



AchievePoint
CAREER ACADEMY

Discipline Policy

2018 - 2019

Cincinnati | Columbus

DISCIPLINE PHILOSOPHY

Discipline should be thought of as a learning experience with behavior modification as its objective. Unwanted behaviors are modified easiest when the school and parents work together as a team. In addition, any consequences that are used to modify unwanted behaviors should be: supported at home, imposed immediately, be firm, fair, consistent, and progressive.

DISCIPLINE PROCESS

The most effective discipline is taught and dealt with before problems arise. It is a learning process that should be teacher-directed. This being said, when applicable, internal interventions will be utilized prior to referring students to the School Administrator or designee.

If a warning is ignored and the behavior continues, the student will be referred to the School Administrator or designee and excluded from the classroom for the rest of the period.

Within one school day of receipt of the referral, the student will provide a written explanation of what caused him/her to be excluded from the classroom and will develop a three-step plan to resolve the problem.

If the student is a minor, the administration will contact the student's parent by the parent's preferred method of contact (phone or email). If the parent receives contact by email, he or she must reply to the email acknowledging receipt of the email.

If the student has been blocked from course access, access will not be restored until the teacher has read and agreed to the student's plan.

If the student doesn't follow through with the agreed-upon plan he/she will be referred to the School Administrator or designee again.

With each additional referral, the student will be assigned a consequence or a disciplinary step to be determined based on the student's behavior.

It should be noted that there are instances where this process may be altered. Behaviors such as violence toward others, bullying, harassment, intimidation, disrespect toward teachers, non-compliance, and other behaviors that a staff member deems as disruptive to an orderly learning environment may result in an automatic referral to the School Administrator or designee.

APPEALS PROCESS

A parent or a student has a right to appeal disciplinary action. If an appeal is desired, it must be filed in writing within 10 days (Monday through Friday, 7:30 a.m. to 4:00 p.m.) with an official request for an appeal hearing.

SUSPENSION & EXPULSION PROCEDURES

Suspension

Out-of-school suspension is removal of a student from school for a period of one to ten days. While students are suspended from school, they may be afforded the opportunity to receive some or all of their homework assignments. During suspension, students are not permitted to participate in extracurricular activities or be on any school property.

The Administrator or Administrator designee may suspend a student. Prior to suspending a student, the Administrator or Administrator designee must do both of the following:

- Give written notice of the intention to suspend and the reasons for the intended suspension to the student. If the proposed suspension is based on a violation listed in Ohio Revised Code Section 3313.662(A) and the student is sixteen years of age or older, the notice must contain a statement that the School may seek to permanently exclude the student if the student is convicted of or adjudicated a delinquent child for that violation; and
- Provide the student an opportunity to appear at an informal hearing before the Administrator, Assistant Administrator or Administrator designee and challenge the reasons for the intended suspension or otherwise explain. The hearing can happen immediately and can happen anywhere - the hall, office, classroom, etc.

Within one school day after the time of the student's suspension, the Administrator, Assistant Administrator or Administrator designee shall also provide written notice of suspension to the parent/guardian of the student and the treasurer of the Board of Directors. The notice shall contain:

- The reasons for the suspension;
- Notice of the right of the student, or student's parent/guardian/custodian to appeal to the Board of Directors or the Board's designee;
- Notice that the student/parent/guardian/custodian has the right to be represented in all appeal proceedings;

- Notice of the right to be granted an appeal hearing before the Board of Directors or the Board's designee to be heard against the suspension;
- Notice of the right to request that the hearing be held in executive session;
- Notice that the School may seek the student's permanent exclusion if the suspension was based on a violation listed in Ohio Revised Code Section 3313.662(A) that was committed when the student was sixteen years of age or older and if the student is convicted of or adjudicated a delinquent child for that violation; and
- The date and manner by a student or parent/guardian/custodian may notify the Board of Directors of their intent to appeal the suspension. If the student or parent/guardian wishes to appeal the suspension, the request must be submitted, in writing, to the Administrator within five (5) school days of the written notice of suspension. The Administrator shall immediately forward this written appeal to the Board of Directors and Board of Directors' appeal hearing designee.

If there are fewer than ten school days remaining, the out-of-school suspension may not be applied to the following school year, but the school leader may require the student to participate in a community service program or other alternative consequences for a number of hours equal to the remaining period of the suspension.

Expulsion

Except as specifically provided for by statute, the Superintendent may expel a student for a period not to exceed the greater of 80 school days or the number of days remaining in the semester or term in which the offense leading to expulsion took place. Students expelled from the school are not permitted to participate in extracurricular activities or be on any school property. Expulsions may extend into the following school year.

Only the School Administrator may expel a student. No student shall be expelled unless prior to the expulsion, the Administrator does both of the following:

- The Administrator shall give the student and parent, guardian or custodian written notice of the intention to expel the student and the reasons for the intended expulsion. The notice shall include the reasons for the intended expulsion, notification of the right of the student, guardian, custodian or their representative to appear before the Superintendent or his/her designee to hear and to challenge the reasons for the intended expulsion or otherwise to explain the student's actions, and the notification of the time and place to appear. The time to appear shall not be sooner than three (3) nor later than five (5) school days after the notice has been given unless the Administrator grants an

extension of time at the request of the student, his/her guardian, custodian, or representative. If an extension of time is granted, the Superintendent shall notify the student and his/her parent, guardian, custodian, or representative of the new time and place to appear. If the proposed expulsion is based on a violation listed in Ohio Revised Code Section 3313.662(A) and the student is sixteen years of age or older, the notice must contain a statement that the Administrator may seek to permanently exclude the student if the student is convicted of or adjudicated a delinquent child for that violation.

- Provide the student and parent, guardian, or custodian an opportunity to appear in person before the Superintendent or his/her designee to challenge the reason for the intended expulsion or otherwise to explain the student's actions.

Within one school day after the time of the student's expulsion, the Superintendent shall also provide written notice of expulsion to the parent/guardian of the student and the treasurer of the Board of Directors. The notice shall contain:

- The reasons for the expulsion;
- Notice of the right of the student, or student's parent/guardian/custodian to appeal to the Board of Directors or the Board's designee;
- Notice that the student/parent/guardian/custodian has the right to be represented in all appeal proceedings;
- Notice of the right to be granted an appeal hearing before the Board of Directors or the Board's designee to be heard against the expulsion;
- Notice of the right to request that the hearing be held in executive session;
- Notice that the School may seek the student's permanent exclusion if the suspension was based on a violation listed in Ohio Revised Code Section 3313.662(A) that was committed when the student was sixteen years of age or older and if the student is convicted of or adjudicated a delinquent child for that violation and that the expulsion may be extended if a juvenile court or criminal proceeding regarding such violation is pending at the time the expulsion terminates; and
- The date and manner by a student or parent/guardian/custodian may notify the Board of Directors of their intent to appeal the expulsion. If the student or parent/guardian wishes to appeal the expulsion, the request must be submitted, in writing, to the Administrator within fourteen (14) calendar days of the written notice of expulsion. The Administrator shall immediately forward this written appeal to the Board of Directors and Board of Directors' appeal hearing designee.

If the Administrator expels a student for more than twenty school days or for any period of time if the expulsion will extend into the following semester or school year the notice shall provide the student and the student's parent, guardian, or custodian with information about services or programs offered by public and private agencies that work toward improving those aspects of the student's attitudes and behavior that contributed to the incident that gave rise to the student's expulsion. The information shall include the names, addresses, and phone numbers of the appropriate public and private agencies.

An expelled student will be provided with a date for re-entry and the date for the re-entry conference. The expelled student, and parent or guardian of the student must be present in the re-entry conference. The student and parent or guardian of any student will be notified in the event that the student fails to attend the re-entry conference.

Expulsion proceedings will be pursued against a student who has committed an act warranting expulsion even if the student has withdrawn from school for any reason after the incident giving rise to the hearing, but before the hearing or decision to expel. If after the hearing, the student would have been expelled for a period of time had the student remained in school, the expulsion will be for the same length of time as on a student who has not withdrawn from school.

Weapons Expulsion

A student must be expelled for one year for:

- Bringing a firearm to the School or onto School Property (any Property owned, used, or leased by the School for school, school extra-curricular activities or school related events).

A student may be expelled for one year for:

- Bringing a firearm to an interscholastic competition, an extracurricular event, or any other school program or activity that is not located at the School or on School Property.
- Possessing a firearm at School, on School Property, or at an interscholastic competition, an extracurricular event or any other school program or activity which firearm was initially brought onto the property by another person.
- Bringing a knife to School, onto School Property, an interscholastic competition, an extracurricular event, or any other program or activity sponsored by the school or which the school is a participant.
- Possession of a knife at School, on School Property, or at an interscholastic competition, an extracurricular event, or any other program or activity sponsored by the School or which the school is a participant which knife was initially brought onto the property by another person.

- Committing an act while at School, on School Property, at an interscholastic competition, an extracurricular event, or any other School program or activity that is a criminal offense when committed by an adult that results in serious physical harm to persons or serious physical harm to property.
- Making a bomb threat to a school building or to any premises at which a school activity is occurring at the time of the threat.

Firearm has the same meaning as provided pursuant to the "Gun Free Schools Act of 1994". At the time this policy was adopted, the above-referenced statute defined a firearm as any weapon (including a starter's gun) which will or is designed to or may readily be converted to expect a projectile by the action of an explosive; including the frame or receiver of any such weapon; and any firearm muffler or silencer; or any destructive device. If the definition of a firearm as provided by the "Gun Free Schools Act of 1994" changes, then the definition set forth in this policy shall automatically change to conform to it.

Knife is defined as cutting instrument consisting of a sharp blade or edge, not to include scissors, wire cutters, or other similar tools determined by Administrator(s) to be necessary in the school setting at a particular building or grade level, if used only for the necessary purpose.

The specific circumstances under which the Administrator may, in his/her discretion, reduce a one year expulsion may include: the student was unaware that he/she brought or was in possession of a firearm or knife; the student legitimately did not understand that the item he/she brought or possessed was a firearm or knife; a recommendation from qualified individuals concerning circumstances that justifiably mitigate the student's culpability.

Permanent Exclusion

A student may be permanently excluded from school if the student is convicted of, or adjudicated a delinquent child for, committing, when the student was sixteen years of age or older, an act that would be a criminal offense if committed by an adult and if the act is any of the following:

- A violation of section 2923.122 of the Revised Code;
- A violation of section 2923.12 of the Revised Code, of a substantially similar municipal ordinance, or of section 2925.03 of the Revised Code that was committed on property owned or controlled by, or at an activity held under the auspices of, a board of education of a city, local, exempted village, or joint vocational school district;
- A violation of section 2925.11 of the Revised Code, other than a violation of that section that would be a minor drug possession offense, that was committed on

property owned or controlled by, or at an activity held under the auspices of, the board of education of a city, local, exempted village, or joint vocational school district;

- A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2907.02, or 2907.05 or of former section 2907.12 of the Revised Code that was committed on property owned or controlled by, or at an activity held under the auspices of, a board of education of a city, local, exempted village, or joint vocational school district, if the victim at the time of the commission of the act was an employee of that board of education;
- Complicity in any violation described in (1), (2), (3), or (4) above that was alleged to have been committed in the manner described in (1), (2), (3), or (4) above, regardless of whether the act of complicity was committed on property owned or controlled by, or at an activity held under the auspices of, a board of education of a city, local, exempted village, or joint vocational school district.

Disabilities Compliance

The School will comply with all laws and regulations presented in the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973 and the Individual with Disabilities Education Improvement Act of 2004. Discipline procedures for students having a disability, will follow the procedures outlined in the Individuals with Disabilities Education Improvement Act of 2004 or such successor or replacement law.

Emergency Removal

Per Section 3313.66 of the Ohio Revised Code, the School Administrator may perform an emergency removal of a student from curricular or extra-curricular activities or from the grounds of the School if the student's presence poses a threat and/or danger to any person or property, or if the student's presence poses an on-going disruption to the educational process. This removal may be done without immediate notice or hearing.

Any student so removed will be given written notice and provided a hearing within three (3) school days after the removal as defined in the Suspension section of this Handbook. If it is probable that the student is going to be expelled, the hearing shall be conducted in accordance with the Expulsion section of this Handbook.