



## Launch Discipline Policy and Code of Conduct

### ***Our Philosophy: Building Self-Discipline and Self-Management***

Launch believes that students have the power, within themselves, to make wise choices that best serve them as learners and people and to maintain a respectful classroom culture. Launch staff play a critical role in explicitly teaching and supporting students in developing these skills. At Launch, we believe this is equally as important as teaching our students academics. Launch staff work to foster **self-managed classrooms**, and self-discipline is the end goal of all management structures at Launch. Launch teaches about and plans specific opportunities for students to practice Launch's Habits of Heart and Mind. Students are provided opportunities to own and correct behaviors themselves without needing to be compelled by authority figures.

Self-managed classrooms at Launch are **respectful, active, collaborative, and growth-oriented**.

Teachers explicitly lead and model for students an unwavering disposition of warmth, joy, and respect in their interactions with students, colleagues, and families. Students are supported in meeting high standards of respect towards each other and adults, and norms for respectful communication are set, modeled and upheld without compromise. All students contribute to the learning experience.

Self-managed classrooms are silent and still at times, when that fits the nature of the work, and at other times are alive with movement and the productive “buzz” of problem solving, critique, and creation when the work demands activity and collaboration.

Self-managed classrooms are committed to a collaborative, social construction of knowledge - a community of learners pushing each other's thinking and building each other's understanding in whole-class, small-group, and paired work. Students work together to maintain a classroom climate that is physically and emotionally safe and positive, keep their classroom space neat and organized, and produce high quality individual and group work. Students and teachers at Launch understand that mistakes are part of the territory, and are not only normal but a necessary sign that learning is occurring. To that end, students take risks to speak up in class, ask questions, post ideas, and try out new concepts. They are not afraid or embarrassed to show they care about learning.

Launch staff are able to foster self-managed classrooms because we know that effective classroom management is built on relationships. Every student wants to be known and valued - by us as adults and by their peers. The better we know students, the more effective we can be. Classroom management often breaks down when a student is struggling academically, socially and/or emotionally. By building trusting relationships with students, we create a foundation to intervene, subtly or demonstrably, to support and redirect. Launch staff work to support ALL students in achieving success in **the three dimensions of student achievement: skills and knowledge, high quality work, and character**. We believe that we are “teachers of students” rather than just “teachers of content” and know that to support all students, classroom management must be differentiated to meet the needs of the diverse young people in our classrooms.

Launch staff lay a strong foundation for active, self-managed classrooms proactively by communicating authentic warmth and authority, establishing clear expectations and routines that students take ownership of, and working with students to establish norms that guide our classroom collaboration. We dedicate intentional time in class and Crew to build powerful relationships with students, and use those relationships to engage students, and address challenges when they arise. Launch teachers take responsibility for addressing challenging behaviors in the classroom, keeping students in the classroom and showing them that even when there are challenges, they are wanted in the community. Teachers, crew advisors, families and support staff work collaboratively to respond to more significant and persistent challenging behaviors, and engage outside community organizations when necessary to solve problems



and meet all students' needs. In order for Launch to support students in achieving in all three domains of student achievement, it is critical that Launch is a safe and welcoming community.

### ***Interventions and Supports***

Launch builds on its positive school culture by focusing on celebrating the positive behaviors that Launch students demonstrate, while using interventions, supports and logical consequences to help students who are struggling understand their behavior, its impact on themselves and others, and ways to improve. Launch believes in three dimensions of student achievement: Mastery of Knowledge and Skills, Character, and High-Quality Work. We see each of these dimensions as being equally important in helping students achieve their potential. If a student is struggling behaviorally, we view this as an opportunity to focus on character development, meeting that student where they are developmentally, and supporting them in achieving their potential. This is no less important than supporting students in mastering academic content or producing work of high-quality. As such, many of the interventions and supports contained below and throughout this document may require significant time. At Launch, we view this as time well-spent in supporting students in developing in all three dimensions, and providing what that student needs at that time in order to succeed. This is not time lost from another topic, but rather the right investment in the right dimension of achievement at that time in order to support that student's overall achievement. We take our responsibility in developing students in all dimensions seriously, and will spend the amount of time required to do so with each student.

In addition to the daily classroom interventions utilized by Launch teachers (see *Classroom Supports and Interventions*, below), Launch uses the following interventions to support student growth and achievement:

- **Restorative Discussion** – a brief, 1-on-1 discussion that utilizes restorative questions to help a student understand the impact of his/her actions on the community and take accountability by identifying actions to repair any harm done and avoid future harm.
- **Restorative Circle** - a formal meeting of a student (or students) who has broken the norms or rules in place in the community, those harmed by the student's actions (staff, other students, parents, community members), and a neutral facilitator. In the circle, the extent of the harm is acknowledged, equal weight is given to the victim's needs and the offender's responsibilities, and the group collectively decides on appropriate ways for the offender to repair the harm caused.
- **Student Talk Protocol** - This is a structure used to facilitate productive, solution-oriented discussions among grade teams (teachers, culture team, support staff and when possible families and students). The goal is to identify strengths, clearly identify areas of need, or plan ways of supporting the student in making growth.
- **Re-entry Meeting** - This is a meeting that takes place after a suspension, with the goal of welcoming the student back to the community and supporting their successful return and improvement. In this meeting, staff, student, and family work together to identify the student's strengths, the needs of the school, the needs of the students, and develop an action plan for having these needs met that is then communicated to the grade team. **While family participation in these meetings is strongly encouraged, it is not required for the student to return to class.**
- **Joint Parent Meetings** - These are meetings in which parents from multiple families are brought together with students and staff to address challenges that have taken place, and identify solutions. Joint parent meetings often utilize a restorative circle structure.
- **Counseling Referral** - A counseling referral is made when there is a concern about the immediate or long-term well-being of a student, and a belief that the student would benefit from more support. Counseling referrals can result in one meeting/check-in, or a longer-term series of counseling sessions based on need. In order for counselors to formally meet with students on a regular basis, parents must provide written permission. If more support is needed, counselors will work with families to refer students to counseling services in the community.



- **After School Check-in/Meeting with Student** – Teachers and administrators may require a student to stay after-school to address student behaviors as a logical consequence for engaging in disruptive or distracting behaviors in class. Keeping students longer than 10 minutes will happen only after the student’s parent has been notified to confirm that there is no parental objection.

### Classroom Supports and Interventions

Launch teachers take responsibility for addressing developmentally appropriate challenging behaviors (see *Level I* behaviors described in the Discipline Ladder) in the classroom. Our goal is to keep all students in the classroom while maintaining a focused, positive learning environment. By addressing these behaviors directly in the classroom, we avoid lost learning time while using these moments as learning opportunities to build strong Habits of Heart and Mind. Launch teachers use a range of responses to treat these behaviors and challenges as learning opportunities, and support students in developing self-control to avoid repeated behaviors. Such responses may include:

- Verbal or non-verbal redirection
- Review classroom norms and expectations
- Private check-in in the classroom
- Seat change
- Parent phone call
- Item confiscated and returned at end-of-day (parent pick-up for electronics)
- Dean check-in in the classroom
- Lunch or after-school meeting with teacher
  - Parents will be notified if students are held more than 10 minutes after school
- Reflection letter or essay
- Restorative discussion with teacher / others involved
- Parent meeting for repeated or persistent behaviors

If one of the above interventions or supports is utilized and results in a student being required to miss class time in order to engage in a different learning opportunity to address a challenging behavior, parents will be notified in order to discuss the challenging behaviors and next steps. Students will be brought back to class as soon as possible and are given the opportunity to complete any work that is missed.

### ***Dean or Counselor Referral***

While Launch teachers work to address most behaviors in the classroom, a student’s behavior can affect the ability of the rest of the class to focus on learning. In most instances the classroom teacher can support students in correcting their behavior in the classroom using the interventions described above. At times though, a student may need to temporarily leave the classroom in order to reflect, reset, and be prepared to return focused and engaged. A teacher may: (1) refer a student to the dean for a short-term “timeout” in the dean’s office; (2) send a student into the hallway to talk briefly with an adult; (3) send a student to the dean’s office for the remainder of the class time only; or (4) send a student to a guidance counselor or other staff member for counseling.

*The following types of behaviors may be addressed by a dean or counselor referral:*

- Repeated intentional disruptions following teacher intervention
- Profanity directed at a peer
- Verbal altercation / shouting at peer
- Graffiti or vandalism with inappropriate or disrespectful language



Any time a Dean or Counselor referral is made, the student's family will be contacted. Students will be brought back to class as soon as possible and are given the opportunity to complete any work that is missed.

### ***Other Disciplinary Responses***

Depending on the severity of behavioral challenges, other disciplinary responses may be required, based on the Code of Conduct. Some such responses are listed below. For more information, see the Code of Conduct later in this document.

- Short-Term In-School or Out-of-School Suspension (procedures set forth below)
- Long-Term In-School or Out-of-School Suspension, or Expulsion (procedures set forth below)

Launch makes every effort to limit the use of suspension – particularly out-of-school suspension – and strives to create a climate of school safety while also ensuring a positive school culture that focuses on restorative justice and our mission. A parent/guardian will be asked to meet with an administrator prior to a student's return to school.

### **FAMILY CONCERNS**

Launch is committed to working closely with families to ensure that Launch is a safe and positive space for all students. Families will always be notified about any significant behavioral concern. If families have any concerns about behavioral situations or infractions, or if incidents concerning student safety and well-being are brought to their attention, families are asked to contact Launch's Deans, who will work with families and other school staff to ensure any concerns are appropriately addressed:

- Mr. Antoine – [waintoine@launchschool.org](mailto:waintoine@launchschool.org)
- Ms. Welch – [jwelch@launchschool.org](mailto:jwelch@launchschool.org)

Parents may also refer to Launch's Complaint Policy, found on the school's website

### **NON-DISCRIMINATION**

Launch welcomes all students equally. All students will be treated as individuals and different treatment based on race, color, national origin, disability status, sex, sexual orientation, religion or any other characteristic protected by local, state, or federal law will not be tolerated. Anyone who feels that he or she has been treated differently on any such basis should speak with a counselor, who will apprise the Head of School of all reports. Anyone who raises any concerns of discrimination on any basis will be free from retaliation for raising such a concern.

### **DIGNITY FOR ALL STUDENTS ACT POLICY**

Launch is committed to providing a safe and productive learning environment in which all students are treated with respect and dignity. In accordance with New York State's Dignity for All Students Act (DASA), the School will promptly address all incidents of harassment and/or discrimination of or by any student enrolled at the School, including any form of bullying, taunting or intimidation. Harassment/bullying or discrimination, whether verbal, physical, or environmental, is unacceptable and will not be tolerated by the School.

### ***Policy Definitions:***



*“School property”* means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus, as defined in section 142 of the vehicle and traffic law.

*“School function”* means a school-sponsored extra-curricular event or activity.

*“Harassment”* and *“bullying”* shall mean the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that (a) has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being; or (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or (c) reasonably causes or would be reasonably expected to cause physical injury or emotional harm to a student; or (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. Acts of harassment and bullying shall include, but not be limited to, those acts based upon a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex. For purposes of this definition, the term “threats, intimidation or abuse” shall include verbal and non-verbal actions.

*“Cyberbullying”* shall mean harassment or bullying as defined above, where such harassment or bullying occurs through any form of electronic communication.

***Student Rights:*** No student shall be subject to harassment or bullying, including cyberbullying, by employees or students on school property or at a school function. Additionally, no student shall be subjected to discrimination based upon the student’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex by employees or students on school property or at a school function.

The Launch Disciplinary Policy and Code of Conduct prohibits harassment and bullying, and students who engage in such behavior will be disciplined as set forth in the Code of Conduct. Further, the school reserves the right to discipline students, consistent with our Code of Conduct, who engage in harassment or bullying of students off school property under circumstances where such off-campus conduct:

1. affects the educative process;
2. endangers the health and safety of Launch students within the educational system; or
3. is reasonably believed to pose a danger to the health and safety of Launch’s students within the educational system.

This includes written and/or verbal harassment which materially and substantially disrupts the work and discipline of the school and/or which school leaders reasonably forecast as being likely to materially and substantially disrupt the work and discipline of the school.

***Dignity Act Coordinator:*** Launch has designated the Dean of Students, Mr. Antoine, to serve as the Dignity Act Coordinator (DAC). The DAC is trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, and sex. The DAC will be accessible to students and other employees for consultation and advice. Mr. Antoine can be reached at [wantoine@launchschool.org](mailto:wantoine@launchschool.org) or 718-604-6910.

***DASA at Launch:*** Launch teaches students about harassment, bullying and discrimination and lets them know that this behavior is considered a serious violation of the Code of Conduct. These lessons are



taught during Launch's Crew period, and are often taught in conjunction with lessons and units about Launch's Habits of Heart and Mind, which guide character development at Launch and help to establish a healthy and safe learning environment for all Launch community members.

***Reporting and Investigating:*** All Launch staff members 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 harassment, bullying or discrimination, shall immediately report the harassment, bullying or discrimination to any staff member, the DAC, or the Head of School. A staff member who witnesses harassment, bullying or discrimination or who receives an oral or written report of harassment, bullying or discrimination shall promptly orally notify the Head of School not later than one school day after witnessing, or receiving a report of, such acts and shall file a written report with the Head of School not later than two school days after making such oral report.

The Head of School shall promptly investigate the complaint and take appropriate action to include, as necessary, referral to the next level of supervisory authority (e.g., the Executive Director or the Board of Trustees) and/or other official designated by the Board of Trustees to investigate allegations of harassment, bullying or discrimination. Follow-up inquiries and/or appropriate monitoring of the alleged harasser and victim shall be made to ensure that the harassment, bullying or discrimination has not resumed and that those involved in the investigation of allegations of harassment, bullying or discrimination have not suffered retaliation.

***School Response to Violations of this Policy:*** When an investigation reveals any such verified harassment, bullying or discrimination, the School will take prompt actions that are reasonably calculated to: end the harassment, bullying or discrimination; eliminate any hostile environment; create a more positive school culture and climate; and prevent recurrence of the behavior. Factors to be considered may include: the nature of the behavior; the frequency of the behavior; the relationship between the parties; the context in which the behavior occurred; and what action is most likely to end ongoing harassment, bullying or discrimination and deter future harassment, bullying or discrimination. Any such actions shall be consistent with the Launch Discipline Policy and Code of Conduct, which relies upon interventions and supports to support student growth and achievement.

The School recognizes that false accusations of harassment, bullying or discrimination can cause serious harm to innocent persons. If an investigation results in a finding that the complainant knowingly falsely accused another person of harassment, bullying or discrimination, the complainant will be subject to disciplinary action, in accordance with the Code of Conduct.

***Record Keeping/Reporting:*** The School will maintain records of complaints of harassment, bullying and discrimination, as well as records of subsequent investigation of such matters. Material incidents of harassment, bullying and/or discrimination on school grounds or at a school function will be reported to the State Education Department as required by law. The Head of School shall promptly notify law enforcement authorities when the Head of School believes that any harassment, bullying or discrimination constitutes criminal conduct.

***No Retaliation:*** Launch prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of harassment, bullying or discrimination. 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.





***Distribution of Policy:*** Launch shall distribute a written or electronic copy of this Policy to all employees, students, and parent/guardians at least once during every school year.

### **SEARCH AND SEIZURE**

For the safety of students and everyone in the Launch community, school property that is assigned to students, including cubbies and desks, remain the property of the school. Students, therefore, have no expectation of privacy in these areas. School authorities will make an individual search of a student's book bag, desk, 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 or interfere with the educational process. Searches will be conducted under the authorization of the Executive Director or his/her designee. Items which are prohibited on school property, or which may be used to disrupt or interfere with the educational process, may be removed from students' desks, backpack, cubbies, and person by school authorities.

### **CODE OF CONDUCT**

Discipline at Launch is designed to give students reasonable opportunities to own their mistakes, repair harm to individuals and the learning environment, and rejoin the learning community. In doing this, Launch supports the development of student self-management, and success in all three dimensions of student achievement - *Mastery of Knowledge and Skills, High Quality Student Work, and Character.*

At Launch, we want to ensure that there is a fair and consistent Code of Conduct, so that students know what is expected of them at all times. Launch uses the Discipline Ladder, set forth below, when students do not meet the standards of behavior established for our community. This ladder establishes clear schoolwide behavioral expectations to maintain a safe and welcoming learning community, while making every effort to treat challenging behaviors as learning opportunities.

Student disciplinary offenses are those actions or inactions that violate the School's Code of Conduct or interfere with the delivery of educational services, jeopardize the health, safety, and well-being of any member of the school community, or threaten the integrity and stability of the School itself.

- A disciplinary offense may occur while a student is:
  - At school, whether remote or in person, and/or on school grounds;
  - Participating in a school-sponsored activity, whether remotely or in person;
  - Walking to or from school or a school-sponsored event;
  - Walking to or from, waiting for, or riding on school-provided or district-provided transportation; or
  - Walking to or from, waiting for, or riding on public transportation to and from school or a school-sponsored activity conducted off school grounds.
- School related disciplinary offenses may also include misconduct outside the school, including texting, e-mailing and/or activity on social media, when such behavior can be demonstrated to negatively affect the school learning environment or to endanger the school community.

School administration will use their professional judgment in determining which disciplinary action(s) will be most effective in dealing with the student's misconduct, taking into account the following factors:

- The student's age and maturity level;
- The nature and seriousness of the infraction and the circumstances/context in which the infraction occurred;
- The student's previous disciplinary record;
- The effectiveness of other forms of discipline;
- Information from parents/guardians, teachers and/or others, as appropriate;



- The student's Individualized Education Plan (IEP), Behavioral Intervention Plan (BIP), and/or 504 Plan, if applicable;
- The student's attitude; and
- Other relevant factors.

The behaviors set forth in the Discipline Ladder are not exhaustive but provide examples of actions that may result in additional intervention or disciplinary action. The list may be modified from time to time and/or supplemented by Launch staff with advance notice to students and families.

### DISCIPLINE LADDER

	Behaviors	Range of Possible Responses
<b>L E V E L 1</b>	<ul style="list-style-type: none"> <li>• Repeated disruption in class</li> <li>• Intentionally not following whole class or individual directions</li> <li>• Horseplay (jokingly hitting, pushing, etc.)</li> <li>• Profanity not directed at anyone</li> <li>• Insulting or making fun of someone</li> <li>• Vandalism or graffiti – drawing or writing on school property</li> <li>• Leaving class without permission / Refusal to enter class</li> <li>• Online behavior during school (whether remote or in-person) that is off task</li> <li>• Violation of cell phone policy</li> </ul>	<ul style="list-style-type: none"> <li>• Non-verbal or verbal redirection</li> <li>• Review classroom norms and expectations</li> <li>• Private check-in in the classroom</li> <li>• Seat change</li> <li>• Dean check-in in class</li> <li>• Lunch or after-school meeting with teacher</li> <li>• Parent phone call from teacher</li> <li>• Reflection letter or essay</li> <li>• Restorative discussion</li> <li>• Parent meeting for repeated</li> <li>• Loss of privileges (e.g., school trips)</li> <li>• Confiscation of cell phone</li> </ul>
<b>L E V E L 2</b>	<ul style="list-style-type: none"> <li>• Repeated Level 1 behaviors</li> <li>• Repeated intentional interruption following intervention</li> <li>• Profanity directed at a peer</li> <li>• Verbal altercation / yelling at peer</li> <li>• Vandalism or graffiti – writing or drawing inappropriate or bullying messages</li> </ul>	<ul style="list-style-type: none"> <li>• Non-verbal or verbal redirection</li> <li>• Review classroom norms and expectations</li> <li>• Private check-in in the classroom</li> <li>• Seat change Dean check-in in class</li> <li>• Lunch or after-school meeting with teacher</li> <li>• Parent phone call from teacher</li> <li>• Reflection letter or essay</li> <li>• Restorative discussion</li> <li>• Parent meeting for repeated</li> <li>• Dean Referral</li> <li>• Restorative circle</li> <li>• Referral for counseling (internal or outside counseling for high frequency)</li> <li>• Loss of privileges (e.g., school trips)</li> </ul>
<b>L E V E L 3</b>	<ul style="list-style-type: none"> <li>• Repeated Level 2 behaviors</li> <li>• Minor physical altercation (angrily pushing, shoving. Required adult intervention)</li> <li>• Threatening and intimidation towards peer (threats of violence, aggressively approaching, flinching)</li> <li>• Shouting at teacher</li> <li>• Cheating, forgery, plagiarism</li> <li>• Inappropriate sexual language / gestures</li> <li>• Using slurs based on race, color, national origin, ethnicity, sex, sexual orientation,</li> </ul>	<ul style="list-style-type: none"> <li>• Lunch or after-school meeting with teacher</li> <li>• Reflection letter or essay</li> <li>• Restorative discussion</li> <li>• Restorative circle</li> <li>• Referral for counseling</li> <li>• Parent meeting</li> <li>• Joint parent meeting</li> <li>• Dean referral</li> <li>• Short-term or long-term suspension</li> </ul>





	<ul style="list-style-type: none"> <li>religion, religious practices, disability, gender, weight</li> <li>Leaving building without permission</li> <li>Theft</li> <li>Online threats or inappropriate use of language</li> <li></li> </ul>	
<b>L E V E L 4</b>	<ul style="list-style-type: none"> <li>Repeated Level 3 behaviors</li> <li>Bullying</li> <li>Threatening or profanity directed at a staff member</li> <li>Dangerous behavior that could cause serious injury (for example, throwing heavy/sharp objects, intentionally breaking glass)</li> <li>Physical altercation / physical attack (or attempt to attack) of peer (intent to injure)</li> <li>Intentionally pushing past or knocking into a teacher</li> <li>Sexting / distributing sexually suggestive material</li> <li>Engaging in sexual activity or inappropriate touching of self or others</li> <li>Possession of a mock weapon (imitation gun/knife)</li> <li>Setting off a false alarm</li> <li>Incidentally hitting staff member during altercation</li> <li>Possession and/or use of drugs, alcohol, tobacco / vape products</li> <li>Possession of a weapon or dangerous object</li> <li>Serious online threats, bullying or any online communication of a sexual nature</li> </ul>	<ul style="list-style-type: none"> <li>Lunch or after-school meeting with teacher</li> <li>Reflection letter or essay</li> <li>Restorative discussion</li> <li>Restorative circle</li> <li>Parent meeting</li> <li>Joint parent meeting</li> <li>Counseling referral</li> <li>Dean referral</li> <li>Short term or long-term suspension</li> </ul>
<b>L E V E L 5</b>	<ul style="list-style-type: none"> <li>Repeated Level 4 behaviors</li> <li>Harassment – including physical hurt or psychological threat or harm</li> <li>Physical altercation / physical attack of staff member</li> <li>Altercation / physical attack or unconsented physical contact that is menacing or offensive with serious physical injury</li> <li>Using a weapon or dangerous object to threaten or harm</li> <li>Possession or use of a firearm</li> <li>Selling or distributing drugs or alcohol</li> <li>Arson</li> </ul>	<ul style="list-style-type: none"> <li>Reflection letter or essay</li> <li>Restorative discussion</li> <li>Restorative circle</li> <li>Parent meeting</li> <li>Joint parent meeting</li> <li>Counseling referral</li> <li>Dean Referral</li> <li>Short term or long term suspension</li> <li>Expulsion</li> </ul>

## Repeated Violations of Discipline Ladder



Progressively more serious disciplinary consequences shall be imposed upon students who repeatedly commit one or more disciplinary offenses.

*When appropriate, school administration will contact law enforcement.*

### **Gun-Free Schools Act**

Federal and State laws require the expulsion from School for a period of not less than one year of a student who is determined to have brought a firearm to the School, or to have possessed a firearm at school, except that the Executive Director may modify such expulsion 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 of 1994 (as amended).

Any such expulsion must comply with the Individuals with Disabilities Education Act and its implementing regulations, for a student with or presumed to have disabilities.

“Firearm,” as used in this law is defined by 18 USC §921(a), and includes firearms and explosives.

The Executive Director shall refer to the criminal justice or juvenile delinquency system any student who brings a firearm or weapon to the school. “Weapon” as used in this context shall mean any device, instrument, material, or substance that is used for or is readily capable of causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than two and half inches in length.

### **Procedures and Due Process for Short-Term Suspension**

A short-term suspension refers to the removal of a student from the Launch school community for disciplinary reasons for a period of up to ten (10) days. This includes short-term in-school and out-of-school suspension.

The Head of School may impose a short-term suspension and shall follow due process procedures consistent with applicable federal case law. Before imposing a short-term suspension, the Head of School shall notify the student orally of the charges against him or her. If the student denies the misconduct, the Head of School must provide an explanation of the evidence against the student. The student shall be given an opportunity to deny or explain the charges against him/her that led to the suspension. The Head of School shall immediately notify the student’s parents/guardians in writing that the student may be suspended from school. The written notice must be provided by personal delivery or express mail delivery within 24 hours of the decision to propose suspension at the last known address for the parents/guardians. Notification shall also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents/guardians.

The notice shall provide a description of the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the Head of School. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents/guardians. At the conference, the parents or guardian(s) of the student and the student shall have the opportunity to present the student’s version of the incident and to ask questions of complaining



witnesses under such procedures as the Head of School may establish. The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in 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.

After the conference, the Head of School shall promptly advise the parents/guardians of his or her decision if it differs from the decision communicated in the notice of suspension. The Head of School shall advise the parents/guardians that if they are not satisfied with the decision and wish to pursue the matter, they may appeal the decision.

An appeal of the decision of the Head of School may be made to the Board of Trustees, which will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the Board within ten (10) calendar days of the date of the Head of School's decision, unless the parents/guardians can show that extraordinary circumstances precluded them from doing so. The Board of Trustees will issue a written decision within ten (10) business days of receiving the appeal. Final decisions of the Board may be appealed to the School's authorizer:

New York State Education Department  
Charter School Office  
89 Washington Avenue  
Room 5N Mezzanine  
Albany, NY 12234  
(518) 474-1762

### **Procedures and Due Process for Long-Term Suspension or Expulsion**

A long-term suspension refers to the removal of a student from the Launch school community for disciplinary reasons for a period of more than ten (10) days. This includes long-term in-school and out-of-school suspension.

Expulsion refers to the permanent removal of a student from school for disciplinary reasons. This is the final level of correction.

Upon determining that a student's action warrants a possible long-term suspension or expulsion, the following procedure, consistent with applicable federal case law, will be followed:

- The student shall immediately be removed from the class or the school, as needed.
- The Head of School shall verbally inform the student of the charges and the evidence for those charges, and that he or she is being considered for a long-term suspension or expulsion. Where applicable, the student will have the opportunity to explain his or her side of the events.
- The Head of School shall immediately notify the student's parent(s) or guardians in person or by phone.
- The Head of School shall provide written notice that the School is going to commence a disciplinary hearing, to the student and his or her parent(s) or guardian(s), by personal delivery or express mail delivery as soon as possible to the last known address of the parent(s) or guardian(s). Such notice shall provide a description of the incident(s) that resulted in the suspension and shall state that a formal hearing will be held on the matter



which may result in a long-term suspension or expulsion. The notification provided shall be in the dominant language used by the parent(s) or guardian if it is known to be other than English. The notice will state that at the formal hearing, the student shall have the right to be represented by counsel, present and question witnesses, and present evidence.

- The School will set a date, time, and place for the formal hearing, which shall be set forth in the written notice described above.
- An audio transcript of the formal hearing will be created and made available to all parties upon request.

The Executive Director, or his/her designee, shall serve as hearing officer and preside over the hearing. When the Executive Director does not serve as hearing officer, the designated hearing officer shall provide a report to the Executive Director which shall be advisory only and the Executive Director may accept or reject all or part of it. A written decision will be issued within five (5) school days after the formal hearing to the student and his/her parents or guardians.

An appeal from the written decision may be made to the Board of Trustees, which will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the Board within ten (10) calendar days from the date of the written decision, unless the parents/guardians can show that extraordinary circumstances precluded them from doing so. The Board of Trustees will issue a written decision within ten (10) business days of receiving the appeal. Final decisions of the Board of Trustees may be appealed to the School's authorizer:

New York State Education Department  
Charter School Office  
89 Washington Avenue  
Room 5N Mezzanine  
Albany, NY 12234  
(518) 474-1762

### **Provision of Instruction During Removal**

Launch will ensure that alternative educational services are provided to a student who has been suspended or removed to help that student progress in the general curriculum of Launch. Alternative instruction for suspended students will be of sufficient duration to enable a student to cover all class material, take all tests and quizzes, keep pace with other students, and progress to the next grade level. All suspended students are entitled to receive alternative instruction commencing within 24 hours of the suspension or expulsion. Alternative instruction dates and times will be listed on the student's suspension letter. All students will be provided with a minimum of two hours per day of alternative instruction.

For a student who has been expelled, alternative instruction will be provided in like manner as a suspended student until the student enrolls in another school or until the end of the school year, whichever comes first.

Alternative instruction will take place in an office or classroom at the school site, unless the School determines that it is not safe to do so; in that case, alternative instruction will be provided at an off-site location. One or more of the following individuals will provide instruction: teacher, teacher aide, or a



tutor hired for this purpose. Please note that whoever administers this instruction will meet all certification requirements as set forth in Section 2854(3)(a-1) of the New York State Education Law.

### **Discipline Policy for Students with Disabilities**

In addition to the disciplinary procedures applicable to all students, the following procedures are applicable to students with disabilities. A student not specifically identified as having a disability but whose school district of residence or charter school, prior to the behavior that is the subject of the disciplinary action, has a basis of knowledge—in accordance with 34 C.F.R. § 300.534—that a disability exists shall also be disciplined in accordance with these provisions. Launch shall comply with Sections 300.530-300.537 of the Code of Federal Regulations and the following procedures, except that in the event that the following procedures are inconsistent with federal law and regulations, such federal law and regulations shall govern.

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

Students whose 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 immediately be referred to the appropriate Committee on Special Education (CSE) for any consideration of changes.

If a student identified as having a disability is suspended during the course of the school year with a determined pattern of behavior, and a disciplinary change of placement appears to be imminent, the 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 days during the school year without the specific involvement of the CSE prior to the eleventh 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.

Launch will ensure that the Special Education and Support Services Manager or special education teacher and/or the general classroom teacher will attend all meetings regarding their students initiated by the CSE of the student's district of residence. These meetings could be relating to the development and implementation of behavioral intervention plans, initial referrals, change in service, or annual reviews, Manifestation Determination Reviews (MDRs), among other things.

### ***Provision of Services During Removal***

The School will place students in an interim alternative educational setting as appropriate and mandated by 34 C.F.R. §§ 300.530 and 300.531.

Students removed for a period of fewer than ten cumulative days during the school year will receive all classroom assignments and a schedule to complete such assignments during the time of their 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 alternative instruction to assist the student, so that he or she is given full opportunity to complete assignments and master the curriculum, including additional instruction, phone assistance, computer instruction and/or home visits and one-on-one tutoring.



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

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 progress appropriately 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.

During any removal for drug, weapon, controlled substance and/or seriously bodily injury offenses pursuant to 34 C.F.R. § 300.530(g), services will be provided to the extent necessary to enable the student to progress appropriately 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.

#### ***Additional Due Process (MDR)***

If discipline that would constitute a change in placement is contemplated for any student with a disability, the following steps shall be taken: (1) no later than the date on which the decision to take such action is made, the parent(s) or guardian of the student with a disability shall be notified of that decision and provided the procedural safeguards notice described in 34 C.F.R. § 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 student's disability and the behavior that is the subject of the disciplinary action.

If, after review, it is determined that the student's behavior was not a manifestation of his or her disability, then the student may be disciplined in the same manner as a student without a disability, except as provided in 34 C.F.R. § 300.530(d), which relates to the provision of services to students with disabilities during periods of removal.

A student's parent(s) or guardian 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 or guardian requests a hearing or an appeal to challenge the interim alternative educational setting or the manifestation determination resulting from a disciplinary change in placement that would exceed ten (10) consecutive school days, including a disciplinary change in placement relating to drugs, weapons, controlled substance and/or serious bodily injury offenses, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period provided for in the disciplinary action, whichever occurs first, unless the parent or guardian and the School agree otherwise.

#### **Students with a 504 Plan and "Deemed to Know" Students**

With regard to disciplinary actions, including suspension or expulsion, the Section 504 rights of charter school students with disabilities are the same as other students with disabilities.





When addressing discipline for students with disabilities, including students with 504 plans or those who are “presumed to have a disability,” Launch will comply with applicable legal requirements governing the discipline of a student for misconduct.

### **Compliance with the Child Find Requirements of IDEA**

Launch will comply with the federal Child Find requirements (34 CFR §300.111), which require schools to have in place a process for identifying, locating and evaluating students with disabilities. Students enrolling for the first time in a New York public school will be screened by a team of teachers (including both regular and special education teachers) to identify any possible indication that the child may need a specialized or Individualized Education Program, or referral to the CSE of the student’s district of residence. Other students will be brought to the attention of the team if they are demonstrating any problems within the regular classroom environment. Strategies will then be implemented to address any identified special needs of the student. Should the problems persist and a disability is suspected, the student will be referred to the CSE of the student’s district of residence for an evaluation.

### **TEACHER TRAINING**

All staff receive training at the start of each school year regarding Launch’s discipline policy and expectations. Additionally, these policies are regularly revisited throughout the school year with staff to ensure consistency of implementation.