievance hearings)
- Any matter that is confidential under New York State Law or federal law (such as the discussion of a student's individual handicapping conditions or academic records)

Enforcement

Any person wishing to report the school's failure to comply with of the New York State Open Meetings Law has standing to bring a proceeding in accordance with Article 78 of the Civil Practice Law and Rules and/or an action for declaratory or injunctive relief.