

## **REMOVAL FROM SCHOOL PROCEDURES**

### **Out-of-school Suspension (OSS) – Short Term (5 days or less)**

The Dean of Students, Principal, Director of School Culture, and/or Director of Student Life may make referrals for short term out of school suspensions. Before a student is assigned to OSS, he/she will be given a chance to meet with the administrator to discuss the behavior and tell his/her side of the story. During this meeting, the administrator will share with the student what the behavior of concern is and the information that the school has to believe the behavior occurred. The student will then be given a chance to share their side of the story and/or explain the behavior. If the student is assigned to OSS, the administrator will notify the student and parent(s) in writing of the reason for and length of the suspension.

If the student's continued presence at school poses an immediate and continuing danger to other students or school staff, the administrator may suspend the student for the rest of that day and the following day without meeting with the student. However, before any further suspension is issued, the administrator will meet with the student as outlined below. This meeting could occur by phone if the student's presence at school poses a continuing danger to other students or school staff.

Students who are suspended are not permitted on school grounds and cannot attend school-related activities or events for the duration of their suspension.

### **Out-of-school Suspension (OSS) – Long Term (6 days or more)**

The Dean of Students, Principal, Director of School Culture, and/or Director of Student Life may make a recommendation for long-term suspension. The Head of School (or other designated administrator) makes the final decision after a disciplinary hearing is held with the student and parent(s). Once a recommendation for long-term suspension is made, the student will be suspended pending a hearing.

Before the administrator makes a recommendation for long-term suspension, he/she will meet with the student to discuss the behavior and give the student an opportunity to tell his/her side of the story. During this meeting, the administrator will share with the student what the behavior of concern is and the information obtained by the school. The student will then be given a chance to share their side of the story and/or explain the behavior.

If the student's continued presence at school poses an immediate and continuing danger to other students or school staff, the administrator may suspend the student for the rest of that day and the following day without meeting with the student. However, before any further suspension is issued, the administrator will meet with the student as outlined below. This meeting could occur by phone if the student's presence at school poses a continuing danger to other students or school staff.

If necessary, the administrator will investigate the circumstances of the behavior and the student's explanation. The investigation will be completed within three days of the incident or within three days of when the school was notified of the incident. If appropriate, the administrator may issue a short-term suspension pending the investigation.

If long-term suspension is recommended, the administrator will notify the student and parent(s) in writing of the reason for and length of the recommended suspension. This notice will include information about the basis for the recommendation, the information that the school has to support the recommendation, and the disciplinary hearing process. A disciplinary hearing, known as the Discipline Review Meeting (DRM), will be held within 5 school days of the date that the recommendation for long-term suspension is issued. Extensions of this deadline may be made on a case-by-case basis if necessary.

At the DRM, the administrator will share the information relied on to support the recommendation for long-term suspension. The student and parent(s) will be given an opportunity to fully respond to the information shared by the administrator and to present any additional information. The student may be represented by an attorney.

The DRM administrator will notify the student and parent(s) in writing of the final determination on the next school day following the hearing.

Students who are suspended are not permitted on school grounds and cannot attend school-related activities or events for the duration of their suspension.

### **Dismissal Review Meeting Procedures**

#### *Purpose*

The purpose of a Discipline Review Meeting (DRM) is to determine whether a student's conduct warrants dismissal from the school. The DRM team consists of (1) the Director of School Culture; (2) the Principal OR Director of Student Life; and (3) a Dean of Students. Students are typically suspended for a period of time and a DRM scheduled to occur prior to the end of their suspension period.

#### *Hearing*

During the DRM, the DRM team reviews the facts involving the incident and gives the student and parent an opportunity to explain the behavior, offer additional context, and take accountability for what happened. The DRM team asks clarifying questions to gather more information.

#### *Dismissal Decision*

After the hearing with the student and parent/guardian, the DRM team will debrief, discuss the facts, and make a final decision about dismissal. The student and parent/guardian will be notified in writing of the final decision on the next business day following the hearing.

#### *Additional Meeting Information*

- The DRM meeting *can* occur by Zoom if the student's presence at school poses a continuing danger to other students or school staff.
- A DRM meeting will be held within 5 school days of the date that the recommendation for expulsion is issued. Extensions of this deadline may be made on a case-by-case basis if necessary.
- Students who are dismissed are not permitted on school grounds and cannot attend school-related activities or events for the duration of their dismissal.

### **Appeal Process for Disciplinary Actions**

1. If a parent/guardian disagrees with any of SEED DC's disciplinary responses or the outcome of a Discipline Review Meeting, a parent/guardian can appeal either in writing, or by contacting the Executive Assistant to the Head of School via email [kmays@seedschooldc.org](mailto:kmays@seedschooldc.org) or by phone at (202) 248-3007 within 48 hours of the Discipline Review Meeting to request a meeting with the Head of School. The appeal meeting will be scheduled within 5 days of the appeal request.
2. The Head of School or a designee will review all relevant documentation, including but not limited to scholar's behavior record, academic record, referrals, and the parent's letter stating their specific concerns.
3. The parent/guardian will receive written notification of the final appeal decision within 48 hours following the appeal meeting.
4. Parents/Guardians who are not satisfied with this determination may appeal to SEED DC's Chair of the Board, Desa Sealy, at [desasealy@gmail.com](mailto:desasealy@gmail.com). This appeal must be made in writing within 5 calendar days of when the final determination by the Head of School was sent (not reviewed).
5. Should any parent/guardian elect **not** to call the office of the Head of School to schedule an Appeal Meeting within 48 hours of the decision to dismiss, the decision to dismiss will be upheld.

Scholar suspensions are documented and maintained in SEED DC's Student Information System (PowerSchool) for all scholars. If requested, a high school scholar's behavioral record may be forwarded as part of the transfer of records and/or the college application and admissions process.

By request, parents are permitted to have a copy of the incident reports written by their own child, with redacted information to protect the privacy of other scholars.

## **Students with Disabilities**

SEED DC abides by IDEA requirements regulating disciplinary actions against scholars with disabilities.

### **Removal for 10 or fewer school days in a school year**

Scholars in special education can be suspended for up to 10 consecutive or cumulative school days in a year to the same extent that suspension is used for general education scholars. The school is not required to provide services for the first 10 days in a school year that the scholar is suspended

### **Removal for more than 10 cumulative school days when the scholar's behavior does not represent a pattern**

No manifestation determination is required when a scholar is suspended for more than 10 school days in a school year and the series of suspensions does not constitute a pattern. However, scholars who are suspended for more than 10 school days in a school year must continue to receive educational services while on suspension so as to enable them to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting their IEP goals. Scholars who are suspended for more than 10 days in a school year must also receive, as appropriate, a functional behavior assessment and behavior intervention services and modifications to address the behavior so that it does not recur.

### **Removal for more than 10 consecutive school days or 10 cumulative schools days when the behavior represents a pattern**

Disciplinary action that results in a scholar being suspended for more than 10 consecutive school days or 10 cumulative school days in a year where the series of suspensions constitute a pattern result in a disciplinary change in placement. A disciplinary change in placement requires a manifestation determination to be made by the IEP team.

The following is required under these circumstances:

1. **Parent Notification:** the parent/guardian must be notified of the disciplinary action to be taken and informed of the procedural safeguards on the day the decision to take disciplinary action was made (in some cases, a student may be suspended while an investigation is conducted, and the parent/guardian will be notified as stated above at the conclusion of the investigation).
2. **Manifestation Determination:** an IEP team meeting must be convened within 10 school days to determine whether the scholar's behavior was a manifestation of his/her disability (see next section for more information).
3. **Review of Behavior Intervention Plan:** at the manifestation determination meeting, the IEP team must also conduct a functional behavior assessment, unless one has already been conducted, and develop a behavior intervention plan for the scholar or review the scholar's current behavior intervention plan and modify it as necessary.

Scholars who are suspended for more than 10 school days in a school year must continue to receive educational services while on suspension so as to enable them to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting their IEP goals.

### **Manifestation Determination Review**

A manifestation determination review (MDR) meeting examines the relationship between the scholar's disability and the scholar's behavior that is subject to the disciplinary action. If it is determined that the scholar's behavior **was** a manifestation of his or her disability, then the scholar must return to SEED unless the parent and school agree otherwise.

There are special circumstances where a scholar with a disability can be removed from SEED for up to 45 school days without regard to whether the scholar's behavior was determined to be a manifestation of his/her disability:

- possession of a weapon at school on school premises or during a school function;
- possession or use of an illegal drug at school on school premises or during a school function;
- infliction of serious bodily harm at school on school premises or during a school function.

If it is determined that the scholar's behavior **was not** a manifestation of the scholar's disability, the same disciplinary procedures applicable to a scholar without a disability, including long-term suspension or expulsion may be applied to the scholar with a disability. Scholars who are suspended for more than 10 school days in a school year must continue to receive educational services while on suspension so as to enable them to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting their IEP goals.

Note: The IEP team, with parent consent, may change the scholar's placement at any time.