



Freire

Charter Middle School

STUDENT CODE OF CONDUCT POLICY

Policy #201

Adopted: 6/12/2019

Overview

Basic Principles

The basic principles of Freire Charter School are as follows:

- Dress like a scholar
- Think and act like a scholar
- Treat others like a scholar
- Study like a scholar

Purpose of the Code of Conduct

We believe that it is important for Freire to set forth the expectations of all community members. This Code of Conduct is designed to support Freire's mission to provide a college-preparatory learning environment with a focus on the individual avenues of problem solving, freedom, and critical thinking, as well as the collective values of nonviolence, safety, community, and teamwork.

Code of Conduct Guiding Principle

As an educational institution, we recognize that it is our responsibility to educate students regarding nonviolence and the Code in general. Our practice is based upon the belief that as students progress from one grade to the next, they become more responsible for the rules and gain a greater capacity for independent decision-making.

Expectations of Students

Freire Charter School will provide our students with skills that they need for the future. The teachers, counselors, administrators, and custodial staff at Freire are dedicated to the education and well-being of our students. In turn, Freire expects and requires all students to show respect and care for the staff, volunteers, visitors, the building, each other, and people of all cultures represented in the school. Freire also expects students to take care of the property within the school and in the community as defined below.

Definitions

Student

A person enrolled in Freire Charter School.

Parent/Guardian

The official caregiver of a minor child, including, but not limited to mother, father, stepparent, grandparent, or court-appointed guardian, including DHS workers and/or group home employees **as identified at time of admission or amended in writing thereafter**; or an emancipated minor (of which proof is required).

Staff

Any person employed by, or volunteering at, Freire Charter School.

Community Member

Any Freire Charter School student, parent, staff member, mentor, board member, volunteer, neighbor, or any other person a student may encounter while on school grounds (defined below). These integral parts join together to create a special community.

School Grounds

Freire's surroundings are unique in that we share building space with other organizations and we frequently use outside community resources during the day (restaurants, nearby parks, nearby public buildings, public transportation, school buses, etc.). Freire defines the school grounds as starting outside of the student's home when they leave in the morning, continuing to include anywhere the student travels on the way to school and during the school day (including field trips), and ending at the student's door when they return home at the conclusion of all school-related activities. Community members will be held accountable for their behavior at any time or location in which the behavior has an impact on the school as defined above.

Intervention

A consequence assigned by the School as a result of a violation of the Code of Conduct. The purpose of the intervention is so that the student understands that their behavior was unacceptable. Repeated violations of the Code of Conduct will result in more severe interventions. Students who do not respond to repeated interventions and continue to behave in ways that violate the Code of Conduct and challenge the expectations of the community may be asked to leave the community.

Mediation Program

A conflict resolution program where trained students and staff guide individuals who are in conflict toward a peaceful resolution. Every student has the opportunity to participate in mediation when there is a conflict with another community member so that the conflict can be resolved in a constructive, nonviolent manner. Mediation is to be used in a proactive manner to prevent infractions of the Code of Conduct, not as a result of an infraction of the Code of Conduct.

Emotional Support Team

A team of trained mental health professionals, which may include social workers and master's degree level interns, that the School uses to provide services to students and families. Any student/family referred by Freire to participate in family therapy is encouraged to do so. Family therapy is provided free of charge and is a very important part of building and strengthening our community. In certain cases, mandatory meetings with a member of the emotional support team may be assigned by the School as a behavioral intervention.

Nonviolence Policy Origin

Nonviolence has come to be a way of life inside Freire Charter School, driven in large part by the students themselves. In 1999 when the school first opened, students entered Freire's space each telling stories of horror, fear, and attack from fellow students and teachers alike at their previous schools. What these students talked about was raw and emotionally felt, and each and every one of them hoped that Freire would be a place where students and teachers felt safe and secure to do the learning, they knew colleges would demand of them later in their education. During that first year, the Freire students worked weekly with the School leadership, striving to build the core elements of what Freire would one day become. Nonviolence was by far the students' first priority, followed by high-quality academics. At the end of that school year, Freire students and School leadership had written and ratified Freire's Nonviolence Policy, which is still in effect today. Now, years later, students, staff, and parents count on the Nonviolence Policy to keep everyone safe and to bind the Freire community together in trust and mutual respect for each other's safety, one and all.

This nonviolent and safe atmosphere is critical to high academic achievement. Students cannot learn in an environment where they do not sense physical safety. So, we are not a school with high academic achievement **and** a rigid nonviolence policy; we are a school with high academic achievement **because** we have a rigid nonviolence policy. You cannot have one without the other.

Nonviolence and Commitment to Peace Policy

Freire is a nonviolent community. This policy, approved by the Freire Charter School Board, **mandates recommendation of expulsion for all acts of violence, including acts committed in self-defense or retaliation.** The recommendation will be made by the designated School personnel and will be carried out regardless of the circumstances surrounding any specific event or the disciplinary history or academic standing of any student involved. This policy extends to actions that occur through digital media such as texting, mobile applications, social media, and email.

Students are expected to adhere to the policy at all times and in all places including:

- During school hours
- Before and after school
- On school grounds and in the surrounding community
- During school-sponsored activities
- During field trips, sports events (both at and away from the school) and at any event where students are representing Freire Charter School
- Traveling to and from school on public transportation and on school buses (5th and 6th grades)

The above list serves only as examples of places and is not to be considered an exhaustive list.

Acts of violence toward another person include, but are in no way limited to, the following:

Physical Violence

- Punching
- Hitting
- Slapping
- Kicking
- Biting

- Hair-pulling
- Throwing things at another person
- Any other type of striking or grabbing
- Physically invading another individual's personal space in order to intimidate them

Verbal Violence

- Bullying (as described in the Freire Anti-Bullying Policy)
- Threatening another person's life
- Threatening the safety of another person
- Threatening to bring another person to school to hurt someone
- Yelling
- Taunting/teasing
- Screaming
- Cursing

NOTE: Verbal violence may result in recommendation for expulsion depending upon the severity of the incident. Repeated incidents of verbal violence may also be grounds for recommendation for expulsion.

Other Actions Prohibited Under the Nonviolence Policy:

- Using violence to defend yourself
- Harassment of a community member by outside family or friends initiated by a Freire student – this includes threats made in person, by text, by video, or using any type of social networking site (Twitter, Facebook, etc.)
- Possession of weapons – “including but not limited to, any knife, cutting instruments, cutting tools, nunchaku, firearm, shotgun, rifle, and any other tool or instrument capable of inflicting serious bodily injury” (ACT 26 of the 1995 Safe Schools Act)*
- Destruction of property
- Possession of, or attempt to distribute, any illegal substance*
- Threatening another community member (in any way including social media) with physical harm
- Stealing

*In these instances, Freire must follow the law. The law requires the School to report any of these violations to the authorities, which will then determine whether criminal charges will be filed. The School will continue its internal disciplinary processes separately from the authorities.

If there is a suspected violation of the Nonviolence and Commitment to Peace Policy, the School will follow the disciplinary policies and procedures listed below. If it is determined that a student violated the Nonviolence and Commitment to Peace Policy, this will result in a recommendation for expulsion. Please note that a student is not formal expelled, however, unless and until the hearing process has been completed and the Board of Directors votes to expel the student as described below.

Nonviolence and Commitment to Peace Student Supports Policy

Because the Freire Nonviolence and Commitment to Peace Policy is unique and because Freire is an educational institution committed to supporting the growth and success of everyone in the community, Freire Charter School has created a comprehensive set of supports and structures to help students thrive within

Freire's culture. The School offers supports that may include orientation for new students, peer mediation, counseling, and other programs.

Bullying and Cyberbullying Policy

Pennsylvania law defines "bullying" as an intentional electronic, written, verbal or physical act, or a series of acts directed at another student or students that is severe, persistent or pervasive; and that has the effect of (i) substantially interfering with a student's education; (ii) creating a threatening environment; or (iii) substantially disrupting the orderly operation of the school.

Freire's Code of Conduct prohibits additional behaviors beyond the legal definition of bullying, which include:

- Verbal or physical taunting or intimidation against students or staff because of age, ancestry, citizenship, color, creed, disability, domestic or sexual violence victim status, ethnicity, familial status, gender expression, gender identity, genetic information, marital status, medical condition, national origin, race, religion, sex, sexual orientation, veteran status, or any other protected status.
- Acts occurring over the Internet (Snapchat, Instagram, etc.), through cell phones, cameras, or video, or by any other means through which people can communicate or share information
- Any unwanted, aggressive behavior among individuals that instills fear or serves to demean an individual and are committed over a period of time, regardless of the intentions of the bully/bullies
- Taking a passive role as a bystander by encouraging a bully or willingly not taking action to prevent abuse from occurring

Freire takes a firm stance against bullying and is committed to address this negative behavior as it is detrimental to the well-being of an individual, is a major disruption to the learning environment, and is damaging to the community as a whole.

Depending upon the facts and circumstances, **Freire may define bullying as an act of violence and therefore a violation of the Nonviolence Policy** (See above). Please note that a student is not formally expelled, however, unless and until the hearing process has been completed and the Board of Directors votes to expel the student as described below.

If there is suspected violation of the Bullying and Cyberbullying Policy, the School will follow the disciplinary policies and procedures listed below.

Sexual Harassment & Sexual Assault Policy

Sexual harassment is prohibited anywhere in the Freire Charter School community. Sexual harassment consists of interaction between individuals of the same or opposite sex that is characterized by unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature (including but not limited to gestures, comments, sexual innuendos, or touching) when such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or educational environment.

If any community member expresses that they have experienced undesired acts, then it will be treated as sexual harassment.

If there is a suspected violation of the Sexual Harassment Policy, the School will follow the disciplinary policies and procedures listed below.

Freire Charter School defines sexual assault as intentional sexual contact, characterized by use of force, threats, intimidation, abuse of authority or when the victim does not or cannot consent, or any sexual act prohibited by the law. Sexual assault includes rape and other unwanted indecent contact (e.g. kissing against another person's will) that is aggravated, abusive, or wrongful (to include unwanted and inappropriate sexual contact) or attempts to commit these acts.

- In the event a student has made a claim of sexual assault, the appropriate law enforcement agencies will be notified.
- In the event a student has sexually assaulted a fellow member of the community, the student will be recommended for expulsion. Please note that a student is not formally expelled, however, unless and until the hearing process has been completed and the Board of Directors votes to expel the student as described below.

Appropriate counseling will be provided for any individuals impacted by sexual harassment or sexual assault.

Student Technology

Student Technology Policy

Freire Charter School provides students with computer equipment, computer services, the system network, Internet access, and other technological equipment and resources. Freire has the right to place reasonable restrictions on this privilege.

All access and rights are privileges granted by Freire and students should expect only limited privacy in the contents of personal files and access. The situation is similar to the rights you have in the privacy of your locker. Network administrators may review files and communications to maintain system integrity and ensure that users are using the system responsibly. Users should not expect privacy with regard to any files stored on School or cloud servers. Routine maintenance and monitoring of the Freire system may lead to discovery that this policy, the Freire Code of Conduct, or the law has been violated. In these cases, students will be held accountable to the expectations of the School and the law.

All users agree to abide by applicable federal, state, and local laws and Freire rules when using Freire technology. Freire will not assume legal or other responsibility for any use deemed unacceptable or for any content students find online.

The use of Freire technology is a privilege, not a right, and the purpose of this agreement is to define acceptable and unacceptable use of computer equipment, computer services, the system network, the Internet, and other technological equipment and resources as defined by Freire. Unacceptable use, as defined by this agreement, or at the discretion of the School administration or staff, may result in restriction or cancellation of access (even for required coursework) as well as other disciplinary or legal action.

Student Technology Procedure

Technology

Technology resources are defined as any electronic tool, device, program, or system that aids the academic environment for a student. Technology includes:

- All computer software and hardware

- Cell phones, tablets, and smart watches
- Analog and digital networks (e.g., data, video, audio, voice, and multimedia)
- Email systems and communications technologies
- Servers, routers, hubs, switches, and Internet gateways
- Administrative systems, media systems, and learning information systems
- Smart Boards
- Related and forthcoming systems and new technologies

Acceptable Use

Acceptable use of Freire technology is any use that is consistent with the educational objectives of Freire and in accordance with the Freire Code of Conduct. This includes academic work, college exploration and research, and employment exploration and research. For further clarification on uses not listed here, please refer to the Head of Academic Supports. All use is subject to review by the School administration and staff.

Students are responsible for good behavior on School computer networks just as they are on school grounds or in the community. Communications on the network are often public in nature and general school rules apply. Students must respect the rights of others in both the School community and in the global community.

Unacceptable Use

These rules provide general guidelines and examples of prohibited uses for illustrative purposes but do not attempt to state all required or prohibited activities by students. General examples of unacceptable uses which are expressly prohibited include but are not limited to the following:

- **Illegal Activity** – It is unacceptable use to promote or engage in any activities which are deemed criminal under federal, state or local laws.
 - Copyright Laws – It is a violation of copyright laws to copy, distribute, display, exhibit, or perform copyrighted works without authority of the owner of the copyright. A copyright notice is not required.
 - Students may not utilize peer-to-peer file-sharing applications or execute programs to facilitate the downloading or exchange of copyrighted or unauthorized music, movies, and other intellectual property, etc.
 - Students may not use the Freire network to arrange for the purchase of illegal substances or alcohol, engage in criminal activity, or threaten the safety of any person(s).
- **Plagiarism** – Students may not plagiarize works that they find on the Internet or other resources.
- **Vandalism** – It is unacceptable use to harm or destroy the hardware, software or data of another user, whether at Freire or at any site connected to the Internet. This includes, but is not limited to, the creation or spreading of computer viruses. **If a student breaks a piece of equipment while using it, the family of the student is responsible for replacing that equipment.**
- **Security** – Under no conditions should you provide your password to another person. Users are responsible for the security of their account. Users may be held accountable for actions performed under their account name if it has been determined that their account was negligently left accessible. It is also unacceptable to change individual or system passwords. If a user suspects their account security has been compromised they are required to immediately contact an administrator. It is unacceptable to trespass in others' folders, work, or files or to use or to attempt to use another's account, including the System Administrators' accounts. It is unacceptable to post information that could cause damage or a danger of disruption.
- **Offensive Behavior and Harassment** – It is unacceptable use to harass, insult, or attack others. It is unacceptable to send or receive any data that is offensive and/or obscene according to the Freire Code of Conduct. *Note that Freire may consider an action to be harassment regardless of whether it is considered harassment under the law.* Any repeated or unwanted communication may constitute harassment. Any communication with the direct intention of harassing, threatening, implying, or otherwise causing harm to individuals or classes of individuals is a violation of School policy. Be sure to save copies of all harassing material. Provide hard copies to the Head of Academic Supports, staff,

and/or administration. Harassment is taken very seriously at Freire, and anyone who makes false accusations will be penalized. Kinds of harassment include:

- o Sending/forwarding unsolicited email or junk mail, or propagating chain letters.
 - o Email “bombing,” spamming, etc.
 - o Inappropriate images, text, audio, commentary, etc. that demeans based on ethnicity, race, religion, sexuality, sexual orientation, age, class, disability, etc.
 - o Forging electronic information.
 - o Creating, altering, or deleting the attribution of origin (“from” in email, IP address headers, etc.).
 - o Sending messages under someone else’s address or posing as another user in any way.
- **Respect for Resource Limits** – It is unacceptable to intentionally waste limited computer resources. It is unacceptable to download large files. It is unacceptable to post or forward chain letters, send “bomb” emails, or engage in “spamming.” Sending numerous or large email messages to one person is considered “email bombing.” Spamming is sending an annoying or unnecessary message to a large number of people.
 - **Respect for Privacy** – It is unacceptable to repost a message that was sent to you privately without permission of the person who sent you the message. It is unacceptable to post private information about another person.
 - **Personal Safety** – It is unacceptable to post personal contact information about yourself or other people. Personal contact information includes your address, telephone, work address, etc. It is unacceptable to agree to meet with someone you have met online for non-academic reasons. This is subject to review by the Head of Academic Supports, staff, or administration.
 - **Commercial Use** – It is unacceptable to offer, provide, or purchase products or services through Freire Charter School.
 - **System Tampering** – Any unauthorized alteration of operating systems, individual accounts, software, networking facilities, and/or other programs.
 - **Obscenity** – Students may not use the network to access material that is profane or obscene. This includes pornography, inappropriate music or text, etc.

Cell Phone and Electronics Policy

Freire Charter School understands that cell phones and electronic devices are an important part of a person’s everyday life. However, cell phones and other electronic devices are not permitted in a Freire classroom, because they serve as an educational distraction and can promote cheating. If a parent needs to contact a child during the course of the instructional day, please call the front desk and we will get a message to your child. If your child needs to contact a parent during the course of the school day, they are permitted to use a school telephone at the front desk. We encourage students to take cell phones on class trips as a safety precaution.

Students are permitted to bring cell phones and electronic devices to school provided the following guidelines are followed:

- Students must turn their cell phones and electronic devices off BEFORE entering school.
- **Detention and after-school tutoring are considered classroom activities. Therefore, cell phones must remain turned off at all times during these activities.**
- Freire Charter School is not financially responsible for lost or stolen property that a student voluntarily brings to school, including cell phones and other electronic devices.

- Cell phones and electronic devices are expected to be stored in a student's locker during school hours (including during after-school activities, sports, homework club, etc.).

Any cell phone or electronic device that is seen or heard during the day will be confiscated. (Please see below for procedures for picking up confiscated phones.)

If a phone/electronic device is confiscated, then the following procedure must be followed when retrieving the phone:

- **Phones can only be picked up by the person listed as parent/guardian on PowerSchool unless previously approved by the Dean's office.**
- Confiscated items will only be returned to the parent/guardian identified in the PowerSchool system.
- Appointments must be made to retrieve items. **Please call the Dean's office at 267-670-7499 to schedule an appointment.**
- The cell phone will be returned when a parent or guardian makes an appointment and comes into the school to personally claim the device.
- Parents will have to sign a copy of the Cell Phone and Electronics Policy when they pick up the student's device.

Students who repeatedly break the Cell Phone and Electronics Policy will have a mandatory parent meeting with the Dean, and the Head of Academic Supports. If the policy is chronically broken, the School may require the students to turn in their phone to the Dean's Office at the start of the day and retrieve it upon completion of the day should they desire to continue to bring a cell phone to school.

Freire Charter School is not financially responsible for property that a student voluntarily brings to school, including cell phones and other electronic devices, including in the event that property is lost, misplaced, or stolen. Although the School takes every precaution to store confiscated student electronic devices safely and securely, **Freire is not financially responsible for student electronic devices whether they are in the student's or the School's possession.**

Refusal to surrender a requested cell phone or removing the SIM chip from the phone will be considered an act of extreme defiance and will result in the following actions:

- The student's parent will be contacted immediately
- The student will be sent home for the remainder of the day
- A mandatory informal hearing will be held the next school day
- During this hearing the parent and student will be warned future behaviors like this may lead to more severe consequences
- One (or more) of the following consequences will be assigned:
 - o Contract
 - o Loss of school privileges
 - o Community service

Policy on Reporting a Freire Community Member

Any member of the public or School community may report another community member for breaking the rules listed in the Code of Conduct. Students have the responsibility to inform a staff member if they become aware that a fellow student is in possession of illegal substances, firearms, weapons, or any items that could

endanger the health, safety, or welfare of the school community or property. The Dean's Office will follow up on all reports.

Retaliation Policy

It is the policy of Freire Charter School that a positive, open environment be maintained at all times. Therefore, the School encourages all community members to report problems or concerns **without fear of retaliation or reprisal**. All reports will be promptly investigated. Freire is committed to doing whatever is necessary to protect students from retaliation resulting from a concern or complaint. Should the School determine that retaliation has indeed occurred, or that a community member is planning retaliatory action, disciplinary steps will be taken. The consequences could include any of the following:

- Community service
- Written apology
- Suspension
- Informal hearing
- Recommendation for expulsion
- Police notification

Search and Seizure Policy

Freire Charter School reserves the right to search students and their belongings and/or lockers to find weapons, drugs, stolen property, and other contraband. In addition, students may be asked to empty pockets, purses, etc. If a student is found in possession of items that are illegal, the student will be charged with the appropriate school offense, and the Philadelphia Police Department will be notified; the student may be held for the police, and charges may be filed. Any student who refuses to cooperate with School authorities is subject to expulsion from Freire. All searches of a student's locker, belongings, or person will be done with at least two Freire staff members present.

Act 26 Policy

Act 26 of 1995 (the Safe Schools Act) creates a mandatory one-year expulsion for the possession of weapons on school property, including school-sponsored events. It requires parents to provide a sworn statement upon registering their child in school as to whether the child had previously been suspended or expelled from another school. Act 26 also requires schools to maintain records on acts of violence and weapon possession and to forward student discipline records when a student transfers to another school.

Act 26 defines the term weapon as "including, but not limited to, any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, and any other tool or instrument capable of inflicting serious bodily injury." The law requires action for documented cases of weapon possession in school or while traveling to and from any school or school program, including while on public transportation or school buses.

A student found in possession of a weapon will be considered in violation of the Code of Conduct and will be recommended for expulsion.

Expectation on Conduct of Friends and/or Family

Any outside guest (including friends and family) is held to the same behavioral expectations as the students. Students who bring outside guests to any school-sponsored event or location (including but not limited to

graduation, dances, assemblies, school bus, early dismissal, etc.) will be held accountable for their guests' behavior as if it were the student's own behavior.

Dress Code Policy

Expectations

Freire Charter School expects students to dress like college scholars. In middle school, that means that students are expected to wear the uniform at all times. Students are expected to be in uniform throughout the school day and during all school activities, including before-school and after-school activities, Saturday interventions, and field trips. For summer school, students are expected to follow the Dress Down Day guidelines, except in Dean's summer school, during which students must adhere to the regular uniform. The only exception to this rule will be on Dress Down Days. These will be announced in advance. Please refer to the special activities guidelines below for acceptable clothing on Dress Down Days.

For safety reasons, students are expected to be in full uniform at all times, including as they travel to and from school. Students who do not adhere to this policy will face disciplinary consequences.

Uniform

Girls	Boys
<ul style="list-style-type: none"> ● Gray skirt or pants ● Black Freire polo-style shirt (<i>Must be purchased via Cramer's</i>) ● Black, White or Gray shoes ● Gray or black knee socks (<i>with skirt</i>) or gray, black, or white socks (<i>with pants</i>) ● Black Freire cardigan (<i>OPTIONAL</i>) 	<ul style="list-style-type: none"> ● Gray pants ● Black Freire polo-style shirt (<i>Must be purchased via Cramer's</i>) ● Black, White, or Gray shoes ● Gray, black, or white socks ● Black belt ● Black Freire cardigan (<i>OPTIONAL</i>)

Please note:

- **Shoes must be black, white, or gray with no ornamentation.**
 - Sneakers are permissible as long as they are solid black, white, or gray or a combination of any of these colors (no other color or decorations, including on the sole of the shoe).
 - Boots may be worn as long as they are below the shin.
 - During winter months, students may wear snow boots to school, but they must change into their school shoes once they arrive.
- **Long-sleeved t-shirts may be worn under short-sleeved shirts only if they are solid black, gray, or white.**
- **Jewelry must be modest (Dress Down Days included).**
 - Small earrings – no bigger than a quarter
 - Simple bracelets – no more than three per arm
 - Simple rings – no more than three
- **No head coverings are allowed** – Religious exceptions will be granted.
- **Students may not wear anything (including coats) over their uniforms.**

PE Uniform

Students will participate in Physical Education for one quarter per school year. During that quarter, on days when students have physical education class, students may wear the **FCMS PE uniform** for the entire day.

The FCMS PE uniform is:

- Black FCMS sweatpants
- Black FCMS T-shirt
- Sneakers (can be any pair of athletic sneakers)

Students will NOT need to change into the regular uniform on Physical Education days. Like the regular uniform, students may still wear the Freire cardigan over the PE uniform (i.e., if the student is cold).

Vendor Information

All uniforms items may be purchased at Cramer’s Uniforms online at www.cramersuniforms.com or at the following locations:

4533 Frankford Avenue
Philadelphia, PA 19124
215-743-0750

5226 Market Street
Philadelphia, PA 19139
215-307-3829

1916 E Passyunk Avenue
Philadelphia, PA 19147
215-468-2400

Be mindful that the black polo, black cardigan, and Physical Education uniform must be purchased through Cramer’s Uniforms.

Dress Down Day (and Summer School) Dress Code Guidelines

Special activity days (Dress Down Days) will be announced one week prior to the event. On these days, students may opt out of wearing their uniform and instead wear their own clothing that meets the standards below. Special activity days are a privilege and not a right. The School reserves the right to restrict students from participating as a behavioral consequence.

Acceptable Clothing Guidelines:

- Bottoms:
 - Jeans (no holes or rips allowed)
 - Skirts (must be knee length)
- Tops:
 - All tops MUST have short or long sleeves
 - Must cover from the shoulders to the waist
 - Must be free of any obscene language, profanity, or unacceptable images
- Shoes:
 - Sneakers
 - Flat shoes
- PROHIBITED ITEMS
 - Sunglasses in the classroom
 - High heels
 - Open-toed shoes (flip-flops, sandals)
 - Hats, hoods and head coverings (except for religious purposes)
 - Jeggings
 - Bandanas
 - Shorts

- o Tights (except under a knee-length skirt)
- o Any shirt that reveals cleavage, shoulders, midsection or undergarments

Violations of the uniform policy are considered violations of the school's Code of Conduct and repeated violations will be dealt with increasing severity.

First Offense: Phone call home; parents will need to bring appropriate clothing to school depending on the severity of the offense.

Second Offense: Parents MUST bring a change of clothes that day for the student. Student will receive an Intervention (at the Dean's discretion). See the Interventions section below for examples of interventions.

Third Offense: Mandatory conference with parent, and parent must provide a full additional uniform to be kept at the school. All uniform pieces must be labeled with the child's name.

NOTES:

Students who abuse the privilege of special activity days by wearing ANY prohibited items (including hoods covering their heads) during those days will lose that privilege for the remainder of the school year.

Students must travel to and from school in their full uniform. Any student who does not adhere to this policy will face an intervention assigned by the Dean. See the Interventions section below for examples of interventions.

General Behavioral Expectations



DRess appropriately

Always be kind & respectful

Grounds kept neat & clean

ON time & ready to learn

Safety first

Dress Appropriately

Please see the Dress Code section above.

Always Be Kind and Respectful

Creating and maintaining a good relationship with the entire surrounding community both inside and outside of the school grounds is an important goal of our school.

Expectations:

Freire Charter School expects students to treat others like scholars at all times. Community members are expected to act in the following manner:

- Speak to students, teachers, and our neighbors with courtesy.
- Use considerate phrases such as “Please,” “Thank you,” and “Excuse me.”
- Help others in the school and community.
- Tell the truth.
- Be courteous of others on the sidewalks, at bus stops, and at local businesses.
- Encourage others.
- Be willing to listen openly to the opinions of others.
- Accept and be open to personal differences.
- Be open to the school’s mediation program.
- Know all policies surrounding the Code of Conduct.
- Keep your hands to yourself and don’t touch others.

- Refrain from any public displays of affection.

The following actions conflict with our expectations and are unacceptable:

- Sexual activity or public displays of affection, including kissing, hugging and handholding.
- Loitering on the street corners or sitting on the steps of surrounding buildings.
- Running down the stairs or hallways in the school, around school, and outside of the school.
- Making excessive noise when entering the building or leaving the building.
- The use of profanity (cursing) anywhere inside or out of the building.
- Throwing objects anywhere in the building (extreme circumstances could lead to recommendation for expulsion).
- Interrupting the learning environment.
- Speaking to or treating any community member in a rude/disrespectful manner.
- Using local businesses as places to hang out, or gathering inside stores, restaurants or local businesses before or after school.

Students who do not adhere to our expectations will receive a consequence. This consequence will be assigned by the Dean and is expected to be completed. See the Interventions section below for examples.

Repeated or excessive violation of the same rule will result in more severe consequences.

Grounds Kept Clean and Neat

Expectations:

Freire Charter School expects students to act and think like college-trained professionals at all times. Community members are expected to act in the following manner:

- Use trash receptacles inside and outside of the school grounds.
- Keep desks, lockers, walls, and all other property free of graffiti, stickers, ink, and all other damage/destruction.
- Students are to use only the locker assigned to them.
- Return shared materials to proper place in good condition (including laptops!).
- Leave things better than you found them.
- Dispose of trash in appropriate locations.
- Gum is prohibited.
- Eat only in the cafeteria or outside of the school building. Eating in classrooms is permitted only if there is adult supervision during lunch or special events; not during academic time unless authorized by an administrator.
- Clean up your own area (desk, floor, lunch area).

The following actions conflict with our expectations and are unacceptable:

- Littering anywhere near the school grounds – inside or outside.
- Sharing a locker. (Students who share lockers will be held responsible if it contains any items deemed inappropriate or prohibited, and all students using that locker will receive disciplinary action.)
- Eating or drinking in any area except the designated areas. (Eating can only happen in classrooms if there is adult supervision during lunch or special events; not during academic time unless authorized by an administrator.)
- Possession of a glass bottle.

- Possession of gum.

Students who do not adhere to our expectations will receive a consequence. This consequence will be assigned by the Dean and is expected to be completed. See the Interventions section below for examples.

Repeated or excessive violation of the same rule will result in more severe consequences.

On Time and Ready to Learn

The community believes that learning and maintaining an appropriate learning environment is essential for success.

Expectations:

Freire Charter School expects students to study like college-trained professionals at all times in order to maintain an appropriate learning environment. Community members are expected to act in the following manner:

- Adhere to and follow your schedule. Make and keep appointments.
- Be prepared with materials; bring a pencil or pen to every class every day.
- Complete homework.
- Listen to others, wait your turn, raise your hand and follow directions at all times.
- Arrive to school on time.
- Carry an appropriate hall pass if you leave a classroom.
- Although electronics are prohibited in the school, should a student bring an electronic device at his/her own risk, it must be placed in lockers or handed in to homeroom teachers during school hours.
- Go to the appropriate authorities if you need to make an emergency phone call. If there is an emergency and a student needs to use their phone or a school phone, THEY MUST go to the Dean's office, the main office, or an office of one of the Heads of School.

The following actions conflict with our expectations and are unacceptable:

- Using school telephones without permission.
- Sleeping in class.
- Roaming the building without a pass.
- Talking in class.
- Disrupting the learning environment in any way.
- Playing cards or dice, or gambling in any way.
- Being tardy to class.
- Cheating and/or plagiarizing.

Students who do not adhere to our expectations will receive a consequence. This consequence will be assigned by the Dean and is expected to be completed. See the Interventions section below for examples.

Repeated or excessive violation of the same rule will result in more severe consequences.

Safety First

The community members of Freire Charter School believe that having a clean, safe environment is mandatory and non-negotiable. Feeling safe to explore, to make mistakes, and to learn is essential.

Expectations:

Freire Charter School expects students to act like college-trained professionals at all times in order to maintain a safe environment. Community members are expected to act in the following manner:

- Notify staff of dangerous or illegal weapons or situations inside or outside of school.
- Notify staff of strangers in and outside of the building.
- Keep your hands to yourself.
- Avoid unnecessary physical contact.
- If physical contact is necessary, make sure that it is neither aggressive nor sexual.
- Depart for home immediately after the last class of the day or completion of an after-school program.
- Carry a student ID at all times and produce it when requested.
- Follow all procedures and policies outlined in appropriate section of this manual.

The following actions conflict with our expectations and are unacceptable:

- Not producing student ID when asked.
- Lost student IDs will cost \$5 to replace (IDs that are in poor shape will be replaced free of charge).
- Participating in horseplay or play fighting.
- Horseplay and play fighting are defined as rough, noisy, unruly, or rowdy play that may or may not involve physical contact.
- Speaking to any community member in a way that makes them feel unsafe or violated (Extreme circumstances may lead to a suspension and or recommendation for expulsion).
- Turning lights off in the gym, hallway, or classrooms without permission.
- Tampering in any way with school building systems or equipment (such as fire alarms or fire extinguishers).
- Being in the building before or after school, or unauthorized areas of the building at any time, without the permission and presence of a staff member.

There are no second chances for violation of the Nonviolence and Commitment to Peace Policy. Any act of violence is immediate grounds for expulsion. NO EXCEPTIONS.

Repeated or excessive violation of the same rule will result in more severe consequences.

Interventions Policy

The Board grants the Head of School authority to develop a program of consequences and interventions for violating the Code of Conduct. In the event of potential violations of the Nonviolence Policy, Bullying and Cyberbullying Policy, Sexual Harassment Policy, or other serious infractions, students shall be afforded all rights defined by 22 Pa. Code Chapter 12.

Interventions Procedure

First Level Interventions

If a student chooses to act in an unacceptable way, the Dean's office will assign a consequence for the student's actions. **Each intervention is meant to be used as a warning that the student's behavior is unacceptable and therefore should NOT BE REPEATED.**

A student whose behavior does not change or intensifies will be subject to interventions of increased severity. All students and parents will receive a warning notification if unacceptable behavior continues, or the frequency of that behavior increases.

The following is a list of interventions which may be used by the Dean. This is not an exhaustive list, but rather a sample of the interventions the Dean may use:

- Anger management
- Apology letter
- Community outreach/service
- Behavior contract
- Probationary contract
- Detention
- Saturday school
- Educational seminars
- Hours outside of school time
- Informal hearing
- Losing privileges to attend school functions
- Losing special activity day privileges
- Parent conference (phone or personal)
- Personalized Improvement Plan (PIP)
- Public apology (written or verbal)
- Research project
- Support groups
- Teacher/student conference
- Teacher detention
- Therapy

Initial Investigation Procedure

If there is a suspected violation of the Nonviolence and Commitment to Peace Policy, the Policy Against Bullying and Cyberbullying, the Sexual Harassment and Sexual Assault Policy, or another serious infraction, the School will follow these following steps:

- Students will be separated as necessary
- A preliminary investigation to determine whether the policy was violated will be conducted.
- Once the Dean has provided the family with the opportunity to explain their story and evidence has been discussed, the Dean will determine two things:
 - Did the student know about the policy?
 - Did the student break the policy?
- If it is determined the policy was violated, the following steps will be taken:
 - For a first violation of the Policy Against Bullying and Cyberbullying, the student will be issued, at minimum, and after school detention.
 - For a repeat violation of the Policy Against Bullying and Cyberbullying, or any violation of the Sexual Harassment and Sexual Assault Policy, the student will be suspended for a minimum of 2 days (see the Suspension Policy and Procedure below). If the suspension is for 4 days or more, an Informal Hearing will be held (see the Hearings Policy below).
 - Extreme or repeat violations of these policies may result in a recommendation for expulsion.
 - A Behavior Contract, as deemed appropriate by the Head of School or Dean (see the Behavioral Contract Procedure below). This may include counseling for the student(s) involved.
- Should the Dean find that the student both knew about and violated the Nonviolence Policy then the Dean is required to recommend the student for expulsion from the school.

- In a case where a student may have violated the law, the school may refer the incident to law enforcement while simultaneously continuing the school's disciplinary process. Consequences imposed by the School are independent of and in addition to any penalties imposed under the law.

PLEASE NOTE: A Dean's recommendation for expulsion is a recommendation only. A student is not formally expelled until after a formal expulsion hearing is held and the Board of Directors votes to expel the student.

Upon the recommendation for expulsion, the student and his/her parent will be provided with the following:

- Their rights and responsibilities as a student/parent.
- The formal hearing/expulsion policy and procedures.

Suspension Policy

Suspension is exclusion from school for a period of from 1 to 10 consecutive school days. Suspensions may be issued by the Head of School or Dean. A student may not be suspended until the student has been informed of the reasons for suspension and has been given the opportunity to respond. Parents/guardians shall be notified immediately in writing when a student is suspended. Prior notice of the intended suspension is not required if the health, safety or welfare of the school community is threatened. When the suspension is for 4 or more school days, the student and parent/guardian shall be given the opportunity for an Informal Hearing in compliance with the requirements of §12.8(c) (see the Hearings Policy below). The Head of School can develop procedures and expectations around suspensions within their authority under 22 Pa. Code Chapter 12 and the board policy.

Suspension/Reinstatement Procedures

If a student has been suspended, they will be prohibited from attending school, being on school grounds or participating in or attending school activities (dances, field trips, athletic events, etc.). Students are required to make up all class work and tests missed during a suspension. Actions that will result in a suspension from school activities include, but are not limited to:

- Jeopardizing the safety of another community member, including but not limited to any act of violence, pulling fire alarms, setting off alarm doors, or use of fire extinguishers except in life-threatening emergencies.
- Active or passive participation in the destruction of property.
- Possession of weapon, drugs, alcohol, or other illegal items.
- Breaking the Nonviolence Policy.
- Cutting class, leaving the classroom without permission, or being out of bounds (in a location where students are not allowed).
- Involving other community members (or your friends) in personal matters and situations that began in school.
- Stealing.
- Sexual harassment.

After a preliminary investigation is conducted by the Dean's Office and it is determined that a suspension is appropriate, the school will verbally notify parent or guardian of the reason for the suspension using contact information on file and will mail and/or email a copy of the suspension notice to the address on file and give

the family an opportunity to respond. The school will also attempt to schedule a Reinstatement Meeting with the student and parent or guardian at this time.

If a parent gives verbal permission for the student to leave school, the suspension will begin immediately, and the student will be dismissed. If the parent cannot be reached, the student will be held until the end of the school day

If a student has been suspended, he/she will be prohibited from attending school, being on school grounds or participating in or attending school activities.

Students are required to make up all class work and tests missed during a suspension.

During testing times, students may not be suspended at the discretion of the school administration. However, any infractions that accrue during that time may lead to a suspension once testing is completed.

Reinstatement Meetings

If a student is suspended but not expelled, the student and their parent or guardian are required to participate in a meeting with the Dean's Office before the student will be permitted to resume attending school or school activities. Students may not attend school or school activities until this mandatory meeting occurs.

The Reinstatement Meeting will serve as a warning to alert the student and their parent/guardian that they have seriously or chronically violated the school's Code of Conduct. It is further hoped that the student will realize the impact their behavior has had on their learning and that of their fellow students, and therefore make all necessary changes in their behavior while in school.

The School may waive the requirement for a Reinstatement Meeting only if a behavior contract was put in place as part of an informal hearing.

Hearing Policy

Informal Hearings

Informal hearings are held in cases where a serious infraction of the Code of Conduct has occurred, including when a suspension is 4 days or more or any instance where the School makes a recommendation for expulsion. Informal hearings will follow the format described below:

- The school will offer to hold the informal hearing within the first 5 days of the suspension.
- The school will provide both parent and student with sufficient notice of the time and place of the informal hearing.
- During the informal hearing, the School will state the concerns and observed behaviors.
- The school will provide the results of any investigation should the incident have required one.
- Both parent and student will have the opportunity to provide their observations, comments and concerns regarding the incident.
- Students have the right to question any witnesses present at the hearing.
- Students have the right to speak and produce witnesses on their own behalf. Upon conclusion of the meeting, the School will determine the next action. The Dean will recommend one of two consequences: recommendation for expulsion or a probationary behavioral or contract.
 - Recommendation for Expulsion:

- See Formal Hearing/Expulsion policy (see next section)
- o Behavioral or Probationary Contract:
 - The Head of School or Dean may determine that a behavior contract is required

Behavioral Contract Procedure

- The administrator will review with the student the written warning, which states the student understands:
 - o This is his/her final warning from Freire.
 - o Students will be required to fulfill the conditions of the contract.
 - o Failure to fulfill the conditions of the contract may result in a recommendation for expulsion from the School.
- In order for a contract to be issued, the student and parent must agree to follow the terms being presented by the Dean's office.
- The contract will establish a time and date when the compliance of the contract will be reviewed.
- The contract may include restorative measures such as an apology letter, seminars, or other interventions assigned by the School.

NOTE:

Contracts are non-negotiable. Students and parents must agree to follow all terms of the contract. Since contracts are issued in lieu of a recommendation for expulsion, if a parent/student does not agree to follow the terms of the contract, then there is a possibility that the refusal could result in a recommendation for expulsion. Prior to this, a meeting to review the contract will be held by the Head of Academic Supports. This meeting will include the parent/guardian, student, and the Dean.

Formal Hearing/Expulsion Policy

If a student is recommended for expulsion as a consequence of his/her actions, they have the right to a formal expulsion hearing. This hearing must commence within 15 days of formal charges (unless mutually agreed upon by both parties). Special Education students have additional rights as described below in the Policy on Discipline of Students with Disabilities.

- A formal hearing is **REQUIRED** in all expulsion actions.
- An expulsion hearing will be arranged and notification of the charges, all evidence, and the rights of students/parents shall be sent to the student's parents or guardians at least 3 days prior to the hearing. All information will be sent via regular and certified mail.
- The hearing will commence on the agreed upon date with an independent Fact Finder presiding over the hearing.
- The School will present evidence, statements, and its case, giving the parent and student chance to view all information.
- Parents and students will be given the opportunity to question witnesses and present their own information.
- The hearing shall be held in private unless the student or parent requests a public hearing.
- The Fact Finder will write a summation of facts that will be presented at the following Board Meeting.
- The Board of Directors, through a vote, determines whether a student is to be expelled.
- Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.

Parent and Student Rights

- In a case involving a possible expulsion, the student is entitled to a formal hearing.
- A formal hearing is required in all expulsion actions.
- This hearing will be conducted by an impartial Fact Finder.
- The Board of Directors is given a summation of facts by the Fact Finder and a majority vote of the entire Board is required to expel a student.
- The following due process requirements shall be observed with regard to the formal hearing:
 - Notification of the charges shall be sent to the student's parents or guardians by certified mail.
 - At least 3 days' notice of the time and place of the hearing shall be given. A copy of the expulsion policy, notice that legal counsel may represent the student, and hearing procedures shall be included with the hearing notice. A student may request the rescheduling of the hearing when the student demonstrates good cause for an extension. Otherwise the hearing will proceed as scheduled.
 - The hearing shall be held in private unless the student or parent requests a public hearing.
 - The student may be represented by counsel, at the expense of the parents or guardians, and must have the parent or guardians (as identified in the PowerSchool database) attend the hearing.
 - The student has the right to be presented with the names of witnesses against the student, and copies of the statements and affidavits of those witnesses.
 - The student has the right to request that the witnesses appear in person and answer questions or be cross-examined.
 - The student has the right to testify and present witnesses on his/her own behalf.
 - A written or audio record shall be kept of the hearing. The student is entitled, at the student's expense, to a copy. A copy shall be provided at no cost to a student who is indigent.
 - The proceeding shall be held within 15 school days of the notification of charges, unless mutually agreed to by both parties. A hearing may be delayed for any of the following reasons, in which case the hearing shall be held as soon as reasonably possible:
 - Laboratory reports are needed from law enforcement agencies.
 - Evaluations or other court or administrative proceedings are pending due to a student invoking his/her rights under the Individuals with Disabilities Education Act (20 U.S.C. § 1400–1482).
- Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.
- The initial responsibility for providing the required education rests with the student's parents or guardian, through placement in another school, tutorial or correspondence study, or another educational program approved by the district's superintendent. Parents have 5 days to find the appropriate placement and notify the School.

Parents Right to Withdrawal

Freire Charter School is a school of choice for families. Parents may choose to voluntarily withdraw their child from the school at any time for any reason. The School cannot formally expel a student who is no longer enrolled at Freire. Should a parent choose to withdraw their child prior to potentially being expelled, all expulsion procedures will cease. The student's academic record will reflect the withdrawal, not an expulsion. If a parent decides to withdraw their student, they must submit the Official Withdrawal Form.

Policy on Discipline of Students with Disabilities

Freire Charter School will develop and implement positive Behavior Support Plans and programs for students with disabilities who require specific interventions to address behaviors that interfere with learning.

Students with disabilities who violate the Code of Conduct, or engage in inappropriate behavior, disruptive or prohibited activities and/or actions injurious to themselves or others, which would typically result in corrective action or discipline of students without disabilities, will be disciplined in accordance with state and federal laws and regulations, School policy, and, if applicable, their Individualized Education Program (IEP) and Behavior Support Plan.

Suspension from School

A student with a disability may be suspended for ten (10) consecutive and fifteen (15) cumulative days of school per school year, for the same reasons and duration as a student without a disability. Such suspension shall not constitute a change in the student's educational placement.

Changes in Educational Placement/Manifestation Determinations

A manifestation determination is required by IDEA (2004) when considering the exclusion of a student with a disability that constitutes a disciplinary change of placement.

Disciplinary Change of Placement

A disciplinary change of placement occurs when a student who is receiving special education services is excluded from school:

- For more than ten (10) school days in a row,
- For more than fifteen (15) school days in any one school year,
- When days 11-15 constitute a pattern of exclusion, OR
- For even one (1) school day for a student with an intellectual disability*.

*For students with intellectual disability, any disciplinary suspension or expulsion is a change in educational placement and may not be made without parental consent or judicial approval.

The School may unilaterally remove a student to an interim alternative educational setting for no more than forty-five (45) school days without a manifestation determination review under the following circumstances:

- Carrying or possessing a weapon
- Knowingly possessing, using, selling or soliciting illicit substances
- Inflicting serious bodily injury upon another person

Manifestation Determination Process

Within ten (10) school days of the decision to change the student's placement, the parent/guardian and members of the students' IEP team shall conduct a Manifestation Determination meeting to answer the following questions:

1. Was the behavior caused by, or directly and substantially related to, the student's disability; OR
2. Was the behavior a direct result of the failure to implement the IEP?

If the behavior is a manifestation of the student's disability, the IEP team will take one of the following actions:

- Conduct a Functional Behavioral Assessment (FBA), unless one was already conducted prior to the change of placement occurring, and implement a positive Behavior Support Plan for the student; OR
- If a positive Behavior Support Plan has already been developed, review and modify it as necessary to address the behavior; and return the student to the placement from which they were removed, unless the parent/guardian and IEP team agree to a change of placement as part of the positive Behavior Support Plan.

If the behavior is not a manifestation of the student's disability:

- The student may be disciplined in accordance with school policy, rules, and regulations in the same manner and to the same extent as students without disabilities.

Automatic Violations of the Code of Conduct

The following conduct will not be tolerated at any time, and violations of this expectation will be dealt with by the Dean. Consequences will vary depending on the nature of the offense. Offenses which will result in immediate recommendation for expulsion are noted.

- Possession of illegal substances (inside or outside of school)*
- Possession of weapons (including BB guns, toy guns, or any other form of weapon during school hours or at school-sponsored functions)*
- Violation of the Nonviolence Policy*
- Damaging school property*
- Acting in a way that could endanger anyone in the community*
- Disrespect of a community member**
- Disruption of the learning environment**
- Defiance**
- Electronics or cell phones during school hours
- Stealing*
- Violation of the Bullying/Harassment or Sexual Harassment policy*

*Grounds for Expulsion

**Repeated offenses could result in an informal hearing and recommendation for expulsion.