



# **Family and Scholar Handbook 2019-2020**

August 2019

Dear Families and Scholars,

Welcome back to an incredible year at Foundation Academy Middle School!

As we begin our twelfth year as an organization, we continue to strive for true excellence in our mission to prepare all of our scholars for the nation's finest colleges and instill in them the core values of caring, respect, responsibility, and honesty.

We are confident that together we will continue to achieve our ambitious academic and character-focused goals in 2019-2020. We know that in order for this to happen, our school and families must support all parts of our program to foster an environment in which every child can succeed.

Please review these policies and procedures carefully with your scholar and keep this handbook handy so that you may refer to it as necessary. This handbook has been designed to communicate the policies and procedures that we must follow to ensure that each child can attain the high standards that we have set.

Of course, we cannot accomplish our goals without all of you, and we sincerely appreciate all of your involvement and effort. We are looking forward to a fantastic year filled with lots of learning, fun, and success!

Sincerely,

Sheria M. McRae  
Interim Principal/Chief Academic Officer

*"For these are all our children, we will all profit by or pay for what they become."*

– James Baldwin

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# MISSION, CORE BELIEFS, AND VALUES

## **Overview**

Foundation Academies is a top-performing free public charter school in Trenton, New Jersey, serving students in grades K-12. We select students by random lottery, irrespective of academic ability, gender, race, religion, national origin, household income, or special needs of the students, parents, or guardians.

Founded in 2007, we are currently serving more than 1,000 students, operating as four schools across two campuses: Foundation Academy Primary School (grades K-2), Foundation Academy Intermediate School, (grades 3-5), and Foundation Academy Middle School (grades 6-8) at our 363 West State Street location, and Foundation Collegiate Academy (grades 9-12) at our 22 Grand Street location.

All grades at Foundation Academies are outperforming their Trenton traditional district school peers as well as the statewide averages on state exams, and our graduates have achieved 100 percent college acceptance for the past six years. Recognizing our students' success, in 2018 the New Jersey Department of Education ranked Foundation Academies in the 88th percentile of all public schools statewide, additionally positioning our school as the highest-ranking public school in the City of Trenton.

With markedly less funding than Trenton's traditional district schools (approx. \$6,000 less per pupil), Foundation Academies' dedicated teachers and scholars are proving that all children can succeed at a great public school.

## **Our Mission**

The mission of Foundation Academies is to ensure that all of our Scholars secure the academic knowledge and skills to prepare them for the nation's finest colleges, and to instill in them the core values of caring, respect, responsibility and honesty.

## **Core Philosophical Beliefs**

- **Family First** - We believe strongly in relationships. We love our students, our families, and the Trenton community. Even when we do not agree, LOVE is at the root of what we do and how we do it. As we have grown as an organization, we have intentionally kept our schools small so that relationships stay at the forefront.
- **Growth-Focused** - We believe in the importance of humility, recognizing that constant growth is necessary for all people. The Foundation Academies faculty and staff are working together to embody an ever-evolving organization committed to continuously providing a better education for our kids. We want them to embrace lifelong habits of adapting and growing by accepting that

learning never ends. To accomplish this, we need to constantly reflect, learn, and challenge each other to be better.

- **Excellence Always** - We believe in the pursuit of excellence in everything that we do. Our classroom instruction, our string concerts, our facilities: all of them should exude excellence. Our children deserve to be raised in that environment so they can thrive and reach their potential.

## **Core Values**

Our core values are:

### **Caring**

- We take care of each other.
- We help each other.
- We do not hurt each other physically or emotionally.
- We work to improve our community and the world.

### **Respect**

- We treat each person as valuable.
- We accept individuals for who they are.
- We show our respect at all times for each other, for property, for differences, and for opinions different from our own.

### **Responsibility**

- We believe that we have the power to control our lives and shape our futures.
- We are committed to the highest level of achievement: academic, social, and personal.
- We recognize our strengths and try to improve on our weaknesses.
- We participate fully in everything that we do- we do not do things halfway.

### **Honesty**

- We are honest with each other.
- We act with fairness toward each other.

# SCHOOL-FAMILY-SCHOLAR CONTRACT

We admit our mistakes when we make them, accept responsibility for them, and take steps to correct them.

## School's Commitment

- **High and Clear Expectations** – We will work tirelessly to ensure that your scholar secures the academic knowledge and skills to prepare him/her for college. We will accept nothing but the very best from your scholar and will clearly communicate our academic and conduct expectations.
- **More Time on Task** – We will operate daily from 7:45 a.m. to 4:00 p.m., from the second week in August through the month of June, except during our summer session (7:45 a.m. – 12:30 p.m.).
- **Results Driven** – We will regularly assess your scholar's progress towards college and will adjust our teaching accordingly. We will assign your scholar an advisor to keep you informed of his/her performance.
- **Rewards and Consequences** – We will consistently and fairly enforce the Foundation Academy Code of Conduct as outlined in the Family and Scholar Handbook.
- **Values Focused** – We will work to instill in your scholar our core values of caring, respect, responsibility and honesty.
- **Scholar-Centered** – We will firmly guide your scholar as he/she grows, consistently implementing our academic and conduct expectations for every scholar, all the time.
- **Building Community** – We will maintain an open-door policy for parents and will motivate all of our scholars to work together to ensure that all of them prepare themselves for college.

Staff Name: \_\_\_\_\_

Staff Signature: \_\_\_\_\_

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

## **Family's Commitment**

- **High and Clear Expectations** - We commit to supporting the school in expecting and accepting nothing less than the very best from our scholar by:
  - Ensuring that he/she completes 90-120 minutes of homework every night.
  - Encouraging our scholar to remain focused on learning when he/she is in school.
  - Embracing the policy that if our scholar fails more than one class, he/she will be retained.
  - Ensuring that our scholar comes to school daily in the complete and proper school uniform.
  - Ensuring that our scholar will not acquire tattoos or facial/body piercings, which are not permitted.
  
- **More Time on Task** - We commit to taking the extra time necessary to prepare our scholar for college by:
  - Dropping our scholar off at school daily by 7:45 a.m. sharp.
  - Calling the school by 8:00 a.m. on any day our scholar will be absent.
  - Ensuring that our scholar misses no more than 12 unexcused days of school, recognizing that he/she may be retained if he/she does.
  - Ensuring that our scholar is on time, recognizing that three unexcused tardiness or early dismissals equals one unexcused absence.
  - Planning our family travel schedule around the school year, which runs from the second week of August through June.
  
- **Results-Driven** - We commit to proactively monitoring how our scholar is performing in school by:
  - Attending ALL Parent-Teacher conferences.
  - Reviewing and signing all quizzes, tests, performance notices and progress reports that come home for our review.
  
- **Rewards and Consequences** - We commit to fully supporting the school in its implementation of the Foundation Academy Code of Conduct as detailed in the Family and Scholar Handbook.
  
- **Values Focused** - We endorse the school's values of caring, respect, responsibility, and honesty, and will insist that our scholar consistently model these values when he/she is in school.

- **Scholar-Centered** - We agree to work fully as the school’s partner in ensuring that our scholar is prepared for college by:
  - Agreeing to speak to school staff in private and in a respectful manner at all times.
  - Encouraging our scholar to tell a staff member about problems or concerns and not retaliate.
  - Agreeing to shelter our scholar from any problems or concerns we might have with the school policies or individual staff members.
  
- **Building Community** - We understand that we are not required to sign this contract as a term of our scholar’s admission to Foundation Academy, but do so voluntarily because we believe Foundation Academy is a partnership between parents and educators in creating the best possible education for our scholar.

Parent/Guardian Name: \_\_\_\_\_

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

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

## **Scholar’s Commitment**

- **High and Clear Expectations** - I commit to preparing myself for college by giving nothing but my very best and doing whatever it takes for me and my classmates to learn and to prepare myself for college.
- **More Time on Task** - I will arrive at school daily, prepared with all my homework completed, materials at hand and organized, my school uniform worn properly, and with the right mind-set and focus to learn every minute of every day in order to prepare myself for college.
- **Results Driven** - I will work and study hard for every quiz, test, project and assignment. I assume full responsibility to secure and complete all of my assignments on time and consistent with school standards.
- **Rewards and Consequences** - I commit to doing all that I can to fairly earn school-provided rewards, and I will accept responsibility and consequences if I make a mistake, including apologizing to those whom I have wronged.
- **Values Focused** - I embrace and will model the school’s core values of caring, respect, responsibility, and honesty.
- **Scholar-Centered** - I recognize that my primary responsibility in school is to listen to and learn from my teachers and the school staff. I fully recognize and

respect that they are committed exclusively to my success.

- **Building Community** - I embrace the very high expectations that becoming a Foundation Academy scholar places on me and will do everything within my ability to ensure that I prepare myself for college, model the school's core values, and prove myself a credit to all that my parents and Foundation Academy represent.

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

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

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

## **SCHOOL SCHEDULE**

The daily school schedule is as follows:

7:45 a.m.	Scholars May Enter School Building
8:00 a.m.	School Starts. After 8:00, Scholars are Considered Late/Tardy
4:00 p.m.	Dismissal
5:00 p.m.	Tutoring, Co-curricular & Detention Dismissal

### **Circle**

Circle is held daily. During this time, members of our learning community gather together to meet and prepare for the school day. We conduct character education lessons daily in Circle, focusing on one of our core values or a character strength. We recognize scholars' accomplishments. We have scholars speak to the school community about material they are learning. We make daily announcements during Community Circle, and we end Community Circle with the "Call and Response."

### **Lunch & Payment**

Families may choose to send a bag lunch to school. The school does not have a microwave or other means of warming the lunch available to scholars. Please ensure your scholar comes to school with lunch or lunch money. Dropping off lunch in the middle of the day is disruptive to the learning environment; therefore, we do not permit this practice.

We do not allow scholars to eat fast food, candy, or drink soda at any time during the school day.

During meals, scholars must remain seated and speak at “restaurant level.” After meals, scholars are required to wipe and clean their tables. Scholars who do not follow the expectations of the cafeteria – which are designed to keep everyone safe – may lose privileges and be subject to additional consequences.

It is extremely important that parents fill out the [online required lunch form on the following website www.myschoolapps.com](http://www.myschoolapps.com). One application must be completed per family. The window for the completion of the form opens on the first day of school (please send scholar with breakfast and lunch on the first days.) The immediate completion of the application allows us to determine who qualifies for free or reduced lunch so that we can support individual scholars and also helps our school receive appropriate funding to educate our scholars.

Please note that all parents are required to pay any leftover balance on their child’s food services account. Failure to do so would result in the scholar losing privileges such as attending end-of-year trips as well as the withholding of his/her report card.

## **Visitors**

At Foundation Academy, we believe in having an open door policy; however, in order to ensure the safety of our students and staff, we ask that all meetings be pre-scheduled. Parents and visitors will need to be escorted by a staff member when on school premises. If you would like to schedule a meeting throughout the school year, please do so over the phone. All guests must be prepared to show ID.

To ensure the safety of our students, the following procedures must be followed if an adult picking up the student is not a parent or guardian:

- During the school day, all parents/guardians must provide the office with an authorized list of person(s) designated to pick-up their scholar. This list will be in addition to the emergency contact form required for each classroom teacher.

## **Arrival/Dismissal and Pick-Up Procedures**

To ensure the safety of all students and staff, the following procedures must be followed during arrival and dismissal:

- No drop-offs or pick-ups are permitted on West State Street.
- Parents picking up and dropping students off by car should turn down Rutgers Place and follow the car rider loop behind the building.
- **All parents/guardians are required to use the Pikmykid app** in order to pick up their students during dismissal.
- Bus students (city buses, yellow buses, after school program buses) and walkers only will be dismissed from the front of the building.

Students that are not picked up by 4:00 p.m. may enter the building and report to detention. Students may not be in the school after 4:00 p.m. without the direct supervision of a staff member.

If a student is not picked up by 4:00 p.m., and he/she does not report to detention, the student is no longer the responsibility of Foundation Academy staff after 4:00 p.m. Due to meetings and other after school responsibilities; staff members are not able to supervise students after this time, unless previous arrangements have been made.

## **School Closings**

Typically, Foundation Academy will follow the Trenton Public School District with regard to cancellations and delayed openings due to inclement weather. In the event that school is cancelled or has a delayed opening because of inclement weather, parents will be notified in the following ways:

- Automated telephone call to your home
- Posting of the delay/closing on our website at <http://foundationacademies.org> and/or our social media pages:
  - Facebook (<https://www.facebook.com/FoundationAcademies/>)
  - Instagram ([https://www.instagram.com/foundation\\_academies/](https://www.instagram.com/foundation_academies/)), and
  - Twitter (<https://twitter.com/FoundationAcad>)

If for any reason, Foundation Academy has an emergency closing during the school day (e.g. snowstorm, power outage, etc.), the school staff will notify the parents/guardians. In the event of extreme delay, parents/guardians of each scholar will be notified. It is imperative to make arrangements with family and/or neighbors to care for your scholar(s) if you will not be home.

## **EMERGENCY EVACUATION PROCEDURES**

The following procedures will be in effect in case of an evacuation emergency:

- All students will exit the building. Teachers will exit with students and accompany students to the designated emergency site.
- Teachers will have attendance lists.
- The Principal will coordinate the task of contacting students' parents/guardians if necessary.

### **Parent Pick-Up**

- The Chief Operating Officer will call local radio and television stations to report where and when parents should pick up their children.

- Parents should not go to the school.
- Parents should not call the emergency site – all communication lines must be left open – please tune in to your radio and/or television station.

## **Fire/Security Drills**

### *Fire Drills*

Any time the fire alarm goes off (including regularly scheduled fire drills once a month), students must follow the below procedures:

- Line up immediately, silently, and safely as directed by classroom teacher.
- Walk silently to the closest exit and line up outside in designated zone.
- Remain silent and await further instructions from staff.

### *Security Drills*

As an ALICE trained school, security drills will be situational and held once a month. Any time that a security drill has been indicated, students must follow the below procedures:

- Follow teacher directions (evacuate or barricade).
- Remain silent and await further instructions.

# **STUDENT HEALTH**

## **Reporting to the School Nurse**

The school nurse and/or first aid certified staff members are available for treatment of minor injuries or illnesses and for discussion of any health concerns that occur during the school day or on a school sponsored trip. A scholar may report to the health office with the consent of his/her teacher, documented with a pass or prior phone contact to the nurse. A parent/guardian will be notified if care beyond first aid is required or if a scholar is too ill to remain in school. Once notified, it is the responsibility of the parent to arrange for immediate transportation if the scholar is to be excluded from school. If guardians, physicians, or other persons designated by the parent cannot be contacted, the school nurse will take whatever action is deemed necessary in his/her judgment for the immediate health of the scholar.

**Diagnosis and treatment of illnesses are not the responsibility of the school. Any diagnosis/further treatment will be the responsibility of the parent/guardian and private physician/certified nurse practitioner.**

## Medical Emergency

In a true medical emergency, 911 will be called first, and then a parent/guardian will be notified. Hospital policy requires that the parent/guardian report to the emergency room immediately to authorize care. Foundation Academies will not be financially responsible for the emergency care and/or transportation for the scholar.

## Communicable Diseases

Foundation Academies recognizes that health is essential to the education and well-being of its scholars and staff. Therefore, it is necessary that a scholar with a communicable disease be excluded from school until the danger of contagion has passed. Please know that Foundation Academies will follow all recommendations of the state and local health departments in the event of a contagious disease incident. Notify the school nurse if your scholar becomes ill at home. The school may request a note from the scholar's health care provider stating that the condition is no longer contagious and/or be evaluated by the school nurse before the scholar can be readmitted to class. With any illness, a scholar should be free of fever for 24 hours (without the administration of any fever reducing medication) before returning to school.

## Medication Administration

Whenever possible, medication should be administered prior to and after school hours. However, Foundation Academies recognizes that under certain circumstances, a scholar's attendance/education is contingent upon the receipt of medication during school hours or on school sponsored trips. **ONLY A PHYSICIAN MAY AUTHORIZE THE SCHOOL NURSE TO ADMINISTER ANY MEDICATION (PRESCRIPTION OR NON-PRESCRIPTION).** A "Request for Medication Administration" form must be completed by the scholar's health care provider, signed by the parent/guardian, and remain on file in the scholar's school health record for all medication administration. This form may be obtained from the school nurse. Medication must be brought to school by the parent/guardian in the original bottle and properly labeled by a registered pharmacist with the scholar's name, name of medication, and dosage. **Except those medications for life threatening conditions (refer to provisions below), all medications, including non-prescription, must be stored in the health office and administered by the school nurse. Scholars are not to carry medications of any kind or self-administer medications during school hours or on school sponsored trips without proper physician documentation and the knowledge of the school nurse.** Additionally, we request that you inform the school nurse of any medication changes or any additional medications administered at home that may cause side effects or a change in behavior while at school.

## Health Examinations

**Please be advised that admission to Foundation Academies is contingent upon the parent/guardian providing written documentation of the following health requirements. ALL SCHOOL ENTRY PHYSICALS MUST BE PERFORMED BY THE SCHOLAR'S OWN HEALTH CARE PROVIDER.**

1. Completion of the "Annual Athletic Physical Evaluation" form by your licensed physician or certified nurse practitioner. This examination must be done no more than 365 days prior to entry and must state what, if any, modifications are required for full participation in the school program.\*\*\* (Medical examinations are also strongly recommended at the following developmental stages: pre-adolescence (grades 4-6), and adolescence (grades 7-12).  
**\*\*\*Pre-participation sport physicals are required annually for participation on a co-curricular sports team.**
2. Proof of appropriately spaced immunizations including the date, month, and year of each administration.
  - a. DPT Vaccine (4 doses; the last dose administered on or after the child's 4th birthday. Alternately, a child with any total of 5 doses will also be in compliance.)
  - b. Tdap booster (1 dose) for a Scholar entering Grade Six or on the 11th birthday, given no earlier than the 10th birthday.
  - c. Poliovirus Vaccine (3 doses; the last dose administered on or after the child's 4th birthday. Alternately, a child with any total of 4 doses will also be in compliance.)
  - d. MMR Vaccine (2 doses, the first dose administered on or after your child's 1st birthday).
  - e. Hepatitis B Vaccine (3 doses).
  - f. Varicella Vaccine (1 dose, administered on or after the child's 1st birthday) or proof of disease.
  - g. Meningococcal Vaccine (1 dose) for Scholars entering Grade Six or on the 11th birthday, whichever comes first.

### **OR**

- a) A written statement to the school, signed by the parent/guardian that explains how the administration of immunizing agents conflicts with your child's exercise of religious tenets and practices.

- b) A written statement from a licensed physician or nurse practitioner that the immunization is contraindicated for medical reasons. The medical contraindication must state both the reason and length of the medical contradiction.

An official school record (A-45), a record from any health department, an immunization record from a licensed physician or certified nurse practitioner, or an official record from the New Jersey Immunization System can be accepted as evidence of a child's immunization history.

### **Tuberculin Skin Testing**

Foundation Academies requires proof of tuberculin skin testing and medical evaluation (if the reaction is > 10 mm) for scholars transferring directly from an identified high TB incidence country. The school nurse will contact you directly if this is a requirement of your child.

### **Emergency Administration of Medication (N.J.S.A. 18A:40-12.5, 12.6)**

In accordance with New Jersey State Law, Foundation Academies permits the self-administration of medication by a pupil for potentially life threatening illnesses only (for example, asthma and anaphylaxis). Additionally, the school nurse may designate another employee of the school to administer epinephrine via an auto-injector to a pupil for life threatening anaphylaxis when the scholar does not have the capability of self-administration and the school nurse is not physically present at the scene. The school's "Self-Administration of Medication" form must be completed by the scholar's health care provider, signed by the parent/guardian and scholar, and remain on file in the scholar's school health record. This form may be obtained from the school nurse. Medication must be provided by the parent/guardian, properly labeled by a registered pharmacist with the Scholar's name, name of medication, and dosage.

### **Emergency Contact Forms**

In order to provide care in the case of accident or sudden illness, a completed "Health Office Emergency Contact" form should remain on file in the Health Office. When completing this form, list only those persons who are available during school hours to assume responsibility/care for your child should he or she become ill or injured. Please contact the school as soon as possible should there be any changes in emergency contact information.

### **Health History**

In order to assess your child's individual health needs, provide comprehensive health

care, and develop/maintain a permanent health record, it is necessary for the “Health History” form to be completed. The parent/guardian is responsible for notifying the school of any change in scholar’s health or medication.

### **Health Screenings**

The school nurse will provide the following preventive screenings: measurement of height and weight, BMI calculation, blood pressure, vision, and hearing. Scholars will be evaluated for scoliosis (curvature of the spine) every other year. You will be notified in writing if further evaluation by your personal care provider is recommended.

### **Physical Education**

A note from the scholar’s private health care provider is required to be excused from Physical Education. This written statement must state the length of time that the scholar is to be excluded and/or what limitations/modifications are required.

Should you have any questions about any of the above, please contact the school nurse.

### **Family Involvement**

Parent volunteerism is welcomed at Foundation Academies. Working together to accomplish common goals creates school pride and spirit. Therefore, we encourage parents/guardians to volunteer their time to Foundation Academies, as they are able. Parents/guardians who wish to volunteer their time may contact the Leader of Student Culture for more information.

### **Parent Organization**

Parent Organization Middle School (POM Squad) is comprised of any interested parents who choose to attend the meetings and events. The Parent Organization will be asked to share ideas, suggestions, and concerns in the areas of faculty recruitment, scholar retention, fund-raising, family involvement on the campus, and any other areas that impact the education of their scholar(s) and the operation of the school.

## **GRIEVANCE PROCEDURE**

In accordance with the Charter School Program Act of 1995 (Learn more here: <https://www.nj.gov/education/chartsch/about/regs/>), the Board of Trustees must establish an advisory grievance committee consisting of both parents and teachers who are selected by the parents and teachers of the charter school. The committee addresses complaints alleging violations of the Act and makes non-binding

recommendations to the Board of Trustees concerning the disposition of complaints.

### **Advisory Grievance Committee**

There shall be a committee of four persons to consider all complaints alleging a violation of the school's charter. Two members of the committee shall be teachers selected by the school's faculty and two members shall be parents selected by the parents of scholars enrolled in the school. Terms shall be for one year.

The following steps will be taken to address a grievance:

1. Written description of the grievance including the name, address, and telephone number of the grievant, his/her role (parent, scholar, teacher, or other), the alleged violation and the remedy or relief sought, along with any supporting documentation, to be presented by the aggrieved party to the grievance committee no later than one month after the fact. Forms are available in the school's main office.
2. Committee review of the grievance and all supporting materials along with interview of the aggrieved and other relevant parties within one month's time.
3. The Advisory Grievance Committee makes its decision and nonbinding recommendations concerning the disposition of the complaint known to the school's Board of Trustees. Committee decisions should be completed within one week's time unless there is a call for more information, in which case the process starts again with step two (2).
4. The Board of Trustees considers the recommendations of the Grievance Committee at its next regularly scheduled meeting and renders a decision.
5. If the Board decides wholly or partially for the aggrieved, any remedial action is to be taken as expeditiously as possible.
6. If the aggrieved is dissatisfied with the Board's decision, an appeal may be made to the Commissioner of Education.

## **TRANSFER PROCEDURES**

If a parent wishes to transfer a scholar to another school, parents should notify the Principal and the main office at least two weeks in advance whenever possible. Scholar withdrawal forms need to be completed by parents. All school-owned property (e.g. books) must be returned or paid for before leaving and prior a transfer forms will be signed. Scholar records will be held until all books are returned and all fines are paid. Parent may be required to have a meeting w/ the Principal and/or Leader of Student Culture.

# **ACADEMIC POLICIES**

## **Curriculum Overview**

Our academic program is focused on preparing all of our scholars with the necessary knowledge and skills to allow them to secure admission to and successfully complete college. Accordingly, scholars receive instruction in the following areas:

- English/Language Arts (Reading/Writing)
- Mathematics
- Science
- History and Geography
- Music
- Physical Education
- Health
- Spanish (7th and 8th grade)
- Character Development

Our curriculum and instructional practices are based in the New Jersey Common Core State Standards, best practices of some of the nation's most successful schools, the experience of our faculty and administration and extensive research on the curricula taught to high performing middle school scholars from around the world. It is rigorous, structured, and challenging.

## **Advisory Program**

Upon enrolling at Foundation Academies, each scholar is assigned a staff or faculty Advisor. The Advisor's role is to oversee the scholar's progress while at Foundation Academies. Advisors counsel their advisees on academics and preparation for high school. Parents/guardians will receive a phone call from their child's Advisor upon being assigned during the first few weeks of school. Advisors serve as the parent/guardian's first contact for matters concerning their child, and they will contact parents/guardians if their child is identified as "at-risk" due to academic, behavioral, or attendance difficulties.

## **Attendance**

Foundation Academies believes that high academic achievement requires good attendance. Parents/guardians must ensure excellent scholar attendance.

- Scholars are expected to arrive at school each day by 7:45 a.m. Scholars will not be permitted to enter the school building before 7:45 a.m., unless permitted by the Leader of Student Culture or Principal.

- Regular school day classes end at 4:00 p.m. Scholars are dismissed between 4:00 and 4:10pm and must be picked up no later than 4:15 p.m.
- The summer session runs for one week in August from 7:45 a.m.-12:45 p.m. It is a required part of Foundation Academies' program and mandatory for all scholars.
- Scholars must be present in school all day in order to be eligible to participate in or attend any school events held that day or evening.
- If a scholar is going to be absent from school, the parent/guardian should call the school by 8:00 a.m. to report the reason for absence. If a scholar is absent from school and the school has not been notified of the reason for absence, the school will contact the parent/guardian.
- It is the scholar's responsibility to obtain and make up missed work following excused absences. Scholars requesting work prior to an absence must give the teacher 48 hours advance notice. Scholars who miss work due to an unexpected absence are required to request work from their teacher immediately upon their return to school.
- Scholars must attend school unless the absence is excused for one of the following reasons:
  - Scholar illness or injury documented by a doctor's note **(must be submitted within five schools days following the scholar's absence).**
  - Required court appearance documented by court subpoena
  - Death in the family documented by a parent note
  - Observance of a religious holiday documented by a parent note. **A religious holiday is defined as "a day set aside by custom or by law to celebrate/commemorate a tradition of religious significance." Note: religious conferences are not excused.**
  - Participation in a school-sponsored activity
  - Suspension

**Absences for reasons not listed above or absences that are not accompanied by the required documentation immediately upon the scholar's return to school are considered unexcused.**

### **Retention**

- If a scholar accumulates more than 12 unexcused absences during the school year (including the summer session), he/she may be retained.

- Parents/guardians will be notified as scholars become at-risk of retention for excessive absences. When a scholar accumulates more than 12 unexcused absences, the parent/guardian will be notified.
- The parent/guardian has the right to appeal a retention decision under this policy to the Principal. The appeal must be made in writing, must state the basis for the appeal, and must be made within ten (10) school days of being notified by the school that the scholar will be retained.
- Continued failure to maintain regular attendance may result in a referral to the Department of Children and Families.

## **Punctuality**

School begins promptly at 8:00 a.m. and punctuality is expected of all scholars.

- Any scholar who is not present in homeroom at 8:00 a.m. will be considered tardy.
- The tardy will be considered unexcused except for the following reasons:
  - The scholar's medical or dental appointments which cannot be scheduled outside of school hours, documented by a doctor's note
  - Medical disability documented by a doctor's note.
  - Family emergency documented by a parent note.
  - Court appearance documented by a court subpoena.
- Scholars that arrive to school after 8:00 a.m. must be accompanied by an adult.
- Tardiness for reasons not listed above or tardiness that is not accompanied by the required documentation immediately upon the scholar's arrival to school is considered unexcused.
- Three (3) unexcused tardies will be equivalent to one (1) unexcused absence.

**Every three (3) unexcused tardies or early dismissals will be recorded as an unexcused absence and will put the scholar at risk of retention.**

## **Early Dismissal**

The regular school day ends at 4:00 p.m. and scholars are expected to be present until that time. However, we understand that on occasion, circumstances may make it necessary for a scholar to be dismissed early. No scholar shall be permitted to leave the school before the close of the school day unless he/she is met in the school office by

his/her parent/guardian or a person authorized in writing by the parent/guardian to act on his/her behalf.

**An early dismissal shall be considered unexcused unless for the following reasons:**

1. School Nurse mandate.
2. The scholar's medical or dental appointments which cannot be scheduled outside of school hours documented by a doctor's note.
3. Court appearance documented by a court subpoena.
4. Medical disability documented by a doctor's note.
5. Family emergency documented by a parent.

Requests for excused early dismissals for any other reason must be submitted to the Principal or his/her designee for approval prior to the scholar's dismissal from school.

Early dismissals for reasons not listed above or early dismissals that are not accompanied by the required documentation prior to the scholar's dismissal from school are considered unexcused.

**Three (3) unexcused early dismissals will be equivalent to one (1) unexcused absence, which may put the scholar at risk of retention.**

*Due to our busy dismissal period, early dismissals are not permissible after 3:15 p.m. on full days and after 11:30 a.m. on half days. Please arrive before the listed times if you plan to sign your scholar(s) out early.*

### **Extra Support Tutoring**

While the regular school day ends at 4:00 p.m. and scholars are expected to be present until that time, Foundation Academies is also committed to ensuring that all of our scholars receive any additional support that is necessary to secure academic skills and knowledge. Tutoring is optional for teachers. Thus, Foundation Academies may provide additional tutoring for scholars based on need. If you feel that your scholar needs extra support that he/she is not receiving, please communicate your concerns to your scholar's advisor, and we will do everything we can to accommodate those needs.

### **Co-Curricular Activities Program**

In order to promote a holistic education, Foundation Academies provides Co-Curricular Activities. All scholars that are in good standing with the school are encouraged to participate. A scholar will not be eligible to participate if he/she has one or more failing grades (lower than 70%) on the most recent report that has been issued, whether that

was a Mid-Quarter Progress Report or a Quarterly Report Card.

The Co-Curricular Activities Program will consist of an Enrichment Activities Program and an Athletics Program.

- **Enrichment Activities Program** – The Activities Program consists of various activities that complement the regular school day. Activities will be designed for scholars to enjoy and will contribute to developing a well-rounded scholar.
- **Athletics Program** – All Scholars must have a physical examination performed by a qualified physician and must report the examination by using Foundation Academy’s official form. This form **MUST** be completed, signed, and submitted to the School Nurse, before he/she will be permitted to participate in any school athletics.

**In addition, all scholar athletes will be responsible for any school uniforms that are issued. Scholars are responsible for the safekeeping and laundering of athletic uniforms. Scholars will be required to pay for lost or stolen uniform items.**

## Testing

Foundation Academy administers the following standardized tests to its scholars:

- FAIFA–Foundation Academy Interim Formative Assessments– approximately every 8 to 10 weeks.
- NJ Student Learning Assessment - ELA and Math (NJSLA-ELA and NJSLA-M)
- NJ Student Learning Assessment - Science (NJSLA-S) – 1 test annually in Grades 5, 8, and 11
- The PSAT 8/9 for 8th graders
- The ACCESS for ELLs 2.0 for English Language Learners

Data from these tests is used to determine scholar academic strengths, need for improvement, progress and our overall objectives of the delivered curriculum. Annually, the school will present the school-wide results of these tests. Results of the FAIFA will be incorporated into scholar’s quarterly grades, while **NJSLA** results will be transmitted to parents as they are scored and communicated by the New Jersey Department of Education.

In addition, scholars will regularly be tested using other academic diagnostic assessments with instruments such as Fountas & Pinnell reading benchmarks and I-ready, etc.

## Cheating/Plagiarism

Foundation Academies regards academic honesty as a cornerstone of its educational mission. Therefore, scholars are expected to submit their own work and are not

permitted to cheat or plagiarize under any circumstances.

If a scholar copies another scholar's work, gives another scholar his/her work, or lets another scholar look at his/her work or test, it is considered cheating.

Plagiarism is defined as stealing or using, without acknowledgement, the ideas, words, formulas, textual materials, online services, computer programs, etc. of another person, or in any way presenting the work of another person as one's own.

The first time this offense happens in a teacher's class, the teacher will notify the parent/guardian and the Leader of Student Culture, a grade of zero will be given to the scholar on the assignment, as well as a logical consequence for the action. If a scholar cheats or plagiarizes a second time, the matter may require a conference with the scholar, parent/guardian, teacher and Principal. Additional consequences may be given.

### Scholar Assessment

The school year is broken into four marking periods (quarters). The quarters are long enough to allow scholars multiple opportunities to demonstrate mastery of specific skills. At the end of each quarter, scholars will receive grades in all classes. The grading scale is as follows:

Numerical Value	Letter Grade	Description
92-100	A	Scholars receiving an <b>A</b> show deep mastery of the knowledge and skills that have been taught; they demonstrate an ability to go beyond the basic requirements of assignments to produce creative, thorough work.
90-91	A-	
88-89	B+	Although Scholars receiving a <b>B</b> may still have some areas to work on, they demonstrate a solid mastery of the knowledge and skills that have been taught.
82-87	B	
80-81	B-	
78-79	C+	Scholars receiving a <b>C</b> have significant skill deficits. The quality of their work just meets minimum requirements.
72-77	C	
70-71	C-	
69 and below	F	Scholars receiving an <b>F</b> produced work of unacceptable

Each of the four quarterly grades in each subject area will be based on the following grading distribution:

	English Language Arts, Mathematics, Science, Social Studies, Spanish	P.E., Music, Health,
Tests	30%	30%
FAIFAs	20%	---
Classwork and Participation	15%	30%
Homework	15%	15%
Quizzes	10%	10%
Projects/Concert	10%	15%

We encourage parents/guardians to work with the scholar and the teacher to ensure that grades are raised.

### **Tests**

A test refers to a summative assessment, which requires a full class period (40 minutes or longer) to complete. Scholars may be tested during any period of the regular school day. However, it is expected that scholars will not have more than two tests in any one school day. In addition, in order to provide scholars with ample preparation time, scholars will be given at least one week's notification for tests. If a scholar finds that a conflict with this policy arises, the scholar(s) should speak to the subject teacher first to resolve the conflict. If the issue cannot be resolved, the scholar should speak with his/her advisor.

### **FAIFAs**

Foundation Academies administers its own FAIFA (Foundation Academy Interim Formative Assessments) exams every nine to ten weeks. These exams are a reflection of the skills and knowledge that a scholar should be able to demonstrate at his/her grade level and are important in determining the effectiveness of our teaching and instructional planning. Scholars will take the FAIFA exams according to the schedule specified in the school calendar.

### **Quizzes**

Foundation Academies views quizzes as short assessments that generally take 20 minutes or less to complete. There is no limit to the number of quizzes that scholars may take daily.

## **Make-Up Work / Retake Policy**

Scholars may submit late homework assignments within two school days.

Scholars must prepare themselves for formal assessments including quizzes and tests. Scholars are permitted to re-take quizzes OR tests. **Extra credit is not permitted.**

## **Homework**

Foundation Academies' faculty will assign no more than 90-120 minutes of homework each school day. Scholars must remember that homework is a form of responsibility designed to further their understanding of concepts that are taught in school, in addition to forming strong academic habits that they will carry throughout their academic careers.

- Homework will be checked and graded each day.
- Scholars are responsible for recording all homework assignments.
- Scholars are responsible for making sure homework gets home, is completed, and is returned on time.
- If a scholar discovers that he/she will be unable to complete an assignment, he/she must contact the teacher by telephone no later than the night before it is due.
- Scholars will serve a same-day after-school detention if homework is not completed. They are expected to work on the missed homework and other assignments during detention.
- Please review the Homework Review Checklist on the pages that follow for specific standards on how a scholar receives full credit for their homework.

In order to ensure your scholar's success please make sure to set up a quiet area at home with the recommended supplies for homework.

- |                             |                |                  |
|-----------------------------|----------------|------------------|
| ___ Plenty of paper         | ___ Glue stick | ___ Post-Its     |
| ___ Sharpened pencils       | ___ Stapler    | ___ Highlighters |
| ___ Pencil sharpener        | ___ Hole Punch | ___ Index cards  |
| ___ Ruler                   | ___ Dictionary | ___ Calculator   |
| ___ Crayons/colored pencils | ___ Thesaurus  |                  |

## **Homework Routine: Keep It Organized!**

### **After School:**

- Review your planner and make sure you have your assignments
- Mark new due dates on your calendar
- Make a shopping list for supplies needed for future assignments
- Set-up email or text message reminders
- Finish your homework
- Proofread written assignments
- Check off in your planner
- Put all work into the homework section of your accordion folder and into your book bag
- Place book bag in designated location
- Check your calendar to determine a study time for tomorrow
- Set your alarm for the morning

### **In the Morning:**

- Pack a lunch and/or snack to put in your book bag (to avoid distractions)
- Eat a healthy breakfast
- Take your book bag to school
- Leave for school early

### **During Homework Time:**

- Date all your notes
- Use color-coded sticky notes (when reading)
- Double-check due dates

## **Final Grades**

The final, year-end grade for a course will be determined as follows:

- Quarter 1 = 25% of final grade
- Quarter 2 = 25% of final grade
- Quarter 3 = 25% of final grade
- Quarter 4 = 25% of final grade

**If a scholar receives a yearly grade lower than 70%, he/she fails that course for the year.**

## **Progress Reports**

At the midpoint of each quarter, teachers will prepare and distribute Mid-Quarter Reports. The Mid-Quarter Report is an opportunity to communicate with parents/guardians how their scholar is doing at the halfway point in the marking period. We encourage parents/guardians to call teachers at any time for further updates.

## **Parent Portal**

Parents also have the ability to see their scholar's grades on a "real-time" basis. Information will be provided in the first few weeks of school, in order to obtain a login and password to access this information. Parents are encouraged to visit this website frequently to stay up-to-date with regard to grades and conduct.

## **Promotion/Retention**

Scholars will be retained at their current grade level:

- If they have failed more than one subject at final average, subject to the conditions in this "Scholar Assessment" section of this handbook.
- If they have failed to maintain adequate attendance/punctuality per the attendance policy articulated in this handbook.

Parents will be notified of their scholar's status at each Parent-Teacher Conference and further notified no later than the third marking period conference if their child is at risk of retention for academic and/or attendance deficiencies.

## **Honor Roll**

Foundation Academy wants to celebrate our scholars' successes. Scholars that earn an A average (97%-100%) with no failing grades will earn High Honors. Scholars that earn a B average (85%-87%) with no failing grades will earn Honor Roll.

Scholars that earn Honor Roll will be eligible for special recognition and privileges. In addition, scholars that earn Honor Roll and also demonstrate good behavior will be eligible to receive Status Bands which give special privileges.

### **Parent-Teacher Conferences**

Conferences are held three times per year — at the conclusion of the first, second, and third marking periods. Your scholar’s Advisor will contact you to schedule your attendance at Parent-Teacher Conferences. During Parent-Teacher Conferences, each parent/guardian will have the opportunity to discuss the progress of his/her scholar with all of teachers. Parents/guardians will also problem-solve with the help of teachers to determine strategies to maximize the performance of their scholar. **Attendance at Parent-Teacher Conferences is mandatory.** If, for some reason, a parent/guardian is unable to attend a conference, report cards must be picked up in the main office within two (2) school days.

### **School Social Worker**

Foundation Academies employs a School Social Worker who is available to assist scholars in resolving personal, social, emotional and academic problems that may interfere with their adjustment and/or progress in school. The School Social Worker provides information to scholars and parents regarding school services and outside social service agencies that may be helpful to the family. The School Social Worker also serves as a member of the Child Study Team.

### **Intervention & Referral Services (I&RS)**

New Jersey law requires all public schools to establish and implement a coordinated system of intervention and referral services. Foundation Academy’s Intervention and Referral Services (I&RS) Committee is a multidisciplinary team whose purpose is to plan, organize, and implement programs of intervention and referral services designed to assist scholars who are experiencing academic, social, emotional, behavioral, or health concerns, and to support staff members in addressing Scholars’ individual needs. The committee provides scholars and their teachers with interventions and support to assist in scholar learning. Services are provided to aid scholars in the general education program. Because the emphasis is on early identification and intervention, the I&RS Committee will most often be the first referral for assistance regarding a scholar. However, it is important to note that a scholar who is suspected of having a disability that requires special education services will be referred directly to the child study team without delay. If you would like to refer your child to the I&RS Committee, please contact your scholar’s advisor.

### **Child Study Team**

The Child Study Team professional staff consists of a school psychologist, the

school social worker, and a learning disabilities teacher-consultant, as well as a special education and regular education teacher. The Principal, school nurse, and Grade Level Chairs will attend meetings as deemed necessary. A speech language specialist, occupational therapist, or other specialist will be a member of the Child Study Team professional staff as necessary.

The purpose of the team is to work together with the parent/guardian to identify, evaluate and determine a scholar's eligibility to receive special services, and, if eligible, to develop and review the Individualized Education Program (IEP) and place the scholar in an appropriate program.

The Child Study Team uses the results of an initial evaluation, an annual review, or a re-evaluation to determine what kinds of services are needed for each scholar. Parents' concerns regarding their classified child or their child's possible disability should be brought to the attention of the Child Study Team via the School Social Worker.

### **Books/Novels**

All books and novels that are issued to a scholar are the property of Foundation Academies and are loaned for use during the school year. The scholar is responsible for the care of the books issued to him/her. Scholars will sign out any books that are loaned to them, and each teacher who issues a book will keep a record of the book number, the condition of the book, and when it was loaned. Upon the completion of the use of the book, the scholar will be responsible for returning it. If the book is lost or damaged, a fine will be imposed. This fine must be paid before the scholar's report card is issued to him/her. Books lost during the year must be paid for before a new book is issued.

### **Supplies**

Scholars will need a backpack to tote their materials to and from school. Only medium-sized backpacks with two straps are permitted.

In addition, scholars should have the following supplies at home to complete their homework: markers, ruler, scissors, pencils, erasers, glue, calculator, and wide-ruled white-lined paper.

### **Technology**

Foundation Academies is committed to the effective use of technology to enhance both the quality of scholar learning and the staff efficiency of school operations. It also recognizes that safeguards must be established to ensure the protection of our scholars. Safeguards also protect the school's investment in hardware and software, ensure the benefits of technology, and prevent negative side effects from technology misuse.

Scholars are responsible for exhibiting good behavior as they use computers at school. Computer files, including e-mail, are not private. The use of the school computers and networks, computer software, data files, internet access, and intellectual property is a privilege and is intended for educational purposes only. The privilege may be revoked or other disciplinary action taken for violation of any of the following rules.

Scholars may **NOT**:

- Share computer account IDs and passwords, except when authorized.
- Create, copy, receive, or use data, language, or graphics that are obscene, abusive, or otherwise inappropriate at school.
- Access, change, or delete computer programs, data files or electronic mail without expressed permission.
- Remove or destroy the school's computer hardware or peripherals (printers, monitors, modems, cables, connectors, keyboards, etc.)
- Remove or destroy computer software or data files owned by the school or other persons.
- Violate or attempt to violate the security of the computer/network systems.
- Take unauthorized actions that deny access to, disrupt, or destroy the service of the computer/network systems.
- Make unauthorized or unlawful installation of personal computer software on the school's computers or the computer networks, including, but not limited to, games, virus programs, and applications software.
- Use computers, computer networks, or computer peripherals (printers, monitors, modems, etc.) to commit a forgery or to create a forged instrument.
- Use computers, computer networks, computer software, and data files or intellectual property in any unauthorized way.

It is the policy of Foundation Academies to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children's Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254 (h)].

The provisions of this policy and associated guidelines and agreements are subordinate

to school, local, state and federal law. Foundation Academies has the duty to investigate any suspected violations of this policy.

## **Definitions**

Key terms are defined in the Children’s Internet Protection Act.

## **Access to Inappropriate Material**

To the extent practical, technology protection measures (or “Internet filters”) are used to block or filter Internet, or other forms of electronic communications, access to inappropriate information. Specifically, as required by the Children’s Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors. Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research of other lawful purposes.

## **Inappropriate Network Usage**

To the extent practical, steps shall be taken to promote the safety and security of users of Foundation Academies’ online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications. Specifically, as required by the Children’s Internet Protection Act, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called “hacking,” and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

## **Supervision and Monitoring**

It shall be the responsibility of all the members of Foundation Academies’ staff to supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and the Children’s Internet Protection Act. Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of Foundation Academies Technology Professionals.

## **No Expectation of Privacy**

Given valid reason, Foundation Academies may, at any time and without notice to or consent from users, obtain access to all information, conveyed or stored anywhere on any of the school’s electronic systems, including telephone calls and electronic mail messages, even if the information has been password protected or encrypted. Foundation Academies may use the information so obtained for any legal purpose, including disclosure to third parties, subject only to applicable law, but otherwise in the sole discretion of the school. The school may exercise an investigation triggered by indications of impropriety or as necessary to locate substantive information that is not more readily available by some other less intrusive means.

# **CODE OF CONDUCT**

## **Expectations**

Four core values — caring, respect, responsibility, and honesty — are at the heart of Foundation Academies' community, and they represent the cornerstones of our scholar expectations. Scholars are expected to demonstrate:

### ***Caring by:***

- Supporting one another when in need.
- Helping each other to learn.
- Working to improve our community and the world.

### ***Respect to all in the school community by:***

- Tracking and listening, while someone else is speaking.
- Accepting all members of the school community for who they are.
- Valuing the property, differences, and opinions of others.

### ***Responsibility by:***

- Being committed to the highest level of achievement: academic, social, and personal.
- Recognizing our individual strengths and trying to improve on our weaknesses.
- Assigning ourselves: we do work because we want to learn and get to college, not because it's assigned.
- Adhering to all of the elements of the School-Parent-Scholar Contract.

### ***Honesty by:***

- Telling the truth.
- Acting with fairness toward each other.
- Admitting our mistakes when we make them, accepting responsibility for them, and taking steps to correct them.

## **Dress Code**

Since one of our goals is to promote a feeling of pride, Scholars are expected to wear the proper school uniform each day and to come to school clean and well groomed. Scholars will receive \$150 scholar dollars each day that they arrive to school within the proper uniform.

**Scholars are expected to come to school dressed in the appropriate uniform. All Scholars must:**

- Wear the appropriate Foundation Academies uniform daily.
- Dress in uniforms that are not excessively worn, damaged or stained.
- Dress appropriately for the occasion and weather.

**The Foundation Academy uniform consists of:**

- Long or short-sleeved polo shirt with Foundation Academy label/logo (from approved vendor).
- Skirts are permitted for religious reasons only.
- Khaki Docker style full length pants, which must be worn at the waistline. Overly loose or tight pants may not be worn. Cargo pants (pants with side pockets on the outside of the pants) and “skinny-leg pants” or jeggings are not permitted.
- Solid/plain black or brown belt (belts are mandatory, small belt buckles and no logos, words or designs).
- Foundation Academies sweater/sweatshirts optional (only Foundation Academy jackets/coats may be worn in the classroom).
- Closed black shoes or all black sneakers – Off-black or other color patterns, stripes, logos, laces, lips, toes, heels, eyelets, parts of the sole, or any other parts of the shoe or sneaker that are visible are not permitted. All boots must permit the pant leg to completely go over the top of the boot and down to the foot. Sandals, Crocs and Uggs are not permitted.
- The only jewelry that may be worn on wrists/arms is one watch. Bracelets and necklaces worn outside of shirts are not permitted. Earrings must be smaller than a nickel. This is to ensure the safety of all scholars during Physical Education.
- Black or brown belts must always be worn with pants.
- Shirts are to be tucked in at all times.

- Facial and body piercings, with the exception of the ear, are prohibited. Bandanas and oversized hair accessories are prohibited as well.
- Excessive make-up is prohibited, at the discretion of the Foundation Academies administration.

Note: Clothing, signs, dances, and symbols reflective of gang involvement or activity are strictly prohibited. This includes tattoos, “mock tattoos,” and Scholars writing on themselves or others. Foundation Academies reserves the right to prohibit any type of clothing or behavior that it views as disruptive to the learning community and environment. Other guidelines include:

- Some days may be specified as ***Dress Down Day or Jeans Day***. Special assemblies or field trips also may require scholars to wear different attire.
- On ***Dress Down Day*** jeans cannot be ripped or have holes, AND yoga pants, sweatpants, or shorts are not permitted.
- On ***Dress Down Day*** blouses/shirts cannot be tight, low cut, or see-through.

### **Community Jobs**

As a part of the Foundation Academies community, scholars are expected to pitch in and help out with keeping the school clean. Just like at home, scholars will have chores to do around the school. In addition, community service work around the school may be assigned as an alternative consequence for violation of the Code of Conduct.

### **Recognition & Rewards**

Our scholars earn “paycheck money” for demonstrating our core values and character strengths. We have created a system of incentives for our scholars. Earning paycheck dollars allows scholars to attend special functions, including socials, school trips, and the End of Year trip.

Scholars receive paycheck money for submitting homework that meets our homework policy standards, for arriving to school on time, and for exhibiting core values. If a scholar is absent, he/she can not earn paycheck money on the days he/she is not present.

A scholar can earn \$150 on their “paycheck” for completing all of his/her homework in accordance with the school’s homework policy standards. Homework completion will be determined at the discretion of the teacher, based on a scholar’s genuine effort. No money will be earned for partially-completed assignments. To qualify for homework dollars, scholars must submit homework in morning homeroom.

In addition to “paycheck” dollars, scholars are able to be recognized in other ways at Foundation Academies. This includes special school functions and dress down days.

During Community Circle, scholars are also recognized for acts of character. Faculty members are provided with opportunities to recognize scholar achievements during Community Circle and also during quarterly awards ceremonies. We also use a status band system in which scholars who perform well academically and/or socially each marking period are provided with “members only” bracelets and special privileges.

### **Attendance and Paychecks**

A primary expectation of Foundation Academies scholars is that they are in class as much as possible. Scholars who do not attend school will NOT earn paycheck money for the day. This policy applies whether an absence/tardiness is excused or unexcused, as we believe (and research has shown) that for a scholar to learn, he/she must be in school.

### **Uniform and Paychecks**

Students that arrive in full uniform, as detailed within the uniform section, will also be rewarded with \$150 scholar dollars each day.

### **Scholar Rights**

In all matters regarding discipline, all members of the Foundation Academies community have the right to:

1. Advance notice of behaviors that will result in suspension and expulsions. These behaviors are identified within this Code of Conduct;
2. Education that supports Scholars’ development into productive citizens;
3. Attendance in a safe and secure school environment;
4. Attendance at school irrespective of Scholars’ marriage, pregnancy or parenthood;
5. Due process and appeal procedures pursuant to N.J.A.C. 6A:3-1.3 through 1.17, N.J.A.C. 6A:4 and, where applicable, N.J.A.C. 6A:14-2.7 and 2.8. The actual New Jersey Administrative Code language regarding these due process and appeal rights is available to parents and Scholars upon request;
6. Parent notification consistent with the policies and procedures established pursuant to N.J.A.C. 6A:16-6.2 (b)3. The actual New Jersey Administrative Code language regarding these due process and appeal rights is available to parents and Scholars upon request; and
7. Protections pursuant to 20 U.S.C. § 1232g and 34 CFR Part 99, Family Educational Rights and Privacy Act; 20 U.S.C. § 1232h and 34 CFR Part 98, Protection of Pupil Rights Amendment; N.J.A.C. 6A:32-7, Scholar Records; 45 CFR § 160, Health Insurance Portability and Accountability Act; 20 U.S.C. §

6301, Title IV(A)IV § 4155 of the Elementary and Secondary Education Act as reauthorized under the No Child Left Behind Act; 42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records; N.J.S.A. 18A:40A-7.1, School-based drug and alcohol abuse counseling; information from participants; disclosure; N.J.A.C. 6A:16-3.2, Confidentiality of Scholar alcohol and other drug information; N.J.S.A. 18A:36-19, Creation; Pupil Records: Maintenance and Retention, Security and Access; Regulations; Non-Liability; N.J.A.C. 6A:14-2.9, Scholar Records; as well as other existing Federal and State laws pertaining to Scholar protections. The actual New Jersey Administrative Code language regarding these due process and appeal rights is available to parents and scholars upon request.

**Disciplinary Procedures**

While most scholars have little trouble adhering to Foundation Academies’ expectations, there is a need for a progressive system of disciplinary action for disruption of the educational environment. We understand that minor disruptions are natural with young people and that scholars need to be verbally reminded to correct their minor misbehavior. If the scholar fails to correct his/her behavior after verbal warnings and/or some of the most commonly used consequences listed below, we will move to the more progressive consequences.

Lunch Detention	Parent/Guardian Meeting
Seat/Line spot change	Community Service
Call home	Discipline referral

Please note other consequences may be imposed by the Leader of Student Culture and/or Principal. The following categories and disciplinary procedures will be in effect during the school year:

**Detention**

Scholars who exhibit any of the behaviors below will receive an after-school detention. The following are considered offenses that will lead to earning an after school detention:

- Homework not submitted or incomplete
- Repeated violation of cafeteria expectations
- Repeatedly drinking beverages and eating food outside of the cafeteria

- Repeatedly not sitting up or lifting head up
- Repeatedly off task
- Gum chewing
- Lying
- Not following dismissal procedures
- Unnecessary talking during a fire or security drill

## Reflection

Scholars who exhibit the following behaviors will **automatically be placed on REFLECTION** (see description below). The following are behaviors that lead to a student being placed on reflection:

- Kissing
- Forgery of signature
- Horseplay/scuffling
- In the hall without a pass
- Cursing, yelling, pushing, or throwing while in anger
- In appropriate language or gesture
- Walking out of class in anger
- Going to the meeting room without permission
- Not being where you should be
- Repeated misuse of technology
- Name calling
- Plagiarism/Cheating/Copying
- Skipping detention
- Necessary removal from classroom
- Throwing up gang signs
- Talking back – “*What, it wasn’t me!*”

## **In School Suspension**

Scholars who exhibit the following behaviors will receive an **immediate In School Suspension** in addition to possible referral to the I&RS Committee. The following are behaviors that will lead to students serving In School Suspension:

- Multiple and repeated detentions for the same behaviors
- Bickering over social media
- Engaging in sexual intercourse
- Instigation/message carrying
- Hacking
- Possession of a toy weapon
- Repeated play fighting/horseplay
- Repeated refusal to follow directions (safety)
- Repeated removed from class
- Skipping detention two times or more
- Vandalism and/or destruction of property

## **Out of School Suspension**

Scholars who commit the following **egregious behaviors** will receive immediate **Out of School Suspension**, and may also receive a referral to the I&RS Committee. The following are considered suspendable behaviors:

- Sending inappropriate messages via text or social media on or off school property
- Threats; verbal or written
- Possession or use of alcohol/drugs/tobacco
- Assault/attempted assault of a staff member
- Attempted arson/playing with fire
- Attempted physical harm to a student
- Bomb scare

- Pulling the fire alarm
- Founded Case of Harassment, Intimidation, and Bullying
- Physical assault/fighting
- Gang recruitment
- Indecent exposure of a private body part in any manner
- Repeatedly hacking
- Use or possession of dangerous weapons
- Use of a toy weapon
- Publically yelling or cursing at a staff member
- Theft over \$50 with the intention of keeping/selling the property
- Gang activity

For any offenses that may violate criminal codes, local police and/or fire authorities will be contacted as required by law.

## **Definitions of Consequences**

### **Detention**

Scholars may earn a detention if their conduct detracts from their ability or the ability of other members of the school community to learn. Teachers administer detentions to scholars and these include lunch detentions and after-school detentions. **When a scholar earns an after school detention, s/he must serve it that same day.** When a scholar earns an after school detention, parent/guardians will be informed that s/he has a detention and must remain after school until 5:00 p.m. **Parents/guardians that have an emergency that might prevent their child from serving the detention must speak directly with the Leader of Student Culture. This call must be made before 3:00 p.m. on the same day.**

### **Reflection**

When a Scholar has earned a Reflection, he/she will be required to do some/all of the following as part of Reflection: **serve both lunch and after school detentions,** carry a clipboard with an individualized behavior goals, and/or be escorted during all transitions. Scholars may also be required to write an apology/reflection. While on Reflection, scholars will reflect on their choices and think about how they can improve their performance. Scholars will be required to write a reflection and parent signature is required. If the written reflection does NOT show ownership/responsibility of their choices and/or parent signature is missing, the scholars WILL be on reflection

another day. Scholars on Reflection are also ineligible to attend special school events, clubs, and/or co-curricular activities.

### **Group Punishment**

Foundation Academies retains the right, during particularly difficult circumstances, to keep groups of scholars or an entire class of scholars for full class reflections. The school believes that we are all responsible for one another – that the actions of some do impact, and are impacted by, the entire group.

### **Public Apologies**

Foundation Academies believes in the idea of community—that we are all responsible for our actions and how they impact others. Therefore, a logical consequence that scholars publicly apologize during morning Circle, if they have chosen to violate the Code of Conduct, may be utilized. In a proper apology, a scholar must articulate his/her choice and the impact of that choice.

### **Short-term Suspensions**

*Short-term suspension* means the removal of a scholar for ten consecutive school days or fewer from the general education program or the special education program, but not the cessation of the scholar’s educational services.

In each instance of a short-term suspension, Foundation Academies shall assure the rights of a scholar suspended for ten consecutive school days or fewer by providing for the following:

- Oral or written notice of charges to the scholar. When charges are denied, an explanation of the evidence forming the basis of the charges also shall be provided;
- An informal hearing prior to the suspension in which the scholar is given the opportunity to present his/her version of events regarding his/her actions leading to the short-term suspension and provided notice of the school district’s actions taken pursuant to N.J.A.C. 6A:16-7.1(c)2 and 5;
- The informal hearing shall be conducted by the Principal or his or her designee;
- To the extent that a scholar’s presence poses a continuing danger to persons or property or an ongoing threat of disrupting the educational process, the scholar may be immediately removed from his/her educational program and the informal hearing shall be held as soon as practical after the suspension;
- The informal hearing shall take place even when a school staff member has

witnessed the conduct forming the basis of the charge; and

- The informal hearing and the notice given may take place at the same time;
- Pursuant to N.J.A.C. 6A:16-7.2(a)5, academic instruction will be provided within 5 days of the suspension.

**Oral or written notification to the scholar's parents of the scholar's removal from the educational program prior to the end of the school day on which the Principal makes the decision to suspend the scholar, which shall include an explanation of:**

- The specific charges;
- The facts on which the charges are based;
- The provision(s) of the code of scholar conduct the scholar is accused of violating; the scholar's due process rights, pursuant to N.J.A.C. 6A:16-7.2 through 7.6; and the terms and conditions of the suspension.
- Appropriate supervision of the scholar while waiting for the scholar's parent to remove the scholar from school during the school day; and
- Academic instruction either in school or out of school that addresses the Core Curriculum Content Standards.
- Services shall be provided within five school days of the suspension.
- Educational services provided to a scholar with a disability shall be provided consistent with the scholar's Individualized Education Program.
- At the completion of a short-term suspension, the Principal shall return the scholar to the general education program.

The CEO shall report the suspension to the Board of Trustees at its next regular meeting. During the course of any short-term suspension, scholars may not participate in any extracurricular activities, school functions, sports or graduation exercises that occur.

For a scholar with a disability, the provisions set forth above shall be provided in addition to all procedural protections set forth in N.J.A.C. 6A:14.

### **Reverse Suspensions**

*Reverse Suspension* is an alternative to Short-term Out of School Suspension. When a scholar receives Out of School Suspension, parents are given the option to spend a designated amount of days in school with their scholar instead of the scholar missing

instructional time by staying home from school. The following expectations are required for Reverse Suspension:

- Parents must spend the full day at school with scholars during Reverse Suspension (7:45 a.m. – 4:00 p.m.).
- All reverse suspension days must be served consecutively.
- Parents must attend all designated days of reverse suspension or scholar will not be able to return back to school until the designated Out of School Suspension days are completed.
- Parent must stay with scholar at all times during suspension.
- Parent may not be on the phone while in the school building during Reverse Suspension.
- Parents may not remove scholar for early dismissal during suspension.
- Parent and scholar must attend suspension reinstatement meeting at the end of the suspension period before the scholar can return back to classes without their parent.
- Parents are expected to follow all of Foundation Academies Code of Conduct while participating in Reverse Suspension with their scholar.
- Any parent not meeting Foundation Academies Code of Conduct may be asked to leave the school premises and the scholar must serve remaining suspension days as Out of School Suspension.
- Scholars are not able to attend any special school activities, trips or performances while on Reverse Suspension.
- Reverse Suspension Breakdown:
  - 1 Day Suspension = 1 Day of Reverse Suspension
  - 2 Day Suspension = 1 Day of Reverse Suspension
  - 4 Day Suspension = 2 Days of Reverse Suspension

### **Long-term suspensions**

*Long-term suspension* means removal of a scholar for more than ten consecutive school days from the general education program, or the special education program, but not the cessation of the scholar's educational services.

**In each instance of a long-term suspension, Foundation Academies shall assure the rights of a scholar suspended for more than ten consecutive school days by**

**providing the following:**

- Immediate notification to the scholar of the charges, prior to the scholar's removal from school;
- An informal hearing prior to the suspension in which the scholar is given the opportunity to present the scholar's version of events regarding his/her actions leading to the long-term suspension and the school's actions district's actions taken pursuant to N.J.A.C. 6A:16-7.1(c)2 and 5;
- Immediate notification to the scholar's parents of the scholar's removal from school;
- Appropriate supervision of the scholar while waiting for his/her parents to remove him/her from school during the school day;
- Written notification to the parents by the Chief Executive Officer, or his or her designee, within two school days of the initiation of the suspension, stating:
  - The specific charges;
  - The facts on which the charges are based;
  - The scholar's due process rights, pursuant to N.J.A.C. 6A:16-7.2 through 7.6; and that further engagement by the scholar in conduct warranting expulsion shall amount to a knowing and voluntary waiver of the scholar's right to a free public education, in the event that a decision to expel the scholar is made by the school's Board of Trustees, pursuant to N.J.S.A. 18A:37-2 and N.J.A.C. 6A:16-7.5. The Foundation Academy Board of Trustees shall request written acknowledgement of the notification of the provisions above from the parents and the scholar subsequent to the removal from the scholar's educational program.
  - A list of witnesses and their statements or affidavits, if any, no later than five days prior to the formal hearing;
  - A scholar with a disability, a manifestation determination, pursuant to N.J.A.C. 6A:14-2.8 and the Federal regulations incorporated by reference therein;
  - Information on the right of the scholar to secure an attorney and legal resources available in the community;
- Pursuant to N.J.A.C. 6A:16-7.3(a)9, educational services, either in school or out of school, that are comparable to those provided in the public schools for Scholars of similar grades and attainments. The services shall be provided within five school days of the suspension.

**Foundation Academy shall make decisions regarding the appropriate educational program and support services for the suspended scholar, at a minimum, based on the following criteria:**

- A behavioral assessment or evaluation including, but not limited to, a referral to the child study team, as appropriate;
- The results of any relevant testing, assessments or evaluations of the scholar;
- The scholar's academic, health and behavioral records;
- The recommendation of the Chief Executive Officer or other relevant school or community resource;
- Considerations of parental input; or
- Consultation with the Intervention and Referral Services team, as appropriate.
- Educational services provided to a scholar with a disability shall be provided consistent with the Scholar's Individualized Education Program, in accordance with N.J.A.C. 6A:14;

**A formal hearing before the Foundation Academy Board of Trustees, which, at a minimum, shall:**

- Be conducted by the Board of Trustees or delegated by the Board to a Board committee, the CEO, or an impartial hearing officer, for the purpose of determining facts or making recommendations. The Board of Trustees as a whole shall receive and consider either a transcript or detailed report on such hearing before taking final action;
- Include the opportunity for the scholar to confront and cross-examine witnesses, when there is a question of fact; and present his or her own defense and produce oral testimony or written supporting affidavits.
- Take place no later than 30 calendar days following the day the scholar is suspended from the general education program;
- Not be subject to the provisions of the "Open Public Meetings Act"; and
- Result in a decision by the Foundation Academy Board of Trustees, which at a minimum, shall be based on the preponderance of competent and credible evidence;

**A written statement to the scholar's parents of the Board of Trustees' decision within five school days after the close of the hearing that includes:**

- The charges considered;
- A summary of the documentary or testimonial evidence from both the scholar and the administration that was brought before the Board of Trustees at the hearing;
- Factual findings relative to each charge and the Board of Trustees' determination of each charge;
- Identification of the educational services to be provided to the scholar, above;
- The terms and conditions of the suspension; and
- The right to appeal the Board of Trustees' decision regarding the scholar's general education program to the Commissioner of Education;
- Immediate return to the general education program if at any time it is found that the scholar did not commit the offense;
- For a scholar with a disability found not to have committed the offense, the scholar's program shall be determined in accordance with the provisions of N.J.A.C. 6A:14; and
- At the completion of a long-term suspension, the Foundation Academy Board of Trustees shall return the scholar to the general education program.

Any appeal of the Board of Trustees' decision regarding the scholar's program shall be made to the Commissioner of Education. Suspension of general education scholars shall not be continued beyond the Board of Trustees' second regular meeting following the suspension, unless the Board of Trustees so determines.

**The Foundation Academy Board of Trustees shall determine whether to continue the suspension based on the following criteria:**

- The nature and severity of the offense; the Board of Trustees' removal decision;
- The results of any relevant testing, assessments or evaluations of the scholar; and
- The recommendation of the chief school administrator, principal or director of the alternative education program or home or other out-of-school instruction program

in which the scholar has been placed.

**When the Board of Trustees votes to continue the suspension of a scholar, the Board, in consultation with the CEO, shall review the case at each subsequent Board of Trustees meeting for the purpose of determining:**

- The status of the scholar's suspension;
- The appropriateness of the current educational program for the suspended scholar;
- Whether the suspended scholar's current placement should continue or whether the scholar should return to the general education program.

**When the Foundation Academies Board of Trustees votes to continue the suspension of a general education scholar, the Board of Trustees, in consultation with the CEO, shall make the final determination on:**

- When the scholar is prepared to return to the general education program;
- Whether the scholar shall remain in an alternative education program or receive home or other in- school or out-of-school instruction, based on the criteria set forth in (c)1i through iv above; or
- Whether to initiate expulsion proceedings in accordance with N.J.S.A. 18A:37-2 and N.J.A.C. 6A:16-7.5.

The Foundation Academy Board of Trustees shall provide a general education scholar suspended under this section with an appropriate educational program or appropriate educational services, based on the criteria set forth under (a)9ii above, until the scholar graduates from high school or reaches the age of 20, whichever comes first.

- The educational program shall be consistent with the provisions of N.J.A.C. 6A:16-9.2 and 10.2 and N.J.A.C. 6A:14-2 and 4.3, whichever is applicable; or
- The educational services provided, either in school or out of school, shall be comparable to those provided in the public schools for Scholars of similar grades and attainments, pursuant to the provisions of N.J.S.A. 18A:38-25.

For a scholar with a disability who receives a long-term suspension, the Foundation Academy Board of Trustees shall proceed in accordance with N.J.A.C. 6A:14 in determining or changing the scholar's educational placement to an interim or alternative educational setting.

- All procedural protections set forth in N.J.A.C. 6A:14 and this section shall be

afforded to each scholar with a disability who is subjected to a long-term suspension.

- All decisions concerning the scholar's educational program or placement shall be made by the scholar's Individualized Education Program team.

### **Mandated Scholar Removals From General Education**

By law, Foundation Academies is required to immediately remove scholars from the school for certain offenses.

*Possession of a Firearm* - The CEO shall immediately remove any scholar, other than a scholar with a disability, from the school's general education program for a period of not less than one calendar year if the scholar:

- is convicted or adjudicated delinquent for possession of a firearm on any school grounds, including on a school bus or at a school-sponsored function;
- is convicted or adjudicated delinquent for committing a crime while in possession of a firearm on school grounds, including on a school bus or at a school-sponsored function; and is found knowingly in possession of a firearm on any school grounds, including on a school bus or at a school-sponsored function.

The CEO shall remove scholars with disabilities for offenses involving firearms in accordance with the provisions of N.J.A.C. 6A:14 and the applicable Federal regulations incorporated therein.

Firearms are defined in N.J.S.A. 2C:39-1(f) and 18 U.S.C. § 921.

*Assaults with Weapons Offenses* – The CEO shall immediately remove any scholar, other than a scholar with a disability, from the school's general education program for a period of not exceeding one calendar year, if the scholar commits an assault with a weapon upon a teacher, administrator, board member, other employee of the school or another scholar on any school grounds, including on a school bus or at a school-sponsored function, according to the requirements of N.J.S.A. 18A:37-2.2 through 2.5. Assault is defined under N.J.S.A. 2C:12-1(a) 1 and weapons includes, but is not limited to, those items enumerated in N.J.S.A. 2C:39-1(r), except a firearm as defined by N.J.S.A. 2C:39-1(f) and 18 U.S.C. § 921

The CEO shall remove scholars with disabilities for assaults with weapons offenses in accordance with the provisions of N.J.A.C. 6A:14 and the applicable Federal regulations incorporated therein.

*Assaults on Staff Members* – The CEO shall immediately remove any scholar, other than a scholar with a disability, from the school's general education program if the scholar commits an assault not involving the use of a weapon or firearm, upon a teacher, administrator, board member or other employee of Foundation Academies

acting in the performance of his or her duties and in a situation where his or her authority to act is apparent, or as a result of the victim's relationship to Foundation Academies. Assault is defined under N.J.S.A. 2C:12-1(a) 1.

The Chief Executive Officer shall remove scholars with disabilities for assaults on staff members in accordance with N.J.A.C. 6A:14.

## **Expulsion**

*Expulsion* means the discontinuance of educational services or the discontinuance of payment of educational services for a scholar.

Foundation Academies may expel, that is, discontinue the educational services or discontinue payment of educational services for, a general education scholar from school after the Board of Trustees has provided the following:

- The procedural due process rights set forth at N.J.A.C. 6A:16-7.3 and 7.4, subsequent to a long-term suspension, pursuant to N.J.A.C. 6A:16-7.3; and
- An appropriate educational program or appropriate educational services, based on the criteria set forth under N.J.A.C. 6A:16-7.3(f).
- The educational program shall be consistent with the provisions of N.J.A.C. 6A:16-9.2 and 10.2 and 6A:14; whichever are applicable; or
- The educational services provided, either in school or out of school, shall be comparable to those provided in the public schools for Scholars of similar grades and attainments, pursuant to the provisions of N.J.S.A. 18A:38-25.

Any appeal of the Foundation Academy Board of Trustees' decision regarding the cessation of the scholar's general education program shall be made to the Commissioner of Education.

- The Foundation Academy Board of Trustees shall continue to provide an appropriate educational program or appropriate educational services, in accordance with N.J.A.C. 6A:16-7.5(a) 2, until a final determination has been made on the appeal of the district board of education's action to expel a scholar.

An expulsion of a scholar with a disability from a receiving school shall be handled in accordance with N.J.A.C. 6A:14.

## **Electronic Devices**

Scholars may not have electronic devices in school. This includes, but is not limited to, tablets, iPads, handheld games, cell phones, game consoles, radios, speakers, etc. None of these devices are needed and often represent a distraction from successful academics and a serious atmosphere. In addition, these are items that cause conflict

and lead to grief when lost or stolen. While Foundation Academies obviously strives to prevent theft of any item, the school will not spend extra energy tracking down electronic devices that should not be in school in the first place and assumes no responsibility for the loss, destruction, or theft of electronic devices. **In the event that a scholar disobeys this rule and possesses a prohibited electronic device in school, a staff member will confiscate it. On the first offense, the parent may come to the school at the end of the day to collect the device. On the second offense, it will be kept for a month, on the third offense, the item will be kept until the end of the school year, and the parent will be required to collect it on the final day of school. Scholars will also be subject to disciplinary action, up to and including suspension.**

### **Cellular Phones**

Because cell phones can be a distraction and risk to the learning environment, the cellular phone cannot be displayed, activated, or used on school property before during, or after school. Scholars are responsible to ensure that cellular phones are turned off and out of sight in a backpack or similar enclosure. If the actual cellular phone is visible in hand, in pocket, or heard by a staff member, it will be confiscated as outlined above and given to the Campus Leader/Principal. The scholar will then serve an after-school detention and the parents/guardians would then be required to come to the Main Office to sign out the cell phone.

1. The first time that a cell phone is confiscated, the parent/guardian may retrieve it immediately by signing for it.
2. If a cell phone is confiscated for a second time, Foundation Academies will not return the cell phone for 30 days.
3. If a cell phone is confiscated for a third time, Foundation Academies will keep it until the last day of school.

### **Phone Usage**

Although Foundation Academies aims to have as much communication as possible with its families, the school must confine scholar phone usage to those situations that stem from health and safety issues, emergencies, or when scholars need to contact parents to let them know they must stay after school for a detention received that day. In addition, parents should not rely on Foundation Academies staff to relay messages to their children during school hours **except in emergency cases**. Relaying messages to scholars during the school day is highly disruptive to the learning environment. Therefore, only messages regarding true emergencies will be taken.

### **Food**

The appropriate time for food and drink is during lunch. Drinks may not be brought to

school in glass containers. Drinks in cardboard or plastic containers must be in an original, sealed container upon arrival at school and remain unopened until lunchtime. Chewing gum, sunflower seeds, candy, soda, sugary drinks, and coffee are not allowed at any time. Fast food is prohibited. Carrying around a water bottle is not permitted, unless a doctor's note has been provided.

### **Adult Supervision**

Scholars are required to have passes any time that they are in the building or on campus and not under direct adult supervision. If school is in session and a scholar is out of his/her classroom or lunchroom without a pass, then he/she is deemed, by definition, to have left adult supervision without permission and appropriate disciplinary action will be taken.

### **Harassment, Intimidation and Bullying**

Harassment, intimidation or bullying means any gesture or written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either by an actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic, that takes place on school property, at any school-sponsored function or on a school bus, or off school grounds as provided for in section 16 of P.L. 2010, c. 122 (C. 18A:37-15.3), that substantially disrupts or interferes with the orderly operation of the school or the rights of other scholars and that a reasonable person should know, under the circumstances, will have the effect of harming a scholar or damaging the scholar's property or placing a scholar in reasonable fear of harm to his or her person or damage to his or her property; has the effect of insulting or demeaning any scholar or group of scholars; or creates a hostile educational environment for the scholar by interfering with a scholar's education or by severely or pervasively causing physical or emotional harm to the scholar.

The school disapproves of harassment, intimidation and bullying in all its forms and considers it a serious offense. If a scholar is a victim of or a witness to harassment, intimidation or bullying on campus, on a school bus or at a school-sponsored function, the scholar is required to inform a faculty or staff member. A scholar making such a report to a faculty or staff member may do so confidentially and anonymously. School faculty and staff will address the harassment, intimidation and/or bullying urgently and firmly consistent with the school's harassment, intimidation and bullying policy and overall disciplinary procedures. A copy of the school's harassment, intimidation and bullying policy is available on the school's website.

### **Drugs/Alcohol/Tobacco**

Since the use of chemical substances (including tobacco and alcohol) is dangerous to scholars, the use, possession, or sale of such substances at school or at after-school

activities, is strictly forbidden. Anyone caught using, possessing, or selling drugs/alcohol on school grounds or at school-sponsored events will be subject to discipline that may include suspension or expulsion, and may be reported to the appropriate law enforcement personnel.

Any scholar who is suspected of being under the influence of drugs/alcohol will be required to have an immediate physical examination and drug test by a physician before being readmitted to the school. If the parent/guardian cannot arrange for an immediate examination with their family physician, the scholar will be taken to the local hospital for evaluation. The scholar may also be subject to suspension and/or expulsion. If the test results are positive, the scholar will be required to have an evaluation and assessment done by a drug and alcohol counselor. The scholar must then follow the recommendations and treatment in order to continue at Foundation Academies.

### **Fighting**

There is zero tolerance for fighting. Parents will be required to come to school and to pick up the scholars involved in the fight on the day of the incident. Scholars are expected to use the techniques of non-violent conflict resolution to settle all disputes. Faculty and staff members will be trained to spot problems and scholars are expected to report conflicts before they escalate.

### **Gang Activity**

Gang activity that threatens the safety or well-being of persons or property on school grounds, or at school activities, or that disrupts the school environment is prohibited and will be handled immediately in accordance with the Code of Conduct.

The type of dress, apparel, activities, acts, behavior, tattoos/mock tattoos, writing or manner of grooming displayed by any scholar shall not:

- Lead school officials to reasonably believe that the behavior, apparel, activities, acts, or other attributes are gang related and therefore would disrupt or interfere with the school environment or activity and/or educational objectives.
- Present a physical safety hazard to self, scholars, staff, and/or other employees.
- Create an atmosphere in which the well-being of the scholar, staff, or other persons is hindered by undue pressure, behavior, intimidation, overt gesture, or threat of violence.
- Imply gang membership or affiliation by written communication, marks, drawing, painting, design, or emblem upon any school building, any personal property, or on one's person.

### **Other Rules**

Foundation Academies retains the right to create other rules and consequences as required by specific situations.

### **Civil Rights**

Title VI of the Civil Rights Act of 1964 (Title VI) (prohibiting discrimination based on race, color, or national origin);<sup>2</sup>

- Title IX of the Education Amendments of 1972 (Title IX) (prohibiting discrimination based on sex);<sup>3</sup> and
- Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (Title II) (prohibiting discrimination based on disability).<sup>4</sup>

These Federal civil rights laws and the specific legal obligations discussed in this letter apply to all public charter schools in the United States, regardless of whether they receive Federal funds under the Department's Charter Schools Program.<sup>5</sup> In addition, charter schools that receive funds—either directly or through a state educational agency (SEA) – under a Department grant program, such as the Charter Schools Program, are subject to the additional requirements of each grant program.<sup>6</sup>

This letter does not attempt to summarize the entire body of Federal civil rights laws. Instead, it briefly addresses a few of the subjects that have arisen in the charter schools context: equal opportunity in admissions; provision of a free appropriate public education (FAPE) to scholars with disabilities; provision of services to English-language learners so that they can participate fully in their school's educational program; and the non-discriminatory administration of discipline. Throughout, this letter also identifies Departmental guidance and resources that are available to charter schools to assist them in complying with the Federal civil rights laws.

The obligations discussed below under the Federal civil rights laws are independent of charter schools' obligations under the Individuals with Disabilities Education Act (IDEA). Working with the Department's Office of Special Education and Rehabilitative Services (OSERS), which is responsible for administering the IDEA, OCR intends to issue joint guidance on the rights of Scholars with disabilities who attend charter schools and their parents:

<sup>2</sup> 42 U.S.C. § 2000d *et seq.*; 34 C.F.R. Part 100.

<sup>3</sup> 20 U.S.C. § 1681 *et seq.*; 34 C.F.R. Part 106.

<sup>4</sup> 29 U.S.C. § 794; 34 C.F.R. Part 104; 42 U.S.C. § 12131 *et seq.*; 28 C.F.R. Part 35.

Pursuant to a delegation by the Attorney General of the United States, OCR shares in the enforcement of Title II in all programs, services, and regulatory activities relating to the operation of, among other types of entities, public elementary and secondary

educational programs. 28 C.F.R. § 35.190(b)(2). Title II cannot be construed to establish any lesser standard than the standards established under Section 504 and its implementing regulations. 42 U.S.C. § 12201(a); 28 C.F.R. § 35.103(a).

<sup>5</sup> 20 U.S.C. § 7221-7225g.

Title II applies to all public entities (including public schools) regardless of whether they receive Federal financial assistance. Title VI, Title IX, and Section 504 apply to all education programs or activities that receive Federal financial assistance either directly from the Department or through a local educational agency (LEA), State educational agency, or otherwise. OCR is unaware of any public school, including a charter school, that is not part of a program or activity that receives Federal financial assistance directly or indirectly from the Department.

<sup>6</sup> For further information on the Charter Schools Program, see <http://www.ed.gov/programs/charter/index.html>.

*Nondiscrimination in admissions.* Charter schools may not discriminate in admissions on the basis of race, color, national origin, or disability.<sup>7</sup>

Although public charter schools' civil rights obligations are no different from those of other public schools in this regard, the fact that scholars choose to attend a charter school and are not simply assigned to attend a charter school underscores the need to be mindful of the rights of children and parents in the community when publicizing the school to attract scholars and when evaluating their applications for admission.

Charter schools must ensure that language-minority parents who are not proficient in English receive meaningful access to the same admissions information and other school-related information provided to English-proficient parents in a manner and form they can understand, such as by providing free interpreter and/or translation services.<sup>8</sup> Also, communications with parents with disabilities must be as effective as communications with other parents. Appropriate auxiliary aids and services (such as Braille materials or a sign language interpreter) must be made available whenever they are necessary to ensure equally effective communication with parents with hearing, vision, or speech disabilities.<sup>9</sup>

As a general rule, a school's eligibility criteria for admission must be nondiscriminatory on their face and must be applied in a nondiscriminatory manner. In addition, a charter school may not use admissions criteria that have the effect of excluding scholars on the basis of race, color, or national origin from the school without proper justification.<sup>10</sup> Charter schools also may not categorically deny admission to scholars on the basis of disability.<sup>11</sup>

Charter schools located in a school district subject to a desegregation plan (whether the plan is court-ordered, or required by a Federal or State administrative entity) must be operated in a <sup>7</sup> 34 C.F.R. §§ 100.3(b)(1) (Title VI), 104.4(b) (Section 504). Generally,

Title IX, which prohibits sex discrimination in federally funded education programs and activities, does not apply to admissions. A vocational (or career and technical education) charter school, however, may not discriminate on the basis of sex in its admissions policies or practices. 34 C.F.R. §§ 106.21(a), 106.35.

The United States Constitution imposes strict parameters on the creation and operation of single-sex public schools and other uses of sex-based criteria. See *United States v. Virginia*, 518 U.S. 515, 531-33 (1996); Brief for the United States as *Amicus Curiae* Supporting Appellants at 25-26, *Doe v. Vermilion Parish Sch. Bd.*, No. 10-30378 (5th Cir. June 4, 2010), available at [http://www.justice.gov/crt/about/app/briefs/vermillion\\_brief.pdf](http://www.justice.gov/crt/about/app/briefs/vermillion_brief.pdf).

Charter schools considering the use of sex-based admissions criteria should consult with legal counsel.

<sup>8</sup> OCR, *Identification of Discrimination and Denial of Services on the Basis of National Origin*, (May 25, 1970), reprinted in 35 Fed. Reg. 11,595 (July 18, 1970).

<sup>9</sup> See 34 C.F.R. § 104.4(b) and 28 C.F.R. § 35.160 (effective communication); see also 34 C.F.R. §§ 104.21-104.23 and 28 C.F.R. §§ 35.149-35.152 (program and facility accessibility).

<sup>10</sup> 34 C.F.R. §§ 100.3(b)(2), 100.3(b)(6). See also OCR and Department of Justice, *Guidance on the Voluntary Use of Race to Achieve Diversity and Avoid Racial Isolation in Elementary and Secondary Schools*, at p. 12 (December 2, 2011) (*Voluntary Use of Race Guidance*), available at <http://www.ed.gov/ocr/docs/guidance-ese-201111.pdf>.

<sup>11</sup> 34 C.F.R. § 104.4(b); and 34 C.F.R. §§ 104.33-104.36. manner consistent with that desegregation plan.

<sup>12</sup> Charter schools may also voluntarily elect to create learning environments that include Scholars of diverse backgrounds. The benefits of such Scholar body diversity are many. Diverse environments help Scholars sharpen their critical thinking and analytical skills; prepare them to succeed in an increasingly diverse and interconnected world; break down stereotypes and reduce bias; and enable schools to fulfill their role in opening doors to Scholars of all backgrounds.

<sup>13</sup> If a charter school wishes to promote racial diversity or avoid racial isolation, it has the flexibility (to the extent permitted by applicable State law) to pursue a variety of approaches in the context of admissions and recruiting, school location, attendance boundaries, transfers, and retention and support programs.

As explained in greater depth in the *Guidance on the Voluntary Use of Race to Achieve Diversity and Avoid Racial Isolation in Elementary and Secondary Schools*,<sup>14</sup> charter schools should consider approaches that do not rely on the race of individual scholars

before adopting approaches that do. Race-neutral approaches can take racial impact into account to promote diversity or avoid racial isolation;<sup>15</sup> examples include targeting specific media outlets in which to advertise, reaching out to particular community groups, or using lotteries that give extra weight based on the socioeconomic status of a child's parents.

<sup>16</sup> If a charter school determines that race-neutral approaches would be unworkable or ineffective, it may employ generalized race-based approaches, which use race as an express criterion (such as locating a school based on the overall racial composition of neighborhoods or feeder schools) but do not rely on the race of individual <sup>12</sup> in some instances, it may also be necessary for a charter school to seek a modification of the school district's desegregation plan or order from the court or administrative entity requiring the desegregation plan.

<sup>13</sup> *Grutter v. Bollinger*, 539 U.S. 306, 330-31 (2003); see also *Parents Involved in Cmty. Sch. v. Seattle Sch. Dist. No. 1*, 551 U.S. 701, 787-89, 797-98 (2007) (Kennedy, J., concurring).

<sup>14</sup> Available at <http://www.ed.gov/ocr/docs/guidance-ese-201111.pdf>. See also OCR and Department of Justice, *Questions and Answers About Fisher v. University of Texas at Austin* (September 27, 2013), available at <http://www.ed.gov/ocr/docs/dcl-ga-201309.pdf> (affirming validity of *Voluntary Use of Race Guidance*); Department of Education and Department of Justice, *Dear Colleague Letter on Schuette v. Coalition to Defend Affirmative Action* (May 6, 2014), available at <http://www.ed.gov/ocr/letters/colleague-201405-schuette-guidance.pdf> (same).

<sup>15</sup> Racial impact may not, however, be considered in furtherance of an invidious purpose. *Voluntary Use of Race Guidance* at p. 5.

<sup>16</sup> Non-regulatory guidance from the Department identifies circumstances under which a charter school receiving Federal funds under the Charter Schools Program may use weighted lotteries: (1) when necessary to comply with certain Federal civil rights laws, the Equal Protection Clause of the United States Constitution, or applicable state law; (2) to give slightly better chances for admission to scholars seeking to transfer schools under the public school choice provisions of Title I, part A of the Elementary and Secondary Education Act of 1965 (ESEA); or (3) if permitted by state law, to give slightly better chances for admission to educationally disadvantaged scholars, including scholars who are economically disadvantaged, scholars with disabilities, migrant scholars, limited English proficient scholars, neglected or delinquent scholars, and homeless scholars. Department of Education, *Charter Schools Program: Title V, Part B of the ESEA: Nonregulatory Guidance* (January 2014) at pp. 18-19 (E-3), available at <http://www2.ed.gov/programs/charter/fy14cspnonregguidance.doc>. That guidance also suggests that charter schools consider conducting additional recruitment efforts toward groups that might otherwise have limited opportunities to participate in the charter school's programs. See *id.* at p. 20 (E-4). Note that the non-regulatory guidance only applies to Charter Schools Program recipients and does not otherwise apply to a

charter school Scholars. If race-neutral and generalized race-based approaches would be unworkable, a charter school may consider an individual Scholar's race under appropriate factual circumstances.<sup>17</sup>

Free appropriate public education for Scholars with disabilities.<sup>18</sup> Under Section 504, every scholar with a disability enrolled in a public school, including a public charter school, must be provided a free appropriate public education – that is, regular or special education and related aids and services that are designed to meet his or her individual educational needs as adequately as the needs of scholars without disabilities are met.<sup>19</sup> Evaluation and placement procedures are among the requirements that must be followed if a scholar needs, or is believed to need, special education or related services due to a disability.<sup>20</sup>

Charter schools may not ask or require scholars or parents to waive their right to a free appropriate public education in order to attend the charter school. Additionally, charter schools must provide nonacademic and extracurricular services and activities in such a manner that Scholars with disabilities are given an equal opportunity to participate in these services and activities.<sup>21</sup> More information will be provided in joint guidance that OCR and OSERS plan to issue on the rights of scholars with disabilities who attend charter schools.

Affirmative steps for English-language learners. Like all public schools, charter schools must take “affirmative steps” to help English-language learners overcome language barriers so that they can participate meaningfully in their schools’ educational programs.<sup>22</sup> A charter school must timely identify language-minority scholars who have limited proficiency in reading, writing, speaking, or understanding English, and must provide those scholars with an effective language instruction educational program that also affords meaningful access to the school’s academic content. Federal civil rights laws do not, however, require any school, including a charter school, to adopt or implement any particular educational model or program of instruction for English-language learners; schools have substantial flexibility to determine how they will satisfy their legal obligations to meet these scholars’ needs.

<sup>17</sup> Schools thinking about considering individual Scholar’s race in admissions should carefully review the *Voluntary Use of Race Guidance* for detailed analysis of when such consideration may be lawful and may also wish to consult with legal counsel.

<sup>18</sup> IDEA also has a specific statutory definition of the term free appropriate public education. 20 U.S.C. § 1401(9) and 34 C.F.R. § 300.17. This letter does not address the IDEA definition of free appropriate public education or other related IDEA requirements.

<sup>19</sup> 34 C.F.R. § 104.33(b)(1).

<sup>20</sup> 34 C.F.R. § 104.35.

<sup>21</sup> 34 C.F.R. § 104.37; see also OCR, *Dear Colleague letter on Extracurricular Athletics* (January 25, 2013), available at <http://www.ed.gov/ocr/letters/colleague-201301-504.pdf>.

<sup>22</sup> See *Lau v. Nichols*, 414 U.S. 563, 566 (1974).

<sup>23</sup> OCR's policies governing the treatment of English-language learners are available at <http://www.ed.gov/ocr/ellresources.html>.

*Nondiscrimination in discipline.* Data collected by OCR have demonstrated significant disparities in the use of exclusionary discipline (such as suspensions or expulsions) against scholars of color and scholars with disabilities in many schools across the country, and that an increasing number of scholars are losing important instructional time due to exclusionary discipline.<sup>24</sup> All public schools, including charter schools, are obligated to avoid and redress discrimination in the administration of school discipline on the basis of race, color, or national origin; disability; and sex. This obligation applies over the entire course of the disciplinary process, from behavior management in the classroom, to referral to an authority outside the classroom because of misconduct, to resolution of the discipline incident. The *Guidance on the Nondiscriminatory Administration of School Discipline*<sup>25</sup> offers detailed assistance on how to identify, avoid, and remedy discriminatory discipline. The discipline guidance document focuses on racial discrimination, but much of its analytical framework also applies to discrimination on other prohibited grounds.<sup>26</sup> In addition, when addressing discipline for scholars with disabilities, it is important that charter schools comply with applicable legal requirements governing the discipline of a child for misconduct caused by, or related to, the child's disability.

<sup>27</sup> This is by no means an exhaustive list of the legal requirements that apply to charter schools under these Federal civil rights laws. A full list of OCR's guidance publications is available at <http://www.ed.gov/ocr/publications.html>. OCR can provide technical assistance to help charter school authorizers and charter school operators, administrators, board members, and teachers understand and comply with these civil rights laws and other laws enforced by OCR.

<sup>28</sup> OCR is also available to provide technical assistance to scholars, parents/guardians, community-based organizations, and other stakeholders who are interested in learning more about the Federal civil rights of scholars and parents and the responsibilities of charter schools. The Federal civil rights laws prohibit retaliation and intimidation against those who contact OCR to gather information about their rights or who file a complaint. It is also unlawful for a school to retaliate.

<sup>24</sup> See OCR and Department of Justice, *Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline* (January 8, 2014) at pp. 3-4, available at <http://www.ed.gov/ocr/letters/colleague-201401-title-vi.pdf>.

<sup>25</sup> *Id.* See also Department of Education guidance package on Scholar Climate and Discipline, including a Guiding Principles of Reform non-regulatory guidance, a Directory of Federal Resources, and a Compendium of State Laws and Regulations on School Discipline, available at <http://www2.ed.gov/policy/gen/guid/school-discipline/index.html>.

<sup>26</sup> See *Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline*, at pp. 2-3.

<sup>27</sup> 34 C.F.R. § 104.35(a). See generally 34 C.F.R. §§ 104.4, 104.32-36.

<sup>28</sup> In addition to the statutes discussed in the letter, OCR enforces the Age Discrimination Act of 1975, 42 U.S.C. § 6101 *et seq.*; 34 C.F.R. Part 110; and the Boy Scouts of America Equal Access Act of 2001, 20 U.S.C. § 7905; 34 C.F.R. Part 108. The Department of Justice enforces Title IV of the Civil Rights Act of 1964, 42 U.S.C. § 2000c *et seq.*, and the Equal Educational Opportunities Act of 1974, 20 U.S.C. § 1703. against an individual for bringing concerns about possible civil rights problems to a school's attention.<sup>29</sup>

SEAs and charter school authorizers have an important role in assisting charter schools with civil rights compliance. Every SEA or charter authorizer that receives Federal financial assistance has, as a matter of Federal law, an obligation to ensure that any charter school to which it provides a charter, money (regardless of whether they are Federal or State funds), or other significant assistance, is not discriminating.<sup>30</sup> In addition to SEAs and charter school authorizers, states can designate other agencies to take, investigate, and resolve complaints of discrimination by charter schools. Together with OCR, these entities can all provide technical assistance and support for charter schools, parents, and scholars. If you have any questions or would like technical assistance on these issues, I encourage you to contact the OCR office in your region. I particularly urge individuals designated to coordinate charter schools' compliance with the civil rights laws to seek OCR's assistance whenever needed.<sup>31</sup>

The list of OCR offices is available at <http://wdcrobcop01.ed.gov/CFAPPS/OCR/contactus.cfm>.

You may also contact OCR's Customer Service Team at (800) 421-3481 or [ocr@ed.gov](mailto:ocr@ed.gov).

## APPENDIX

### FOUNDATION ACADEMY SCHOLARS FILE CODE: 5145.4

#### EQUAL EDUCATIONAL OPPORTUNITY

Foundation Academies shall provide equal and bias-free access for all pupils to all school facilities, courses, programs, activities and services and give them maximum opportunity to achieve their potential regardless of race, creed, color, national origin, ancestry, age, sex, affectional or sexual orientation, marital status, liability for service in the Armed Forces of the United States, nationality, place of residence within the district, social or economic condition, or disability. Enforcement of other school affirmative action/equity policies (2224, 4111.1, 4211.1 and 6121) contribute to this legally required equality of educational opportunity.

***Staff members shall maintain professional relationships with pupils at all times and develop wholesome and constructive relationships with them. Staff members shall be expected to regard each pupil as an individual and to accord each pupil the rights and respect that are his/her due.***

***Staff members shall promote a learning environment that encourages fulfillment of each pupil's potential in regard to his/her program, consistent with school goals and with optimal opportunities for pupils. This goal may be reached by adapting instruction to individual needs, by:***

1. Insisting on reasonable standards of scholastic accomplishment for all pupils;
2. Creating a positive atmosphere in and out of the classroom;
3. Extending the same courtesy and respect that is expected of pupils; and
4. Treating all pupils with consistent fairness.

The Board guarantees all pupils equal access to all academic programs within the learning environment. Pupils shall respect the rights of other pupils to receive an education in an environment that is conducive to learning and personal growth. No pupil

shall have the right to abridge another pupil's right to privacy or right to hold personal beliefs which are different from those of the mainstream.

## **Harassment**

The school's affirmative action program is part of each academic program regarding all pupils. No one – including pupils, staff members, vendors, volunteers, or visitors – shall commit an act of harassment/discrimination of any kind against any member of the school community on any of the grounds prohibited by law.

Harassment is defined as any gesture that is reasonably perceived as being motivated by an actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic; that will have the effect (actual or perceived) of harming a scholar or damaging the scholar's property.

Harassment also includes any gesture that demeans or insults a scholar or group of scholars in such a way as to cause substantial disruption in or interference with the orderly operation of the school.

Harassment may be claimed by a third party. That is, individuals who are not directly involved in the behavior, may experience a hostile environment. They shall have the same legal rights to act under this policy as those directly victimized.

Any member of the scholar body may file a formal grievance related to harassment. The CEO or his/her designee will receive all complaints and initiate a thorough investigation and will protect the rights of both the pupil making the complaint and the alleged harasser. Filing of a grievance or otherwise reporting harassment of any kind will not reflect upon the pupil's status nor affect future grades or class assignments.

The administration will inform all pupils that sexual harassment is prohibited in the educational setting. Specifically, no person employed by the school or by a vendor, or acting in a voluntary capacity, shall threaten or insinuate, either directly or indirectly, that a pupil's refusal to submit to sexual advances will adversely affect the pupils standing in the school setting. Pupils are forbidden to harass other pupils or staff members or vendors or volunteers through conduct or communications of a sexual nature within the school setting.

Findings of discrimination in the form of harassment will result in appropriate disciplinary action.

## **Equity in School**

The Board shall maintain an academic environment that is free from harassment and provide equal and bias free access for all scholars to all school facilities, courses,

programs, activities and services, regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability or socioeconomic status. The Board shall ensure that:

1. School classrooms and facilities will be barrier free;
2. The district curriculum will be aligned with the State's Core Curriculum Content Standards and address the elimination of discrimination by narrowing the achievement gap;
3. All scholars have access to counseling services; and
4. The physical education program is equitable and co-educational.

**Procedures shall be made available for pupils and/or parents/guardians who wish to file a grievance protesting alleged discriminatory or sexually (or other) harassing action. An immediate report of the allegation should be made to the affirmative action officer or CEO. Violations of this policy or its related procedures shall be cause for appropriate disciplinary action.**

### **Hate Crimes/Bias Incidents**

An employee of the Board who becomes aware in the course of his/her employment that a scholar or other staff person has committed a hate crime or is about to commit one shall immediately inform the CEO. All incidents of hate/bias shall be reported whether they occur during school hours on school grounds or otherwise.

### **Implementation**

The CEO shall direct development of procedures regarding the implementation of this policy to include sanctions, protection of individual rights to confidentiality and due process, and notification procedures. The CEO shall ensure that, annually, all staff and all pupils (in means and terms that are age-appropriate) be thoroughly informed of this policy, their right to file grievances under this policy and the law and the procedures relative to filing. Further, all staff and pupils shall be informed annually of the identity of the school's affirmative action officer and how he/she may be contacted.

The CEO shall also ensure that staff and pupils participate in educational programs relating to this policy and the maintenance of a safe and nurturing educational environment.

The CEO shall use all customary methods of information dissemination to ensure that the community is informed of its policies on educational equity.

Date Approved:

Legal References:

N.J.S.A. 2C:16-1 Bias Intimidation

N.J.S.A. 10:5-1 et seq. Law Against Discrimination

20 U.S.C.A. 1681 - Title IX of the Education Amendments of 1972

20 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973

20 U.S.C.A. 1400 et seq. - Individuals with Disabilities Education Act (Formerly Education for All Handicapped Children Act) – Part B

42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Comprehensive Equity Plan, New Jersey State Department of Education.

Cross Reference: 2224 Nondiscrimination/affirmative

**NONDISCRIMINATION/AFFIRMATIVE ACTION**

*No pupil enrolled in Foundation Academies shall be excluded from participation in, denied the benefits of, or be subjected to discrimination in any educational program or activity of the school on the basis of race, color, creed, national origin, ancestry, age, marital status, domestic partnership status, affectional or sexual orientation, genetic information, sex, disability or atypical hereditary cellular or blood trait of any individual, or because of liability for service in the armed forces of the United States, nationality, national origin, place of residence, social or economic condition, non-applicable disability or because of genetic information or refusal to submit to or make available the results of a genetic test. The Affirmative Action Team as led by the Affirmative Action Officer shall be responsible for planning, implementing and monitoring the school's affirmative action program with respect to school and classroom practices.*

**Reporting to the CEO, the Affirmative Action Team shall review the following areas for compliance with state department of education regulations and make suggestions and/or recommendations when necessary.**

**Curriculum content**

The team shall examine the following areas to ensure that curricula eliminate discrimination and promote understanding and mutual respect among scholars, regardless of race, color, creed, religion, gender, affectional or sexual orientation, ancestry, national origin, socio-economic status or disability:

1. School climate;
2. Courses of study;
3. Instructional materials;
4. Instructional strategies;
5. Library materials;
6. Technology/software and audio-visual materials;
7. Guidance and counseling;
8. Extracurricular programs and activities;
9. Testing and other assessments; and
10. Reducing or preventing the under representation of minority, female and male Scholars in classes and programs.

The team shall monitor the curriculum to ensure inclusion of instruction on African-American history in the teaching of United States history and inclusion of instruction on the Holocaust and genocide in the curriculum for all school pupils.

## **Staff training**

The Affirmative Action Officer shall suggest a program of in-service training for school personnel designed to identify and solve problems of bias in all aspects of the school program. An equity in-service program shall be held annually for all staff and for parents and community members as needed to facilitate participation and support.

## **Pupil access**

The team shall review all school facilities, courses, programs, activities and services to ensure that all pupils are provided equal and bias-free access to them. Particular attention shall be paid to the following:

1. Ensuring equal access and barrier-free access to all school and classroom facilities;
2. Refraining from locating new facilities in areas that will contribute to imbalanced, isolated or racially identifiable school enrollments;
3. Assigning pupils so that school and classroom enrollments are not identifiable on the basis of race, creed, color, national origin, ancestry, age, marital status, Affectional or sexual orientation, gender, religion, disability or socioeconomic Status;
4. Ensuring that pupils are not separated or isolated within courses, classes, programs or extracurricular activities;
5. Ensuring that minority and male pupils are not over-represented in detentions, suspensions, dropouts or special needs classifications;
6. Ensuring equal and bias-free access for all pupils to computers, computer classes and other technologically-advanced instructional assistance;
7. Ensuring that all limited English-proficient pupils and pupils with disabilities have equal and bias-free access to all school programs and activities;
8. Ensuring equal and bias-free access for language-minority pupils and pupils with disabilities to multiple measures for determining special needs;
9. Ensuring that pupil support services (such as school-based youth services, Health care, tutoring and mentoring) are available to all pupils, including LEP Pupils; and
10. Ensuring that all pregnant pupils are permitted to remain in the regular school program and activities.
11. The CEO will report to the Board of Trustees annually on continuing compliance.

Date Approved:

Legal References:

N.J.S.A. 10:5-1 et seq. Law Against Discrimination

20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972

29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973

20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act (IDEA)

42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq. +School Dist. 524 U.S. 274 (1998)

Davis v. Monroe County Bd. of Ed. 526 U.S. 629 (1999)

Manual for the Evaluation of Local School Districts

The Comprehensive Equity Plan, New Jersey State Department of Education

Cross Reference: 2224 Nondiscrimination/affirmative action

## **RESOURCES FOR CHILDREN AND FAMILIES**

General Emergency - Dial 911

AIDS Hotline - 800-621-2377

American Lung Association (Mid-NJ) - 609-918-0313

American Red Cross of Central NJ - 609-951-8550

Anchor House (Runaway Youth) - 609-396-8329

BIBS (Black Infants Better Survival) - 888-414-2427

Capital Health Systems (Youth emergency services) - 609-396-6722

Catholic Charities - Trenton Diocese - 609-394-8847

Catholic Charities (Resource and Referral) - 732-324-4357

Child Abuse Reporting (DCF) - 800-392-2721

Child Abuse Hotline - 800-792-8610

Child Care Center Licensing - 609-292-1021

Child Care Connection (Resource and Referral) - 609-989-7770

Child Care Technical Assistance Warmline - 800-713-9005

Community Action Service Center - 609-443-4464

Crisis Ministries - 609-396-9355

Crisis Ministry of Princeton and Trenton - 609-921-2135

Domestic Violence Hotline - 800-572-7233

Domestic Violence - Womanspace - 609-394-9000

Drug & Alcohol (Assessment evaluation, referrals) - 609-396-5874

Family Guidance Access Center - 800-813-0555

First Call for Help - Mercer - 609-896-4108

Greater Trenton Behavioral Health Care - 609-396-6788

Hamilton Neighborhood Center (John O. Wilson) - 609-393-6460

Home Front (Homeless Families) - 609-989-9417

Interfaith Hospitality Network (Homeless Families) - 609-278-1481

Jewish Family & Children's Services - 609-987-8100

Lawrence Neighborhood Center - 609-883-3379

Lead Screening Information (Extension 152) - 609-989-3636

Martin House - 609-989-1040

Mercer County Board of Social Services - 609-989-4664

Mercer County Association for Retarded Citizens (ARC) - 609-406-0181

Mercer County Special Health Services - 609-730-4152

Mercer Street Friends - 609-396-1506

Mount Carmel Guild of Trenton - 609-394-3402

NJ Domestic Violence Hotline - 800-572-7233

NJ Family Care - 800-701-0710  
NJ Poison Control - 800-764-7551  
Parents Anonymous - 609-243-9779  
Planned Parenthood of Mercer County - 609-599-4881  
Project Child - 609-588-8509  
Project Child Find - 800-322-8174  
Rape & Sexual Assault Program (Womanspace) - 609-394-9000  
Rescue Mission - 609-695-1436  
Salvation Army - 609-599-9373  
Statewide Parent Advocacy Network (Span) - 800-654-7726  
Step Ahead Developmental Day Care - 609-278-0154  
Trenton Area Soup Kitchen (TASK) - 609-695-5456  
Trenton Health Department - 609-989-3636  
Trinity Counseling Services - 609-924-0080  
United Progress, Inc. - 609-392-2161