

Evergreen Charter School - Student Code of Conduct

Introduction

The Board of Trustees of Evergreen Charter School (the “School”) is committed to providing a positive, safe, and supportive school environment conducive to learning. This environment is sustained through building positive and supportive relationships and a growth mindset, establishing collaborations and ensuring that students feel safe, valued, supported, respected, and encouraged. The goal of this Code of Conduct is to preserve all students’ rights to quality educational services provided by school personnel in a caring, safe and supportive environment, without disruption or interference. Responsible behavior by all school’s personnel, students, parents and visitors is crucial to achieving this goal.

This Code of Conduct has incorporated the Dignity for All Students Act (DASA) created to provide students with an educational environment free of discrimination, bullying, intimidation, and harassment.

Student discipline and support practices are carried out in a caring, nurturing, and respectful manner, based on the trust established among administration, staff, students and parents and/or guardians. This code of conduct is restorative and solution based, while holding all parties accountable. This helps students:

- Understand what constitutes unacceptable behavior;
- Learn how to correct their mistakes;
- Acknowledge the negative impact caused by their actions;
- Learn strategies to restore the effects of their actions, and promote positive relationships and interactions;
- Understand the consequences and/or interventions implemented as a result of their unacceptable behavior; and
- Accept responsibility for their actions.

Student Rights and Responsibilities

1. Student Rights

Evergreen Charter School is committed to safeguarding the rights of all the students under local, state and federal law. To ensure a positive school environment conducive to learning, and a safe and orderly school environment, all students have the right to:

- Participate in all school activities on an equal basis regardless of their actual or perceived race, weight, color, creed, national origin, height, ethnic group, religion, religious practice, national origin, alienage or citizenship status, pregnancy, gender, gender identity or expression, sex, sexual orientation, disability or any other category protected by local, state or federal law.
- Be respected and treated fairly and with dignity by students and School personnel.
- Have knowledge and access to the School policies, regulations and rules, and when needed, be provided an explanation of such policies, regulations and rules from School personnel.

2. Student Responsibilities

Evergreen Charter School students have the responsibility to:

- Contribute to maintaining a positive, safe, supportive, and orderly school environment conducive to learning;
- Show respect to students, School personnel, and to School property;
- Maintain the school community free of violence, intimidation, bullying, harassment, and discrimination;
- Follow and implement the direction given by teachers, administrators and other School personnel in a respectful and positive manner;
- Seek help in resolving problems and ask questions when they do not understand the directions given; and
- Be an active participant, collaborate, and be open in resolving conflicts through a restorative process.

Student Behavior

Evergreen Charter School fosters a positive school environment conducive to learning. The School has a long-standing set of expectations of student conduct on School property, and at all School functions. All students are expected to conduct themselves in a manner supporting the School's environment free of discrimination, bullying, cyber-bullying, and harassment in School, on the bus, and during the after School activities and School events.

Disciplinary Offenses

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

- A disciplinary offense may occur while the student is: at school and/or on school grounds; participating in a school-sponsored activity; walking to or from school or a school-sponsored event; walking to or from, waiting for, or riding on provided transportation; or walking to or from, waiting for, or riding on public transportation to and from school or a school-sponsored activity conducted off school grounds.
- School-related disciplinary offenses may also include misconduct outside the school, such as social media if such discipline is reasonably necessary for the physical or emotional safety, security, and wellbeing of the student, other students, or staff on School grounds, and their conduct could materially and substantially interfere with the requirements of appropriate discipline in the operation of the School.

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

- The student's age and their maturity level;
- The nature and seriousness of the infraction, and the circumstances which led to the infraction;
- The student's previous disciplinary record;
- The effectiveness of other forms of discipline;
- Information from parents, teachers and/or others, as appropriate; and
- The student's attitude, and other relevant factors.

List of Certain Actionable Offenses

The following list of actionable offenses is not exhaustive but provides examples of violations of the Student Code of Conduct that may result in disciplinary action, including suspension or expulsion. The list may be modified from time to time and/or supplemented by Evergreen Charter School staff with notice to students.

Level 1 Uncooperative/Non-compliant Behavior
<p>Distracting / Wasting Learning Time</p> <ul style="list-style-type: none">● Not doing any academic work/disengaged● Not focused on work (off task or using a computer inappropriately)● Calling out● Complaining or whining● Sleeping/Head on desk/Slouching● Giggling/Laughing at another student or at the teacher● Making inappropriate noises (i.e. fake sneezing/intentionally passing gas, burping, etc.)● Nonverbal communication (i.e. passing a note, getting another student off track from classwork)● Coming to class unprepared● Getting up and walking around the room without permission (i.e. pick up tissue, garbage, replace materials, etc.)● Talking/Whispering with another student during assigned activities.● Low level disruption of learning● Prolonged bathroom breaks <p>Ignoring / Refusing to Comply</p> <ul style="list-style-type: none">● Passive refusal or reluctance to follow directions● Not handing in homework or poor-quality homework● Uniform/Dress code violations● Cell phones/electronics policy violation● Chewing gum● Littering on school's premises

Corrective measures may include: Teacher redirection, verbal and nonverbal correction, proximity, visual prompts, offer choices, calm-down time, referrals to Guidance Counselor or Social Worker.

**Level 2
Disorderly Behaviors & Repeated Offenses from Level 1**

Repeating any offense from Level 1

Inappropriate Physical Contact

- Horse playing/Play fighting (first offense)
- Hitting (no harm)
- Anger displays (i.e. throwing items, foot stomping, spitting, etc.)

Repeated Failure to Follow directions

- Refusing to leave the classroom silently
- Refusal to follow directions after multiple attempts
- Disrespecting/ignoring staff members.

Disrespecting the Learning Community

- Cursing/ Inappropriate language or gesture (first offense)
- Verbal Aggression (i.e. yelling, screaming, etc.)
- Using inappropriate language (i.e. abrasive, abusive, profane, or vulgar, etc.)
- Creating Graffiti/Defacing school property (not aggressive or violent in action)
- Disrespectful towards another student or staff member
- Making false statements
- Plagiarism
- Inappropriate use of electronic devices on school premises or on the bus

Corrective measures may include: Level 1 disciplinary actions, lunch detention, student/teacher conference, asking student to apologize, usage of reflection sheet, loss of privilege, referrals to Administration.

Parent/Guardian Contact will occur as we seek family support in the correction of the negative behavior.

After School and/or Saturday Detention may occur for middle or high school students; parents will be notified.

Short Term Suspension may occur with proper notification to parents/guardians, including generating a re-entry restorative plan:

- **up to 2 days** for elementary school students;
- **up to 3 days** for middle or high school students;

**Level 3
Disruptive Behavior & Repeated Offenses**

Repeating any offense from Level 1 and Level 2

Engaging in Unsafe Behavior

- Walking out of class without permission from a teacher
- Eloping on the school premises
- Not complying with the school bus policy

Displaying Untruthful Behavior

- Acting in a dishonest manner (i.e. lying, spreading rumors, defamation, offensive, etc.)
- Academic Dishonesty
- Misappropriating property of other students, staff or school
- Accessing inappropriate websites or making inappropriate postings on Social Media
- Inappropriate usage of electronic devices.

Employing Explosive Behavior

- Verbal threats towards another student or staff
- Displaying aggressive behavior (no contact)
- Putting themselves or others in danger
- Inappropriate conduct that cause another person to feel uncomfortable (i.e. touching, staring, drawing, writing, etc.).

Corrective measures may include: Level 2 disciplinary actions.

Short Term Suspension may occur with proper notification to parents/guardians, including generating a re-entry restorative plan:

- **up to 3 days** for elementary school students;
- **up to 4 days** for middle or high school students;

**Level 4
Aggressive, Distressing/Harmful or Risky Behavior &
Repeated Offenses From Lower Levels**

Repeating any offense from Level 1, Level 2 or Level 3

Physical aggression with intent to harm

- Fighting on or outside the school’s premises
- Inappropriate touching
- Hitting (contact made)

High-risk

- Intentional self-exposure of a private body part, causing or encouraging another student to expose their private parts
- Throwing items (whether to hurt someone or not)
- Setting off alarms
- Eloping school grounds
- Engaging in gambling activities
- Possession of an item that jeopardizes the safety and security of the school’s community.

Non-complying with the Dignity of All Students Act (DASA)

- Bullying
- Intimidation
- Harassment
- Discrimination

Misappropriation of someone else’s property.

Vandalism of students, staff and school’s property.

Disruptive Behavior During Non- School hours

Any behavior during non-school hours that disrupts the safety, security, learning, well-being, and/or the reputation of the school (e.g. engaging in Cyberbullying).

Corrective measures may include: Level 3 corrective actions and/or school’s suspension (up to 10 days) with proper notification to parents/guardians, including generating a re-entry restorative plan. Expulsion considered for extreme Level 4 behaviors, and family restorative conference required. Specialized professionals assigned as student support team and/or external services as needed. Proper due process procedures will be followed.

911 may be called at the discretion of the school; parents/guardians will be notified.

**Level 5
Seriously Dangerous or Violent Behavior & Repeated Offenses From Lower Levels**

Repeated Offenses from Level 1 through Level 4

Bullying (defined as) repeated, unwanted aggressive behavior involving a real or perceived power imbalance.

- Cyber bullying (including sending or sharing of inappropriate pictures/comments/posts), online social cruelty, or electronic bullying- sending mean, vulgar or threatening messages or images; insensitive posting about another student (including but not limited to ‘sexting’; pretending to be someone else in order to make that person look bad or become embarrassed)
- Encourages or tricking others to share private images of themselves
- Harassment

Dangerous/Violent Behavior

- Distribution/use/possession of drugs or alcohol or items that appear to be a controlled substance
- Being under the influence of illegal drugs or alcohol
- Smoking or vaping on school grounds
- Distribution/use/possession of a weapon or other dangerous object
- Group violence
- Assaulting a student or staff member
- Inappropriate sexual behavior
- Sexual harassment
- Destructing or attempting to destruct School property, including by starting a fire
- Tampering with school records
- Committing a felony
- Engaging in any behavior that threatens the safety of the school community

Chronic Disciplinary Issues

The School defines this as a pattern of severe behavior characteristics which interferes with the learning process of students around him/her and which are likely to reoccur, evidenced by repeat offenses despite multiple interventions. It is always our intention to restore the student and prevent the interruptions to the learning environment. The School will seek to implement more targeted and intensive strategies. It is our expectation that this happens in partnership with the student and his/her family. The student and/or parent/guardian’s failure to cooperate in such cases may result in recommendation for further consequences.

Corrective measures may include: Level 4 corrective actions and/or suspension with proper notification to parents/guardians, including generating a re-entry restorative plan. Expulsion considered for extreme Level 4 behaviors, and family restorative conference required. Specialized professionals assigned as student support team and/or external services as needed. Proper due process procedures will be followed.

911 may be called at the discretion of the school; parents/guardians will be notified.

Suspensions

In-School Suspension (ISS)

Students involved in misconduct that does not pose a danger to staff, students, or severely disturb the learning environment may be assigned an in-school suspension. ISS involves placement of

the student in another area of the school building where the student will receive equivalent alternative instruction. The School will work with the student and the student's family to generate a re-entry restorative plan. Students assigned ISS are suspended from all-school sponsored extracurricular activities (e.g., sports practices and games, recess, field trips, clubs, special programs, etc.) during their time in ISS.

Short-term Suspensions

If the student breaches the discipline policy aligned with the School's code of conduct in a manner that requires an immediate short-term suspension (10 days or less), then the following procedures will be in place:

- The student is removed from class and school if the student's presence in school poses a continuing danger to persons or property or is an ongoing threat of disruption to the academic process; otherwise, the student is brought in for a meeting;
- The student is made aware of his or her infraction(s), and the resulting consequence;
- The student may respond to the allegations against them;
- A written notice will be sent to the parent/guardian within 24 hours of the suspension. There will also be an attempt to notify the guardian by telephone the day of the infraction and, if possible, send the student home with the parent's permission or ask for a parent to pick the student up to begin the suspension immediately. Any non-English speaking parent will be informed, both verbally and in print, in their native language.
- The notice will describe the incident and will state how long the student will be suspended.
- After the suspension, a parent/guardian is required to have a resolution conference with an administrator and/or designee about the incident, in person or via phone. A statement of understanding may be given to the parent to sign in the resolution conference with the administrator, and/or designee.

During any suspension, students are also suspended from all-school sponsored extracurricular activities (e.g., sports practices and games, recess, field trips, clubs, special programs, etc.).

Long-term Suspension or Expulsions

Expulsion is defined as a permanent removal of a student from school due to extreme non-compliance with the School's rules or local, state or federal laws. Under certain circumstances, students may be subject to long term suspension and/or expulsion. In addition, any breaches of local, state or federal law may be handled in cooperation with the local police department and may result in expulsion.

The School may seek to impose a long-term suspension or expulsion when such action is warranted by circumstance. If a student commits an infraction that requires a long-term suspension (more than 10 days) or expulsion, then the following procedures will be followed:

- The student is removed from class and school if the student's presence in school poses a continuing danger to persons or property or is an ongoing threat of disruption to the academic process; otherwise, the student is brought in for a meeting;
- The student is made aware of the infraction, and the resulting consequence;

- On determination that the student's behavior indeed requires a possible long-term suspension, the Principal or Assistant Principal will state to the student that he or she is being considered for a long-term suspension or expulsion, and the reason for this action;
- A written notice is sent to the parent/legal guardian within 24 hours of the suspension. There will also be an attempt to notify the parent/legal guardian by telephone the day of the infraction and, if possible, send the student home with the parent's permission or ask for a parent to pick the student up to begin the suspension immediately. The parent will be informed that a hearing is to take place to weigh the evidence and consider either long-term suspension or expulsion as a result. Any non-English speaking parent will be informed, both verbally and in print, in their native language.
- The School sets a formal hearing date. The student and parents receive a written notice that states the charges, the date, time and place where the hearing will be held, and the notice of their right to obtain legal counsel, present and question witnesses, and confront and provide evidence.
- A short-term suspension will be imposed until the hearing on the long-term suspension or expulsion. Every effort will be made to ensure that the hearing is held as soon as practicable in order to limit the amount of time the student spends outside the classroom, but not so soon as prevent the parent/guardian from seeking counsel and making arrangements to attend the hearing.
- After the case is heard, the School will issue a written statement to the student and parent stating the decision. This statement will also be placed in the student's permanent record.
- If the parent/guardian fails to attend the hearing and fails to notify a school official of the need to reschedule the hearing prior to its start, or if the student withdraws from the School prior to occurrence of the hearing, the School may conduct the hearing in the parent/guardian's absence. In such an event, the School shall notify the parent/guardian in writing of the School's determination, the student's placement (if applicable) and their appeal rights, if any.
- During a suspension or expulsion, a School staff member or designee will provide educational services to the extent required by law. When providing educational services to suspended students, the School will provide materials in a timely manner and offer at least two hours per day of voluntary one-on-one direct instruction (alternative instruction) at a location and time determined by the School. For a student who has been expelled by the School, the means and manner of alternative instruction will be the same as for a student who has been suspended. Alternative instruction will be provided until the earlier of (i) the end of the school year or (ii) the student is enrolled at another accredited school, or otherwise participating in an accredited program, including any alternative education program operated by the student's school district of residence.

If the parents/guardians are not satisfied with the decision of the School, they may file a written appeal to the Board of Trustees via the Principal within five business days of the date of the suspension/expulsion decision. Upon receipt of an appeal, a Board Committee composed of no less than two (2) trustees who were not involved in the hearing will investigate the appeal as soon as practicable and will render its determination no later than 10 business days from the date of the written appeal. The Board Committee may adopt the earlier decision of the School in whole or in part. The scope of the appeal will be limited to (a) the record established during the hearing, and (b) any written statement either party wishes to add to the record from the hearing. In rendering its determination, the Committee may consult the recording of the hearing and any

evidence submitted in connection with the hearing by the parties.

Final decisions of the Board alleging a violation of the School's charter or of applicable law may be appealed to the New York State Board of Regents.

Gun Free Schools Act

Federal law (20 USC §7961) requires suspension from school for a period of not less than one year for a student who the School determines to have brought a firearm to school, or to have possessed a firearm at school. "Firearm" as used in this law means a "firearm," or "destructive device" as defined by 18 USC § 921(a) and includes firearms and explosives (New York Education Law § 3214 effectuates this federal law).

The School may also permanently expel a student for bringing a firearm to school. It is the policy of the School that in the event a student brings a firearm to school or possesses one at school, the Principal will refer the student to local law enforcement or to the Office of Children and Family Services. In addition, the local police department will be contacted to take possession of any firearm.

The provisions of the Gun Free Schools Act shall be construed in a manner consistent with the Individuals with Disabilities Education Act. Therefore, the CSE will be consulted, even after a manifestation determination that the student's behavior was not a manifestation of the student's disability, regarding placement and services for such student.

Student Interview and Searches

Student Interviews

School staff may question or interview students and/or take statements from students regarding violations or potential violations of the discipline policy without the consent or presence of parents or legal guardians.

Searches of Property

Students have no reasonable expectation of privacy rights in school lockers, cubbies, desks, or other school storage places. The School exercises overriding control over such school property, which may be opened and subjected to inspection at any time by school officials.

Searches of the Person

The School authorizes the instructional and operational leaders or their designees to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the School's discipline policy or otherwise constituted a threat to the health, safety, welfare, or morals of the School, other students, school personnel, or any other person lawfully on school property or attending a School function. An authorized school official, with minimal suspicion, may also conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag for a security check so long as the school official has a legitimate reason for the limited search, including investigative purposes.

An authorized School official may search a student or the student's belongings based upon information received from an informant who is deemed reliable, at the official's sole discretion. Individuals, other than the School's staff members, will be considered reliable informants if they have previously supplied information that was accurate and verified, they make an admission against their own interest, they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. School staff members will be considered reliable informants unless they have knowingly supplied information in the past that was not accurate.

Before searching a student or the student's belongings, the authorized school official should seek an admission from the student that he or she possesses physical evidence that they violated the law or the school code, or request the student to voluntarily consent to the search. Searches will be limited in scope to that which is necessary to locate the evidence sought.

Whenever practicable, searches will be conducted in the privacy of administrative offices with more than one witness present, and students will be present when their possessions are being searched.

Discipline of Students with Special Needs

In addition to the discipline procedures applicable to all students, the following procedures are applicable to students with disabilities. If a student is not specifically identified as having a disability but the School, prior to the behavior which is the subject of the disciplinary action, has a basis of knowledge—in accordance with 34 CFR 300.534—that a disability exists, the student may request to be disciplined in accordance with these provisions. The School shall comply with sections 300.530-300.536 of the Code of Federal Regulations and the following procedures, except in the event that the following procedures are inconsistent with federal law and regulations.

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

If a student identified as having a disability is suspended during the course of the school year for a total of eight (8) days, such student will immediately be referred to the CSE of the student's district of residence for reconsideration of the student's educational placement. Such a student shall not be suspended for a total of more than ten (10) days during the school year without the specific involvement of the CSE of the student's district of residence prior to the eleventh day of suspension, because such suspensions may be considered to be a change in placement.

In considering the placement of students referred because of disciplinary problems, the CSE of the student's district of residence is expected to follow its ordinary policies with respect to parental notification and involvement.

Due Process

If discipline which would constitute a change in placement is contemplated for any student with an IEP, the following steps shall be taken: (1) not later than the date on which the decision to take such action is made, the parents of the student with a disability shall be notified by the School of that decision and provided the procedural safeguards notice described in 34 CFR §300.504; and (2) the CSE of the student's district of residence and other qualified personnel shall meet and review the relationship between the child's disability and the behavior subject to the disciplinary action (subject to CSE's availability).

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

Parents may request a hearing to challenge the manifestation determination. Except as provided below, the child will remain in his or her current educational placement pending the determination of the hearing.

If a parent requests a hearing or an appeal to challenge the interim alternative educational setting or the manifestation determination resulting from a disciplinary action relating to weapons or drugs, the child shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period provided for in the disciplinary action, whichever occurs first, unless the parent and School agree otherwise.

Provision of Services During Removal

Those students with special needs removed for a period of fewer than ten days will receive all classroom assignments and a schedule to complete such assignments during the time of their suspension. Provisions will be made to permit a suspended student to make up assignments or tests missed as a result of such suspension. The school shall also provide additional alternative instruction within the ten (10) days and by appropriate means to assist the student, so that the student is given full opportunity to complete assignments and master curriculum, including additional instructions, phone assistance, computer instruction and/or home visits and one-on-one tutoring.

During any subsequent removal that, combined with previous removals equals ten (10) or more school days during the school year, but does not constitute a change in placement, services must be provided to the extent determined necessary to enable the child to appropriately progress in the general curriculum and in achieving the goals of his or her IEP. In these cases, school personnel, in consultation with the child's special education teacher, shall make the service determination.

During any removal to an interim alternative educational setting not to exceed 45 days for weapon, drug or infliction of serious bodily injury-related offenses pursuant to 34 CFR §300.530(g) services will be provided to the extent necessary to enable the child to appropriately progress in the general curriculum and in achieving the goals of his or her IEP. These service

determinations will be made by the CSE of the student's district of residence. The School will, in consultation with the CSE, place students in interim alternative educational settings as appropriate per 34 CFR §300.520(g). The student should receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

During any subsequent removal that does constitute a change in placement, but where the behavior is not a manifestation of the disability, the services must be provided to the extent necessary to enable the student to appropriately progress in the general curriculum and in achieving the goals of his or her IEP. The CSE of the student's district of residence will make the service determination. The student should receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

Dignity for All Students Act Policy (“DASA”)

In accordance with New York State’s Dignity for All Students Act, as amended (“DASA”), the School is committed to providing its students, employees, volunteers and visitors with an educational and working environment that is safe and secure, promotes respect, dignity and equality, and is free from bullying, discrimination or other forms of harassment or intimidation.

Bullying

Bullying is strictly prohibited on school property and at any school function, as well as any other place or time when the effects of such conduct would reasonably be expected to impact the educational process or create a risk disruption within the school environment.

“Bullying” for the purpose of this policy is defined as harassment, aggressive behavior or other intentional action, whether verbal or physical, which is intended, or could reasonably be expected, to cause emotional harm, distress, fear, ridicule, humiliation and/or intimidation. Bullying can be face-to-face, or carried out by phone, over the internet and other ways directed at another person through the "posting" of sensitive and/or private information, including cyberbullying. “Cyberbullying” means bullying through any form of electronic communication, such as email, text, and social media (e.g., Facebook, Twitter, Snapchat, and Instagram). Bullying can take many forms, such as slurs, jokes, innuendos, demeaning comments, cartoons, pranks, gestures, and physical attacks.

This policy includes bullying of students (by other students, employees, volunteers and visitors) and by students (of employees, volunteers and visitors).

Bullying by students will result in discipline, up to and including suspension and/or expulsion. Bullying by employees will result in disciplinary action, up to and including termination of employment.

Harassment and Discrimination

All students are entitled to a learning environment free from harassment and discrimination. No student or employee shall be subjected to discrimination or harassment by other students,

employees or visitors on the basis of physical, cultural or even social differences, including, without limitation based on his or her actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, sex, gender identity, or gender. "Harassment" includes any action (verbal or physical) which tends to create a hostile environment (including bullying and cyberbullying) and has substantially interfered with a student's educational opportunities or benefits or the terms and conditions of an employee's employment, reasonably causes a student or employee to fear for his or her physical safety, or reasonably poses a risk to a student's or employee's physical or emotional well-being. Just like Bullying, harassment that occurs off school property is prohibited when the effects of such conduct would reasonably be expected to impact the educational process or create risk of disruption within the School environment. Harassment by students will result in discipline, up to and including expulsion. Harassment by employees will result in disciplinary action, up to and including termination of employment.

Evergreen Charter School values and embraces its inclusive and diverse school communities and strives to provide a welcoming, safe and supportive environment for all students and families regardless of their race, color, ethnicity, religion, gender, disability, sexual orientation and gender identity. If a student or his or her family would like to explore a particular accommodation based upon cultural or religious practices, or due to one's disability, sexual orientation, or gender identity, the student or the student's parents or guardian should contact a the Principal or adult the student feels comfortable with to schedule a meeting to discuss a plan to address the student's particular circumstances and needs.

Reporting and Investigation of Complaints of Harassment/ Discrimination and Bullying

Any staff member who witnesses, receives an oral or written account of, or otherwise reasonably suspects the occurrence of, any act constituting harassment, discrimination or bullying *must* promptly notify the principal, superintendent, or the Dignity for All Students Act (DASA) Coordinator of such occurrence as soon as reasonably practicable, but no later than one school day of witnessing or receiving a report of harassment, discrimination or bullying. Such staff member is required to file a written report with the principal, superintendent or the DASA Coordinator no later than two school days after such oral report or notification. Reporting forms shall be made available in the school's main office. The School

The DASA Coordinator's name and contact information for each school can be found on the school's website . The DASA Coordinator is trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, gender and gender identity. The DASA Coordinator will be accessible to students and staff members for consultation and advice.

All students, Parents, visitors and others are *strongly encouraged* to report any such conduct. Retaliation or reprisal by any staff member, student or Parent against any individual who, in good faith, reports or assists in the investigation of harassment, discrimination or bullying is strictly prohibited (and, for students and staff members, will result in severe discipline). All complaints will be treated in a confidential manner. Please note that anonymous reports may limit the school's ability to respond to the complaint effectively and efficiently.

The principal, superintendent or the DASA Coordinator will lead or supervise the prompt and thorough investigation of all such reports. If such investigation results in a finding of a violation of the school's anti-harassment/discrimination/bullying policies, the school will take prompt action, reasonably calculated to end the harassment/discrimination or bullying, eliminate any hostile environment, prevent recurrence of the behavior, and ensure the safety and educational opportunities of the student(s) or staff member(s) against whom such behavior was directed.

The School reserves the right to notify an appropriate law enforcement agency when it is believed that any harassment/discrimination/bullying constitutes criminal conduct.

Material incidents of discrimination and harassment will be reported to the State Education Department as required by law.