

**Achievement First Behavior Policy Manual: Consistent Practices, Recommendations and Resources**

**Updated May 20, 2016 from May 15, 2015 Guidance**

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# Overview

Across Achievement First, we are working to create and sustain school cultures that balance focus, joy and the cultivation of student character. Given the game changing nature of the Common Core, these cultures must also predictably and consistently enhance our scholars’ academic experiences and contribute to their unprecedented achievement.

Ensuring vibrant school cultures and tackling our suspension challenge is mission critical, and it is also highly complex.

At the core of this work, we must implement a multiyear strategy that will accomplish the following: strengthen leader and teacher skill, proactively support our most struggling scholars, partner with families in meaningful ways and align on a K-12 approach to character development. Behavior policy guidance is a portion of this larger strategy. It is driven by our conviction that joyful, focused culture is essential to our mission of preparing every scholar for college. At the same time the guidance reflects the reality that we must adhere to all legal mandates. As we think boldly about our school culture vision, legal compliance and operationally sound structures around our most high stakes consequences is imperative.

# Defining Consequences

At Achievement First, we work to ensure that every scholar is in class learning at every possible moment. In situations though where consequences are warranted, we must operate network-wide from a place of alignment to ensure legal compliance and a fair process for all scholars. This begins with ensuring we define high-stakes consequences in the same way. As you read this manual, please note that all italicized text indicates policy that is legal mandate. In order to be in compliance with state law, we *must* follow all policies that are italicized.

## Overview of Definitions

**Time out of class can take 4 different forms at Achievement First. Each form of time out of class varies by region** – particularly with regards to length of time and compliance metrics. Region-specific definitions are listed on the following pages.

1. Removal – When a scholar is removed from class to a designated area (e.g., Dean’s Office, Reset Room, Den, etc.) because that scholar is significantly disrupting learning.
2. In-School Suspension – When a scholar is prohibited from attending class as a consequence for a behavioral infraction or because they are causing a significant disruption to learning.
3. Out-of School Suspension – When a scholar is prohibited from coming to school because of a behavioral infraction or set of infractions.
4. Expulsion – CT: When a scholar is excluded from school privileges (including coming to school or participating in school sponsored activities and events) for more than 10 consecutive school days and up to 1 year because of a behavioral infraction or set of infractions; NY: When a scholar is permanently removed from the school because of a behavioral infraction or set of infractions. RI: In Rhode Island, the term expulsion is not used. Instead, RI law prefers the term “long term suspension” to describe a situation in which a scholar is prohibited from coming to school for more than 10 days and up to the balance of the school year because of a behavioral infraction or set of infractions.

## Removal

**A removal is when a scholar is removed from class to a designated area (e.g., Dean’s Office, Reset Room, Den, etc.) as a consequence for significantly disrupting learning**. (More specifically, CT allows for removal when a student “deliberately causes a serious disruption of the educational process within the classroom.” C.G.S. Section 10-233b(a)) Whenever possible, teachers and deans should work to redirect behavior in the classroom so that scholars do not miss learning time; removal should be the last resort. If the scholar must go to a designated area to turn it around, it is a removal. Once the removal takes place, the DOS should work to deescalate behavior, hold an accountability conversation to gather pertinent information on the situation that occurred (the Informal Hearing), and teach replacement behaviors as quickly as possible to avoid lost learning time. Removals should occur only at the discretion of the DOS or their stand-in (e.g., Behavior Interventionist). Class time missed for academic and behavioral supports/advancement (e.g., counseling, college interview, etc.) does not count as a removal, but should be minimized and/or take place during non-instructional time whenever possible.

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| http://www.phe.gov/emergency/events/PublishingImages/ct.png | *In Connecticut, a removal is considered time out of class for* *all or part of a single class period, lasting* ***up to but no more than 90 minutes****.*  No student shall be removed from class more than six times in any school year nor more than twice in one week unless the student is referred to the building principal or designee and granted an informal hearing in accordance with C.G.S. Section 10-233c as amended by P.A. 15-96.  C.G.S. Sec. 10-233b(a). |

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| http://www.phe.gov/emergency/events/PublishingImages/ny.png | In New York, Achievement First considers a removal to be time out of class for **up to and no more than 4 hours**. |

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| Rhode Islandicon | In Rhode Island, Achievement First considers a removal to be time out of class for **up to and no more than 4 hours.** |

## In-School Suspension

**An In-School Suspension (ISS) is when a scholar is prohibited from attending class as a consequence for a behavioral infraction or because they are causing a significant disruption to learning**. If, in order to provide additional support to meet academic and behavioral standards, a school chooses to have a scholar attend class in another classroom on their grade level or small group/individual instruction of the same content that their class is learning (e.g., a TIR teaching content in a separate part of the classroom or school building), the consequence does not constitute an ISS unless the school chooses to assign the scholar a formal ISS as a means of signifying the seriousness of the behavior. Similarly, scholars who are seated in their classroom but away from other scholars as a consequence and/or means of limiting their distraction to other scholars are not considered to be serving an ISS.

**Note on ISS and MDRs**: For scholars with disabilities or suspected disabilities, any time spent in In-School Suspension counts towards the more than 10 cumulative school days of suspension that trigger the need to conduct an MDR prior to imposing any further suspensions, unless, during ISS:

* The scholar is not segregated from his/her general education peers
* The scholar has continued access to the general curriculum
* The scholar continues to receive all services mandated in his/her IEP, 504 plan or Behavior Intervention Plan

Each instance of ISS should be judged individually to determine whether these three criteria were met and, therefore, whether the instance of ISS counts towards total days of suspension triggering the need to conduct an MDR. To make these determinations the school must look at the setting used and the services provided while the student is in ISS. To ensure these criteria are met, the school should establish an ISS setting that is available to both students with and without disabilities. While in ISS, students should continue to receive class work, assessments, and homework. Additionally, students with mandated services in an IEP or 504 plan should continue to receive these services. For additional information regarding considerations for students with disabilities, see [here](#ConsiderationsforSWDs).

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| http://www.phe.gov/emergency/events/PublishingImages/ct.png | *In Connecticut, an ISS is considered required time out of class for* ***more than 90 minutes and up to 10 days****.*  For conduct that occur on school grounds or at school sponsored activities, the following conduct may lead to a suspension:   * A violation of publicized policy, or; * A serious disruption of the educational process[[1]](#footnote-1), or; * Endangerment to persons or property.   If the conduct occurs off school grounds, then **both** of the following are necessary to lead to disciplinary action:   * A violation of publicized policy, and; * A serious disruption of the educational process   Similarly, if the conduct occurs while the student is awaiting or receiving transportation to and from school, the following are required:   * A violation of publicized policy, or; * An endangerment to persons or property.   Note: *Under Connecticut State law enacted in July 2015, scholars in grades K-2 may continue to receive removals or ISS as consequences, but* ***may only receive OSS in very limited circumstances****.* CT law further mandates that for scholars in grades 3-12, all suspensions should be ISS unless, during a hearing, administration determines that the student being suspended posed such a danger to persons or property or such a disruption of the educational process that the student shall be excluded from school during the period of suspension, or that an OSS is appropriate based on evidence of previous disciplinary problems that have led to suspensions or expulsions of the student and efforts by the administration to address such disciplinary problems through means other than OSS… including positive behavioral support strategies. For this reason, our default consequence should always be ISS, unless the severity and/or duration of the behavior necessitate OSS. Please see [below](#OSSCriteria) for criteria to determine whether an OSS is warranted.  In addition, CT law requires that students receive an informal hearing prior to any ISS, before the building principal or such principal's designee at which the student shall be informed of the reasons for the disciplinary action and given an opportunity to explain the situation. CT law also limits the total number of instances/days of ISS a student may receive. Specifically, no student shall be placed in in-school suspension more than fifteen times or a total of fifty days in one school year, whichever results in fewer days of exclusion.  C.G.S. Sec. 10-233f(a). |

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| http://www.phe.gov/emergency/events/PublishingImages/ny.png | In New York, Achievement First considers an ISS to be required time out of the classroom for **more than 4 hours and up to 5 days**. |

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| Rhode Islandicon | In Rhode Island, Achievement First considers an ISS to be required time out of the classroom for **more than 4 hours and up to 5 days** |

## Out-of-School Suspension

**An Out-of-School Suspension (OSS) is when a scholar is prohibited from coming to school as a consequence for a behavioral infraction or set of infractions that constitute a “significant disruption to learning**.”

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| http://www.phe.gov/emergency/events/PublishingImages/ct.png | *In Connecticut, an OSS is considered required time out of school for* ***more than 90 minutes and up to 10 days***.  *As of July 2015, CT state law prohibits assigning OSS for scholars in grades K-2, except in very limited circumstances.[[2]](#footnote-2)*  For scholars in grades 3-12, state law mandates that all suspensions are ISS unless, during a hearing, administration determine that the student being suspended posed such a danger to persons or property or such a serious disruption of the educational process that the student shall be excluded from school during the period of suspension or an OSS is appropriate based on evidence of previous disciplinary problems that have led to suspensions or expulsions of the student and efforts by the administration to address such disciplinary problems through means other than OSS, including positive behavioral support strategies. For this reason, our default consequence for scholars in all grades should always be ISS, unless the severity and/or duration of the behavior necessitate OSS.  Unless an emergency exists, no student shall be suspended without an informal hearing by the administration, at which the student shall be informed of the reasons for the disciplinary action and given an opportunity to explain the situation.  A more formal hearing may be held if the circumstances surrounding the incident so require. In addition, no student shall be suspended more than ten times or a total of fifty days in one school year, whichever results in fewer days of exclusion, unless the student is granted a formal hearing pursuant to the sections 4-176e to 4-180a, inclusive, and section 4-181a (the Uniform Administrative Procedure Act). If an emergency situation exists, such hearing shall be held as soon after the suspension as possible.  C.G.S. Sec. 10-233c(a) as amended by P.A. 15-96.  Given state statutes and ongoing efforts to minimize the amount of time students spend out of the school building, the school will use the following criteria to determine whether an Out of School Suspension is warranted for scholars in grades 3-12:   * **Criterion 1:** The student poses a such danger to persons or property that exposes other students or property to damage or injury, risk, hazard or any harmful situation. * **Criterion 2:** The student poses a serious disruption to the educational process that causes a serious disorder, confusion, interruption or impediment to the operation of a class, study hall, library, assembly, program or other gathering of students or staff.[[3]](#footnote-3) * **Criterion 3:** Student has a history of previous history of disciplinary problems that have led to suspensions and expulsions AND efforts have been made to address these disciplinary problems through means other than OSS, including positive behavior support strategies.[[4]](#footnote-4) |

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| http://www.phe.gov/emergency/events/PublishingImages/ny.png | *In New York, an OSS is designated as either Short-Term (ST) or Long-Term (LT):*   * *A* ***ST OSS*** *is time out of school for* ***more than 4 hours and up to 10 days****.* * *A* ***LT OSS*** *is time out of the classroom* ***of more than 10 days and up to 1 year****.*A LT OSS is similar to a CT Expulsion and should be assigned under rare circumstances. Given the communication requirements, schools should consider expulsion in conjunction with a ST OSS. When assigning a LT OSS, Principals and DOS’s can also consider drafting a “stipulation” outlining criteria for early re-entry. Schools considering a LT OSS must contact their Regional Superintendent. |

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| Rhode Islandicon | In Rhode Island, an OSS is designated as either a Short-Term (ST) or Long-Term (LT):   * *A* ***ST OSS*** *is time out of school for* ***more than 4 hours and up to 10 days****.* * *A* ***LT OSS*** *is time out of the classroom* ***of more than 10 days and up to the balance of the school year****.* ***The exception is when a scholar is found to have brought a firearm onto school premises in which case the penalty is for up to one year.*** A LT OSS is similar to a CT Expulsion and should be assigned under rare circumstances. Given the communication requirements, schools should consider LT OSS in conjunction with a ST OSS. When assigning a LT OSS, Principals and DOS’s can also consider drafting an “agreement” outlining criteria for early re-entry. Schools considering a LT OSS must contact their Regional Superintendent to discuss the proposed consequence. |
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## Expulsion

The definition of an Expulsion varies significantly across regions.

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| http://www.phe.gov/emergency/events/PublishingImages/ct.png | *In Connecticut,* ***an Expulsion is when a scholar is excluded from school privileges (including coming to school or participating in school sponsored activities and events) for 10 consecutive school days and up to 1 year as a consequence for a behavioral infraction or set of infractions****.*  *A student must face expulsion proceedings if he or she:*   * *Possesses a gun or other deadly weapon on school grounds or at a school activity.* * *Uses a firearm or other deadly weapon to commit a crime off school grounds, or possesses a firearm without a permit; see C.G.S. Sec. 10-233d(a)(2) as amended by P.A. 15-96.* * *Sells or attempts to sell illegal drugs, on or off school grounds.*   *A 3rd-12th grade student may be expelled if he or she:*   * *Violates a school rule on school grounds or at a school activity (see* [*Code of Conduct*](#CodeofConduct)*).* * *Acts in a way that is seriously disruptive of the educational process[[5]](#footnote-5) or endangers other people or property on school grounds or at a school activity.* * *Violates a school rule off school grounds and is "seriously disruptive of the educational process."* * ***K-2nd grade students may not be expelled for violating a school rule, or seriously disrupting the educational process.*** *A K-2 scholar may only face expulsion in extreme circumstances, including possessing a firearm or attempting to distribute a controlled substance.* * *There is no mechanism by which a scholar can be permanently removed from the school.* * Principals and DOS’s can consider drafting a “stipulation” outlining criteria for early re-entry. * Given the communication requirements, schools should consider expulsion in conjunction with a ST OSS. * Schools considering an expulsion must contact their Regional Superintendent to discuss the proposed consequence. * In addition, CT State Law specifies that, unless an emergency exists, no student shall be expelled without a formal hearing held pursuant to sections 4-176e to 4-180a, inclusive, and section 4-181a (the Uniform Administrative Procedure Act). If the student is a minor, the notice required by this law must also be given to the student’s parents or guardian. If an emergency exists, such hearing shall be held as soon after the expulsion as possible. The notice shall include information concerning legal services provided free of charge or at a reduced rate that are available locally and how to access such services. C.G.S. 10-233d(a)(3) as amended by P.A. 15-96. |

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| http://www.phe.gov/emergency/events/PublishingImages/ny.png | *In New York,* ***an Expulsion is when a scholar is permanently removed from the school as a consequence for a behavioral infraction or set of infractions****.*   * Generally, schools should expel scholars under rare, rare circumstances. * Given the communication requirements, schools should consider expulsion in conjunction with a ST OSS. * Schools considering an Expulsion must contact their Regional Superintendent to discuss the proposed consequence and to access further communication/documentation requirements. |

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| Rhode Islandicon | *In Rhode Island,* ***the term Expulsion is not used. Instead, Rhode Island uses the term “Long Term Suspension” or “LT-OSS” to describe a situation when a scholar is prohibited from coming to school for more than 10 days and up to the balance of the year, or up to one year for certain offenses, as a consequence for a behavioral infraction or set of infractions****.*   * *There is no mechanism by which a scholar can be permanently removed from the school.* * *For offenses meeting the definition Rhode Island law of bringing a firearm onto school premises, schools are required to recommend a removal for one year.* * *For all other offenses, the maximum advisable duration for a removal is the balance of the school year.* * *The only exception may be if the misconduct occurs during the final weeks of the year & is very serious.* * Principals and DOS’s can consider drafting an “agreement” outlining criteria for early re-entry. * Given the communication requirements, schools should consider expulsion in conjunction with an OSS. * Schools considering a long-term OSS must contact their Regional Superintendent to discuss the proposed consequence. |

**Please note that an accumulation of OSS does not automatically “trigger” risk of expulsion.** Expulsion in any region is the most serious consequence that may be imposed, and has major impacts for the scholar, the scholar’s family, and the school. We, therefore, only seek this consequence when it is absolutely necessary to protect the school community.

# Processes, Documentation & Communication of Consequences

This section outlines the processes, including how to document and communicate consequences, for removal, in-school suspension, out-of school (short-term and long-term) suspension and expulsion. Our primary goal with this section is to ensure greater network alignment around these processes so that we are legally compliant at all times; significant legal ramifications exist if we do not adhere to these processes moving forward. It is of utmost importance that we integrate our legal processes with the following work: strategically supporting our most struggling scholars in preventative ways, teaching replacement behaviors during the removal process and partnering with families in high-stakes behavior-related situations. This work is not outlined in detail below.

## Removal (All Regions)

1. **Teacher refers scholar to the DOS or behavior interventionist. The DOS, behavior interventionist or other principal designee pick up the scholar from the classroom, work to regain compliance immediately, and proceed to designated removal location** (e.g. Dean’s Office, etc.). In order to ensure documentation of time-in and time-out, the teacher completes a Removal Form when referring a scholar to the DOS. The Removal Form should indicate (1) teacher name, (2) class, (3) whether the scholar has an IEP or 504 Plan, (4) send out time, (5) level of severity of misbehavior and (6) description of event. See [Appendix](#Appendix) for a sample Removal Form.
2. **Scholar arrives at designated removal location and is signed in**. In order to ensure documentation of time-in and time-out, a paper Sign-In Log (similar to a Visitor Log in the Main Office) or Google Doc tracker is used to quickly capture who has been sent out of the classroom. See [Appendix](#Appendix) for a sample Sign-In Sheet. The following information must be documented for all removals in IC**:** scholar name, whether the scholar has an IEP or 504 Plan, date, time-in, time-out, teacher name, class, event description. This information should be retained for at least 24 months in case of audit or subpoena.
3. **Once in the removal location, a multistep process occurs:**
   * **Deescalate and Establish Compliance:** If the scholar is agitated, the staff members works to deescalate the student. Once deescalated, the staff member works with the scholar to follow directions the first time they are given.
   * **Accountability Conversation (Informal Hearing):** This is the scholar’s opportunity to reflect on the incident with the staff member. This is the staff member’s opportunity to gather relevant information regarding the infraction that occurred. While the staff member can take written notes, the scholar’s account should be shared orally.
   * **Family Conversation**: The Dean of Students calls the parent to share what happened as a result of the removal (including the names of the referring teacher and the staff member who conducted the removal) and documents the conversation in Infinite Campus.
   * **Replacement Behavior Practice**: The student practices replacement behaviors with the staff member.
   * **Classwork or Apology Letter**: Depending on the required length of the send-out, the student completes classwork or writes an apology letter to others involved.
4. **When scholar is prepared to return to class, scholar is signed out and total removal time is reviewed by DOS or designee.** It is a best practice for the DOS or designee to have a strong re-entry conversation with the scholar in order to facilitate a successful re-entry to class. Once this conversation is complete and the scholar has been signed out, the staff member escorts the student back to class and works with the teacher to reintegrate the student.

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| http://www.phe.gov/emergency/events/PublishingImages/ct.png | *In CT, a removal that exceeds 90 minutes constitutes an ISS (see below for ISS procedures). Additionally, CT mandates that scholars cannot be removed from class more than 2x/week or 6x/year without the scholar having an “informal hearing” with the Principal or designee. While it is good practice to monitor cumulative removals, especially for scholars with an IEP/504 Plan, it is important to note that general AF practices embed an “informal hearing” into every removal.[[6]](#footnote-6)* |

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| http://www.phe.gov/emergency/events/PublishingImages/ny.png | In NY, Achievement First considers a removal to be time out of the classroom for less than 4 hours. After 4 hours, schools should follow ISS procedures (see below). |

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| Rhode Islandicon | In Rhode Island, Achievement First considers a removal to be time out of class for up to and no more than 4 hours. After 4 hours, schools should follow ISS procedures (see below). |

1. **By the end of the day, the DOS or designee ensures all data for each removal and parent contact is captured. As mentioned above, all schools must track removals – in IC.** The following information must be documented for all removals**:** scholar name, date, time-in, time-out, teacher name, class, event description. Additionally, documentation of parent contact and notification is required in IC. This information should be retained for at least 24 months in case of audit or subpoena.
2. **It is important to examine the frequency and length of all scholar removals on an ongoing basis to determine whether there are special services considerations.** For scholars who already have IEPs or 504 plans, removals that constitute a “pattern or practice” may trigger the need to conduct an MDR and determine whether the removals are related to a student’s disability, and whether more individualized intervention is required. For scholars who do not yet receive special education services, repeated removals may trigger Child Find obligations and referral for evaluation to determine whether the student has needs that cannot be met solely through general education services. School should contact their TSS Point Person if there are questions about whether removals constitute a “pattern or practice.”

**NOTE**: The “Removal and Reentry” DOS fall sessions will outline this process with greater nuance regarding the following: how to effectively remove a scholar from class, establish clear thresholds to regain immediate compliance, teach replacement behaviors, and partner with families and teachers to ensure strong reentry.

## In-School Suspension (All Regions)

1. Accountability Conversation (Informal Hearing): This is the scholar’s opportunity to reflect on the incident with a staff member. This is the staff member’s opportunity to gather relevant information regarding the infraction that occurred. While the staff member can take written notes, the scholar’s account should be shared orally. During this conversation, the staff member should ask the scholar to share his/her account of the behavior or incident. The staff member should also communicate to the scholar why the behavior or incident was inappropriate, and that why the behavior constituted an infraction resulting in a consequence.
2. DOS assigns ISS (or a removal that exceeds 90 minutes in CT or 4 hours in NY & RI becomes an ISS). If the scholar is a scholar with an IEP or a 504 plan, a scholar in the initial referral process, or a scholar suspected of having a disability the DOS should contact the SSL and assess data to determine if additional requirements are needed.

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| http://www.phe.gov/emergency/events/PublishingImages/ct.png | *In CT, a removal of 90 minutes and up to 10 days constitutes an ISS. Additionally, CT mandates that scholars cannot serve more than 15 ISS/year or more than 50 days/year, whichever is shorter, without an expulsion hearing (see below for expulsion procedures).* While not legally required, the 50 days should be considered in conjunction with OSS days. |

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| http://www.phe.gov/emergency/events/PublishingImages/ny.png | In NY, Achievement First considers a removal that exceeds 4 hours and up to 5 days to be an ISS. |
| Rhode Islandicon | In RI, Achievement First considers a removal that exceeds 4 hours and up to 5 days to be an ISS. |

1. **DOS or designee collects relevant documents (e.g. artifacts, teacher notes) and initiates the ISS Checklist Process.** The ISS Checklist can be found in the [Appendix](#Appendix).
2. **DOS or designee calls parent to inform parent of scholar ISS, the start/stop times or number of days of the ISS, the event/behavior that led to the ISS and when/where the scholar should report.** If the parent cannot immediately be reached by phone, the school must leave a message so that parent is aware of the scholar’s ISS. Additionally, all parent communication around suspensions must be logged. The communication should be logged in Infinite Campus using the PLP module or in the school’s parent communication tracker.

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| http://www.phe.gov/emergency/events/PublishingImages/ct.png | If the ISS is a result of a removal that exceeded 90 minutes and there are no further consequences, it is important to be clear that there is no further action for the scholar. |

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| http://www.phe.gov/emergency/events/PublishingImages/ny.png | If the ISS is a result of a removal that exceeded 4 hours and there are no further consequences, it is important to be clear that there is no further action for the scholar. In New York, scholars are also entitled to, but not required to, have an “informal conference” with the principal when assigned an ISS.[[7]](#footnote-7) At this conference, the scholar and/or parent should have the opportunity to present his/her case and have his/her ISS determination reviewed by the principal. Note that general AF practices typically embed the elements of an “informal conference” into ISS notification by virtue of when the DOS or designee notifies the family of the suspension. |
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| Rhode Islandicon | If the ISS is a result of a removal that exceeded 4 hours and there are no further consequences, it is important to be clear that there is no further action for the scholar. |

1. DOS or designee prepares for ISS by collecting classwork, homework, etc. from scholar’s teacher for scholar to complete. For scholars with an IEP or a 504 plan, it is critical the DOS or designee engage with the SSL to determine what services are to be provided to the student while in ISS.
2. **By the end of the day, the DOS or designee enters the ISS and parent telephone contact** The following information must be documented in Infinite Campus for all ISS**:** scholar name, date, teacher name, class, event description, and the start/stop times or number of days of the ISS (including whether the ISS is full or partial day). Additionally, documentation of parent contact and notification is required in the Parent Log in IC. The ISS entry should also capture any re-entry or incident-specific practices used (e.g., family meeting, public apology, behavior contract, etc.). For step-by-step IC data entry instructions, please see the [Infinite Campus Behavior Guide](https://afnet.achievementfirst.org/AF/Documents/Essentials/6-%20Classroom%20and%20School%20Culture/Behavior%20Policy%20Materials/Achievement%20First%20IC%20Behavior%20Guide%202013-14.docx).
3. **By the end of the day, the DOS or designee generates ISS Formal Letter**. Links to ISS Formal Letters can be found in the [Appendix](#Appendix). These Formal Letters have been vetted by AF Counsel and should be used in lieu of any prior templates or drafts, to ensure that schools are in compliance with all notice and other procedural requirements.
4. **DOS or designee hands off Formal Letter and ISS Checklist and relevant documents to Ops Team.**
5. Ops Team sends Formal Letter home to be received within 24 hours of ISS being assigned. Given the tight turnaround, we recommend using a form of express delivery that provides receipt of delivery. If the Formal Letter is sent via email, it should be signed by the principal or their designee, and sent in PDF form. Ops Teams document the delivery of the letter in the Parent Contact Log of IC. If available, receipt of mailing is also kept with ISS Checklist “packet.”
6. Ops Team files ISS Checklist “packet” in the scholar’s student file. Ops Team files all documents – Checklist with all items marked complete, supporting documents and Formal Letter in the scholar’s student file.
7. Scholar begins to serve ISS the following day. If a scholar reports to ISS as directed, the scholar will be considered present in IC. Ops Teams should ensure that there is clear, daily communication of ISS scholars and scholar attendance. We do know there are circumstances where the suspension begins the same day as infraction. In these circumstances, it is even more important that the DOS or designee calls to inform parent of scholar that an ISS was issued and served so that they are not hearing about it for the first time from their scholar. If the parent cannot immediately be reached by phone the school must leave a message so that the parent is aware of the scholar’s ISS.

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| http://www.phe.gov/emergency/events/PublishingImages/ct.png | If the ISS is a result of a removal that exceeded 90 minutes and there are no further consequences, the ISS will have already been served. |

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| http://www.phe.gov/emergency/events/PublishingImages/ny.png | If the ISS is a result of a removal that exceeded 4 hours and there are no further consequences, the ISS will have already been served. *If a family requests an informal conference, the ISS cannot begin until the conference is held and a final determination is made by the principal (unless the scholar poses an immediate danger to the school’s safety).* Because our goal is to support scholars in “turning it around” as soon as possible, we encourage schools to proactively conduct an “informal conference” when informing the family of the ISS. |

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| Rhode Islandicon | If the ISS is a result of a removal that exceeded 4 hours and there are no further consequences, the ISS will have already been served. |

1. If applicable, DOS or designee updates IC and student file with additional information and materials (e.g., length of ISS is shortened, scholars agree to behavior plan).

1. Dean schedules a reentry meeting with the parent and scholar that should happen before the scholar returns to class. This meeting is intended to ensure a successful reentry to class. The child should reflect on the incident and what he/she will do different next time, practice replacement behaviors with the parent and dean and prepare to return to class. (IMPORTANT NOTE: *We cannot legally mandate a parent to come to the school for this meeting, which means we would never keep a scholar out of class if the parent does not attend the reentry meeting. This is a suggested best practice, and again, cannot be legally mandated*.)

## Out-of-School Suspension (CT, NY & RI Short-Term)

1. Accountability Conversation (Informal Hearing): This is the scholar’s opportunity to reflect on the incident with a staff member. This is the staff member’s opportunity to gather relevant information regarding the infraction that occurred. While the staff member can take written notes, the scholar’s account should be shared orally. During this conversation, the staff member should ask the scholar to share his/her account of the behavior or incident. The staff member should also communicate to the scholar why the behavior or incident was inappropriate, and that why the behavior constituted an infraction resulting in a consequence.
2. DOS assigns OSS. If the scholar is a scholar with an IEP or a 504 plan, a scholar in the initial referral process, or a scholar suspected of having a disability the DOS should contact the SSL and assess data to determine if additional requirements are needed (e.g., MDR).

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| http://www.phe.gov/emergency/events/PublishingImages/ct.png | *In CT, an OSS is a removal from the school for more than 90 minutes and up to 10 days. CT further mandates that scholars cannot serve more than 10 OSS/year or more than 50 days/year, whichever is shorter, without an expulsion hearing (see below for expulsion procedures).* While not legally required, the 50 days should be considered in conjunction with ISS days. |

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| http://www.phe.gov/emergency/events/PublishingImages/ny.png | In New York, a ST OSS is a removal from the school for more than 4 hours and up to 10 days. |
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| Rhode Islandicon | *In RI, a ST OSS is a removal from the school for more than 4 hours and up to 10 days. Prior to imposing the short-term OSS, the school must conduct an informal hearing with the scholar, at which the school gives the scholar a description, verbally or in writing, of the conduct at issue and a chance to give his or her version of events. If the scholar denies the conduct, then the school must give the scholar a description of the evidence obtained and upon which the school is basing the recommendation to suspend.* |

1. **DOS or designee collects relevant documents (e.g., scholar statements, teacher notes) and initiates the OSS Checklist Process.** The OSS Checklist can be found in the [Appendix](#Appendix).
2. **DOS or designee calls parent to inform parent of scholar OSS, the length of the OSS, the return date, the event/behavior that led to the OSS and, if available, when/where the scholar should report for alternative education.** If the parent cannot immediately be reached by phone, the school must leave a message so that parent is aware of the scholar’s OSS. Additionally, all parent communication around suspensions must be logged. The communication should be logged in Infinite Campus using the Parent Contact Log.

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| http://www.phe.gov/emergency/events/PublishingImages/ny.png | In New York, scholars are also entitled to, but not required to, have an “informal conference” with the principal when assigned a ST OSS. At this conference, the scholar and/or parent should have the opportunity to present his/her case and have his/her OSS determination reversed by the principal. Note that general AF practices typically embed the elements of an “informal conference” into OSS notification by virtue of when the DOS or designee notifies the family of the suspension. |

1. *In New York, scholars suspended out of school for any length of time have the right to substantially equivalent alternative education in addition to IEP services. (Although this practice is not required in CT or RI, it is considered a best practice.)* If the parent indicates that they would like these services, the DOS or designee asks DSO and or designee to arrange 1-2-hours of alternative education per day (1 hour per day for elementary and 2 hours per day for secondary) and collects classwork, homework, etc. from scholar’s teacher for scholar to complete. To the extent possible, instruction should be staggered throughout the week.  This is not a requirement however and the school could choose to do 2-3 days a week and meet the requisite hours. *Alternative education can be conducted at the school or in a public location which is reasonably accessible to the scholar (e.g., public library) and may be led either by an AF staff member or substitute teacher using materials provided by the suspended scholar’s teachers.* *Completed assignments and assessments will receive full credit if submitted. If the suspended scholar has an IEP, the scholar has the right to educational services consistent with the IEP.*

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| Description: http://www.phe.gov/emergency/events/PublishingImages/ct.png  Rhode Islandicon | CT & RI do not require alternative education for OSS of less than 10 days. Please see below for more details regarding alternative education rights for OSS of 10 days or more in CT & RI. |

1. By the end of the day, the DOS or designee enters the OSS and parent telephone contact in Infinite Campus with the aid of the [Behavior Code Index](#BehaviorCodeIndex). The following information must be documented in Infinite Campus for all OSS scholar name, date, teacher name, class, event description, and the start/stop times or number of days of the OSS. Additionally, documentation of parent contact and notification is required in the Parent Log in IC. The OSS entry should also capture any re-entry or incident-specific practices used (e.g., family meeting, public apology, behavior contract, etc.). For step-by-step IC data entry instructions, please see the [Infinite Campus Behavior Guide](https://afnet.achievementfirst.org/AF/Documents/Essentials/6-%20Classroom%20and%20School%20Culture/Behavior%20Policy%20Materials/Achievement%20First%20IC%20Behavior%20Guide%202013-14.docx).
2. **At the end of the day, the DOS or designee generates OSS Formal Letter**. The OSS Formal Letters can be found in the [Appendix](#Appendix). These Formal Letters have been vetted by AF Counsel and should be used in lieu of any prior templates or drafts, to ensure that schools are in compliance with all notice and other procedural requirements.
3. **DOS or designee hands off Formal Letter, OSS Checklist and relevant documents to Ops Team.**
4. Ops Team sends Formal Letter home to be received within 24 hours of OSS being assigned. Given the tight turnaround, we recommend using a form of express delivery that provides receipt of delivery. If the Formal Letter is sent via email, it should be signed by the principal or their designee, and sent in PDF form. Ops Teams document the delivery of the letter in the Parent Contact Log of IC. If available, receipt of mailing is also kept with OSS Checklist “packet.”
5. Ops Team files OSS Checklist “packet” in the scholar’s student file. Ops Team files all documents – Checklist with all items marked complete, supporting documents and Formal Letter in the scholar’s student file.
6. Scholar begins to serve OSS the following day. If a scholar reports to alternative education, the scholar will be considered Absent-Exempt in IC and therefore considered Present for school attendance reporting purposes (e.g., KPI, PID, etc.). If a scholar does not report to alternative education, the scholar will be considered Absent. Similarly, if a scholar is sent home the day of the incident and begins to serve their OSS immediately, the scholar should be marked as Early Dismissal-Exempt in IC. Ops Teams should ensure that there is clear, daily communication of OSS scholars and scholar attendance.

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| http://www.phe.gov/emergency/events/PublishingImages/ct.png | If the OSS is a result of a removal that exceeded 90 minutes and there are no further consequences, the OSS will have already been served. |

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| http://www.phe.gov/emergency/events/PublishingImages/ny.png | *If a family requests an informal conference, the OSS cannot begin until the conference is held and a final determination is made by the principal (unless the scholar poses an immediate danger to the school’s safety).* Because our goal is to support scholars in “turning it around” as soon as possible, we encourage schools to proactively hold an “informal conference” when informing the family of the OSS. |

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| Rhode Islandicon | If the OSS is a result of a removal that exceeded 4 hours and there are no further consequences, the OSS will have already been served. |

1. If applicable, DOS or designee updates IC and student file with additional information and materials (e.g., length of OSS is shortened, scholars agree to behavior plan).
2. Dean schedules a reentry meeting with the parent and scholar that should happen before the scholar returns to class. This meeting is intended to ensure a successful reentry to class. The child should reflect on the incident and what he/she will do different next time, practice replacement behaviors with the parent and dean and prepare to return to class. (*IMPORTANT NOTE: We cannot legally mandate a parent to come to the school for this meeting, which means we would never keep a scholar out of class if the parent does not attend the reentry meeting. This is a suggested best practice, and again, cannot be legally mandated*.)

## Out-of-School Suspension (NY Long-Term)

1. Accountability Conversation (Informal Hearing): This is the scholar’s opportunity to reflect on the incident with a staff member. This is the staff member’s opportunity to gather relevant information regarding the infraction that occurred. While the staff member can take written notes, the scholar’s account should be shared orally. During this conversation, the staff member should ask the scholar to share his/her account of the behavior or incident. The staff member should also communicate to the scholar why the behavior or incident was inappropriate, and that why the behavior constituted an infraction resulting in a consequence.
2. Principal decides to seek a LT OSS and contacts the Regional Superintendent to discuss the proposed consequence. In New York, a LT OSS is removal from school for more than 10 days and up to 1 year. A LT OSS is similar to a CT Expulsion and should be assigned under rare circumstances. Given the communication requirements, schools considering a Long-Term OSS should issue a Short-Term OSS in conjunction to ensure that all formal hearing steps are taken within the legal timeframes. If the scholar has an IEP or 504 Plan, DOS contacts the SSC and assesses data to determine if additional requirements are needed (e.g., the OSS is longer than 10 days and/or results in the cumulative removal of more than 10 days).
3. **DOS or designee collects relevant documents (e.g., scholar statements, teacher notes) and initiates the LT OSS Checklist Process.** The LT OSS Checklist can be found in the [Appendix](#Appendix).
4. **DOS or designee calls parent to inform parent of scholar OSS, the length of the OSS, the event/behavior that led to the OSS and, if available, when/where the scholar should report for alternative education. *The school must also inform the parent that a formal hearing will take place by the 10th day after the incident and that the parent will have at least 3-days’ notice****.* If the parent cannot be immediately reached by phone, the DOS or designee must leave a message so that the parent is aware of the scholar’s OSS. Additionally, all parent communication around suspensions must be logged. The communication should be logged in Infinite Campus using the PLP module or in the school’s parent communication tracker.
5. *In New York, scholars suspended out of school for any length of time have the right to substantially equivalent alternative education in addition to IEP services.* If the parent indicates that they would like these services, the DOS or designee asks DSO and or designee to arrange 1-2-hours of alternative education per day (1 hour per day for elementary and 2 hours per day for secondary) and collects classwork, homework, etc. from scholar’s teacher for scholar to complete. To the extent possible, instruction should be staggered throughout the week.  This is not a requirement however and the school could choose to do 2-3 days a week and meet the requisite hours. *Alternative education can be conducted at the school or in a public location which is reasonably accessible to the scholar (e.g., public library) and may be led either by an AF staff member or substitute teacher using materials provided by the suspended scholar’s teachers.* *Completed assignments and assessments will receive full credit if submitted. If the suspended scholar has an IEP, the scholar has the right to educational services consistent with the IEP.*
6. **By the end of the day, the DOS or designee enters OSS in Infinite Campus.** The OSS entry should also capture any re-entry or incident-specific practices used (e.g., family meeting, public apology, behavior contract, etc.). For step-by-step IC data entry instructions, please see the [Infinite Campus Behavior Guide](https://afnet.achievementfirst.org/AF/Documents/Essentials/6-%20Classroom%20and%20School%20Culture/Behavior%20Policy%20Materials/Achievement%20First%20IC%20Behavior%20Guide%202013-14.docx).
7. **At the end of the day, the DOS or designee generates OSS Formal Letter**. The OSS Formal Letters can be found in the [Appendix](#Appendix). These Formal Letters have been vetted by AF Counsel and should be used in lieu of any prior templates or drafts, to ensure that schools are in compliance with all notice and other procedural requirements.
8. **DOS or designee hands off Formal Letter, OSS Checklist and relevant documents to Ops Team.**
9. Ops Team sends Formal Letter home to be received within 24 hours of OSS being assigned. Given the tight turnaround, we recommend using a form of express delivery that provides receipt of delivery. If the Formal Letter is sent via email, it should be signed by the principal or their designee, and sent in PDF form. Ops Teams documents the delivery of the letter in the PLP module of IC. If available, receipt of mailing is also kept with OSS Checklist “packet.”
10. **DOS partners with DSO to contact Team X and Team Legal & Compliance**. Team X will help ensure that a Board Member or Hearing Officer is available for an Expulsion Hearing within 10 days of the incident. In all states (RI/CT/NY), we must have a hearing officer. It can EITHER be a Regional Superintendent OR a hearing officer (a lawyer who does this) that AF has found. In CT and RI, the school has the power to choose which of these to use, and in NY, the board does.
11. School schedules and holds formal hearing with Regional Superintendent[[8]](#footnote-8), scholar and parent. *If the family chooses to waive the right to have a hearing, to have 3-days’ notice or to have the hearing convened within 10 days, the family must sign a waiver.* A link to the Waiver template can be found in the [Appendix](#Appendix). If the family participates in the hearing and does not contest, the school can draft a stipulation outlining the terms by which the scholar can re-enter the school early. A link to the Stipulation template can be found in the [Appendix](#Appendix). The hearing must be transcribed and/or taped and a final determination must be made within 5 days of the suspension hearing with a written decision issued within 10 days.
12. Scholar begins to serve OSS after the hearing has been held and a final determination is made by the Regional Superintendent. If a scholar reports to alternative education, the scholar will be considered Absent-Exempt in IC. If a scholar does not report to alternative education, the scholar will be considered Absent. Ops Teams should ensure that there is clear, daily communication of OSS scholars and scholar attendance.
13. Ops Team files OSS Checklist “packet” in the scholar’s student file. Ops Team files all documents – Checklist with all items marked complete, supporting documents, Formal Letter, documentation of hearing and final hearing determination in the scholar’s student file.
14. If applicable, DOS or designee updates IC and student file with additional information and materials (e.g., length of OSS is shortened, copy of Stipulation).

## Out-of-School Suspension (RI Long-Term)

1. Accountability Conversation (Informal Hearing): This is the scholar’s opportunity to reflect on the incident with a staff member. This is the staff member’s opportunity to gather relevant information regarding the infraction that occurred. While the staff member can take written notes, the scholar’s account should be shared orally. During this conversation, the staff member should ask the scholar to share his/her account of the behavior or incident. The staff member should also communicate to the scholar why the behavior or incident was inappropriate, and that why the behavior constituted an infraction resulting in a consequence.
2. **Principal decides to seek a long-term out of school suspension on a scholar and contacts their Regional Superintendent to discuss the proposed consequence.** A LT-OSS is when a scholar is prohibited from coming to school for more than 10 days and up to the balance of the school year. It should be imposed under rare circumstances. Note that in Rhode Island, there are certain offenses that schools are required to recommend an expulsion for one year. Unlike in New York, there is no *permanent* removal of a scholar from school. Given the communication requirements, schools considering a Long-Term OSS should issue a Short-Term OSS in conjunction to ensure that all formal hearing steps are taken within the legal timeframes. If the scholar has an IEP or 504 Plan, DOS contacts the SSC; the school will conduct an MDR prior to convening for the Hearing, and only if the outcome of the MDR is that the behavior at issue was not a manifestation of the scholar’s disability.
3. **DOS or designee collects relevant documents (e.g., scholar statements, teacher notes) and initiates the Rhode Island LT-OSS Checklist Process.** The Checklists can be found in the [Appendix](#Appendix).
4. **DOS partners with Team X and Team Legal & Compliance**. Team X will help ensure that a quorum (a majority) of the Board of Directors is available for a formal Hearing within 10 days of the incident. In all states (RI/CT/NY), we must have a hearing officer. It can EITHER be a Regional Superintendent OR a hearing officer (a lawyer who does this) that AF has found. In CT and RI, the school has the power to choose which of these to use, and in NY, the board does.
5. **Within 5 days of the incident, DOS or designee schedules a formal Hearing and issues a Written Notice**. The Rhode Island notices can be found in the [Appendix](#Appendix).
6. **DOS or designee hands off Notice, the RI LT-OSS Checklist and relevant documents to Ops Team.**
7. Ops Team sends Written Notice home to be received within 5 days of the incident. Given the important nature of the document, we recommend using a form of express delivery that provides receipt of delivery. If the Formal Letter is sent via email, it should be signed by the principal or their designee, and sent in PDF form. Ops Teams documents the delivery of the letter in the PLP module of IC. If available, receipt of mailing is also kept with OSS Checklist “packet.”
8. School holds Hearing with Board of Directors/Hearing Officer, scholar and parent. A request for postponement may be granted at the Principal’s discretion given a minimum of 24-hours’ notice and a showing of good cause. Failure to do so will result in the hearing being conducted in the family’s absence. The hearing must be transcribed and/or taped and a final determination must be made within a reasonable timeframe (typically, a final written determination within 10 days of the suspension hearing). If the family chooses not to challenge the Principal’s recommendation, or if the Principal and family resolve any differences and reach an agreement regarding the LT-OSS (including its duration), then the school can draft a written stipulation reflecting this agreement. In that stipulation, which is signed by the scholar, parent, and Principal, the family will agree to give up the scholar’s right to a hearing and endorse the long-term out of school suspension. The stipulation will also outline the conditions by which the scholar can re-enter the school early. A link to the Stipulation templates for Rhode Island can be found in the [Appendix](#Appendix).
9. *In Rhode Island, scholars suspended for more than 10 days have the right to substantially equivalent alternative education in addition to IEP services.* If the parent indicates that they would like these services, DOS or designee asks DSO and or designee to arrange 1-2 hours of alternative education per day (1 hour per day for elementary and 2 hours per day for secondary) and collects classwork, homework, etc. from scholar’s teacher for scholar to complete. To the extent possible, instruction should be staggered throughout the week.  This is not a requirement however and the school could choose to do 2-3 days a week and meet the requisite hours. *Alternative education can be conducted at the school or in a public location which is reasonably accessible to the scholar (e.g., public library) and may be led either by an AF staff member or substitute teacher using materials provided by the suspended scholar’s teachers. Completed assignments and assessments will receive full credit if submitted. If the suspended scholar has an IEP, the scholar has the right to services consistent with the IEP.*
10. If the Board/Hearing Officer upholds the Principal’s recommendation, then the DOS or designee enters the LT-OSS in Infinite Campus. The entry should also capture any re-entry or incident-specific practices used (e.g., family meeting, public apology, behavior contract, etc.). For step-by-step IC data entry instructions, please see the [Infinite Campus Behavior Guide](https://afnet.achievementfirst.org/AF/Documents/Essentials/6-%20Classroom%20and%20School%20Culture/Behavior%20Policy%20Materials/NY%20LT%20OSS%20Stipulation.docx).
11. If the Board/Hearing Officer upholds the Principal’s recommendation, then the scholar begins to serve that LT-OSS. If a scholar reports to alternative education, the scholar will be considered Absent-Exempt in IC. If a scholar does not report to alternative education, the scholar will be considered Absent. Ops Teams should ensure that there is clear, daily communication of expelled scholars and scholar attendance.
12. Ops Team files Checklist “packet” in the scholar’s student file. Ops Team files all documents – Checklist with all items marked complete, supporting documents, Formal Letter, documentation of hearing and final hearing determination in the scholar’s student file.
13. If applicable, DOS or designee updates IC and student file with additional information and materials (e.g., length of LT-OSS or LT-OSS is shortened, copy of Stipulation).

## Expulsion (CT)

1. Accountability Conversation (Informal Hearing): This is the scholar’s opportunity to reflect on the incident with a staff member. This is the staff member’s opportunity to gather relevant information regarding the infraction that occurred. While the staff member can take written notes, the scholar’s account should be shared orally.
2. Principal decides to seek expulsion of a scholar and contacts their Regional Superintendent to discuss the proposed consequence. An expulsion is when a scholar is prohibited from coming to school for more than 10 consecutive school days and up to 1 year and should be assigned under rare circumstances. Note that in Connecticut, there are certain offenses that schools are required to recommend an expulsion for one year (see [here](#Expulsion)). Unlike in New York, there is no *permanent* removal of a scholar from school. Given the communication requirements, schools considering an expulsion should issue a Short-Term OSS in conjunction to ensure that all formal hearing steps are taken within the legal timeframes. [OSS procedures and parent communications](#OSSCommunication) must occur simultaneously with the expulsion hearing procedures. If the scholar has an IEP or 504 Plan, DOS contacts the SSL; the school will conduct an MDR prior to an Expulsion Hearing.
3. **DOS or designee collects relevant documents (e.g., scholar statements, teacher notes) and initiates the CT Expulsion Checklist Process.** The CT Expulsion Checklist can be found in the [Appendix](#Appendix).
4. **DOS partners with DSO to contact Team X and Team Legal & Compliance**. Team X will help ensure that a Board Member or Hearing Officer is available for an Expulsion Hearing within 10 days of the incident. In all states (RI/CT/NY), we must have a hearing officer. It can EITHER be a Regional Superintendent OR a hearing officer (a lawyer who does this) that AF has found. In CT and RI, the school has the power to choose which of these to use, and in NY, the board does.
5. Within 5 days of the incident, DOS or designee schedules an Expulsion Hearing and issues an Expulsion Notice. If a student is suspended or expelled for more than 10 days, they must be granted a formal expulsion hearing on or before the 11th school day of the removal. Additionally, formal hearings when a student hits his/her 11th suspension or 51st day of suspension. While awaiting the expulsion hearing the child remains in the classroom, except in cases of emergency, such as where a child may pose a danger to self or others.
6. Expulsion Notice can be found in the [Appendix](#Appendix).
7. **DOS or designee hands off Expulsion Notice, CT & RI Expulsion Checklist and relevant documents to Ops Team.**
8. Ops Team sends Expulsion Notice home to be received within 5 days of the incident. Given the important nature of the document, we recommend using a form of express delivery that provides receipt of delivery. If the Formal Letter is sent via email, it should be signed by the principal or their designee, and sent in PDF form. Ops Teams documents the delivery of the letter in the Parent Contact Log of IC. If available, receipt of mailing is also kept with OSS Checklist “packet.”
9. School holds Expulsion Hearing with Board of Directors/Hearing Officer, scholar and parent. *If the family chooses to waive the right to have a hearing, to have 5-days’ notice or to have the hearing convened within 10 days, the family must sign a waiver.* A link to the Waiver template can be found in the [Appendix](#Appendix). A request for postponement may be granted at the Principal’s discretion given a minimum of 24-hours’ notice and a showing of good cause. Failure to do so will result in the hearing being conducted in the family’s absence. The hearing must be transcribed and/or taped and a final written determination must be made within 10 days of the suspension hearing. If the family participates in the hearing and does not contest, the school can draft a stipulation outlining the terms by which the scholar can re-enter the school early. A link to the Stipulation template can be found in the [Appendix](#Appendix).
10. In Connecticut, expelled scholars have the right to substantially equivalent alternative education in addition to IEP services. If the parent indicates that they would like these services, DOS or designee asks DSO and or designee to arrange a total of 10 hours per week of tutoring in the student’s core academic courses and collects classwork, homework, etc. from scholar’s teacher for scholar to complete. Alternative education can be conducted at the school or in a public location which is reasonably accessible to the scholar (e.g., public library) and may be led either by an AF staff member or substitute teacher using materials provided by the suspended scholar’s teachers. Completed assignments and assessments will receive full credit if submitted. If the scholar has an IEP, the scholar has the right to services consistent with the IEP.
11. Upon hearing outcome, the DOS or designee enters expulsion in Infinite Campus. The following information must be documented in Infinite Campus for all expulsions: scholar name, date, event description, the number of days of the expulsion, and the return date. The expulsion entry should also capture any re-entry or incident-specific practices used (e.g., family meeting, public apology, behavior contract, etc.). For step-by-step IC data entry instructions, please see the [Infinite Campus Behavior Guide](https://afnet.achievementfirst.org/AF/Documents/Essentials/6-%20Classroom%20and%20School%20Culture/Behavior%20Policy%20Materials/Achievement%20First%20IC%20Behavior%20Guide%202013-14.docx).
12. Upon hearing outcome, scholar begins to serve expulsion. If a scholar reports to alternative education, the scholar will be considered Absent-Exempt in IC. If a scholar does not report to alternative education, the scholar will be considered Absent. Ops Teams should ensure that there is clear, daily communication of expelled scholars and scholar attendance.
13. Ops Team files CT Expulsion Checklist “packet” in the scholar’s student file. Ops Team files all documents – Checklist with all items marked complete, supporting documents, Formal Letter, documentation of hearing and final hearing determination in the scholar’s student file.
14. If applicable, DOS or designee updates IC and student file with additional information and materials (e.g., length of expulsion is shortened, copy of Stipulation).

## Expulsion (NY)

Following an Informal Hearing, the Principal decides to seek expulsion of a scholar and contacts their Regional Superintendent to discuss the proposed consequence. In New York, the Board of Directors has to formally authorize the hearing officer. In New York, an expulsion is the *permanent* removal of a scholar from school. Expulsion should only take place in rare, rare circumstances or when a scholar has violated the Federal Gun Free Schools Act, which automatically requires schools to recommend an expulsion. Given the communication requirements, schools should consider expulsion in conjunction with a Short-Term OSS. If the scholar has an IEP or 504 Plan, DOS contacts the SSC to determine of additional steps and forms of notification are needed. If the school moves forward with the expulsion, the AF Legal & Compliance Team or Regional Superintendent will provide timeline and next steps.

# Considerations for Students with Disabilities

## Manifestation Determination Review

A Manifestation Determination Review (MDR) is a process to determine if a student’s violation of the school’s code of conduct is the result of the student’s disability. A MDR must occur within 10 school days of a violation of the school’s code of conduct which results in a **change of placement** for a student with a disability. Under these disciplinary procedural safeguards, a student with a disability is defined as a scholar with an IEP or a 504 plan, a scholar in the initial referral process, or a **scholar suspected of having a disability**.

**Definitions:**

A **scholar is suspected of having a disability** if prior to conduct, either:

1. The parent of the child expressed concerns in writing to the child’s teacher or a school administrator that the child may need special education and/or related services;
2. The parent of the child requested an evaluation for special education services; or,
3. The teacher of the child, or other school personnel, has expressed specific concerns about a pattern of behavior directly to the director of special education, or other supervisory personnel.

*Unless:*

1. The parent did not consent to evaluation for special education;
2. The parent refused special education services; or,
3. The student was evaluated and determined not to qualify as a student with a disability.

Under the IDEA, a **change of placement** occurs if:

1. The **removal** is for more than 10 consecutive school days; **or**,

2. Short-term removals make up a pattern because:

* The current removal when added to a series of previous short-term removals totals more than 10 school days in a school year;
* the child’s behavior is similar to his/her behavior that resulted in previous removal(s); and of other factors (e.g., length of each removal; proximity of removals to one another).[[9]](#footnote-9)

Please note that **frequent removals of shorter lengths (ex: 15 one hour removals in a month) can trigger the need to have an MDR.**  Any day in which a student is removed from class for even a short period of time (e.g. 45 minutes) can count as a “removal day” for the purposes of reaching more than 10 school days; the removals do not have to last or add up to the length of a school day in order to constitute a pattern. The key questions in determining whether removals constitute a pattern triggering an MDR are whether the removals are occurring because of similar behaviors, happening frequently, and causing the scholar to miss instructional time. School should contact their TSS Point Person if there are questions about whether removals constitute a “pattern or practice.”

A **removal**, under the IDEA, is defined as any time a student is removed from his/her current placement for more than 90 minutes in CT or 4 hours in NY or RI, unless the student receives an In-School Suspension (ISS) in which:

* The scholar is not segregated from his/her general education peers
* The scholar has continued access to the general curriculum
* The scholar continues to receive all services mandated in his/her IEP, 504 plan or Behavior Intervention Plan.

All In-School Suspensions which do not meet these standards, all Out of School Suspensions, and all Expulsions, including a 45-day removal to an Interim Alternative Educational Setting, constitute a removal and therefore factors into the 10 cumulative day calculation to determine a change in placement.

**In-School Suspensions:**

Each instance of ISS should be judged individually to determine whether these three criteria were met. In determining whether the removal counts towards total days of suspension, the school must look at the setting used and the services provided while the student is in ISS. To ensure these criteria are met, the school should establish an ISS setting that is available to both students with and without disabilities. While in ISS, students should continue to receive class work, assessments, and homework. Additionally, students with mandated services in an IEP or 504 plan should continue to receive these services.

**Manifestation Determination Review Meeting:**

Achievement First’s policy is to conduct an MDR any time a **scholar with an IEP or a 504 plan, a scholar in the initial referral process, or a scholar suspected of having a disability has experienced a pattern of removals; has been suspended for more than 10 cumulative or consecutive days; has been expelled[[10]](#footnote-10); or when a he/she is moved to an Interim Alternative Educational Setting (IAES) due to a behavior infraction**. Additionally, each subsequent removal (as defined by IDEA- see above) after the initial MDR requires a new MDR to be conducted. Prior to a change of placement, scholars may receive disciplinary actions in accordance with the Achievement First discipline policy.

Federal and state requirements protect **students with disabilities** from disciplinary actions for behaviors which are a manifestation of their disability. The purpose of a MDR meeting is for the district, the parent, and relevant members of the PPT to determine:

* If the conduct in question was caused by, or had a direct and substantial relationship to, the child’s disability; or
* If the conduct in question was the direct result of the LEA or Achievement First’s failure to implement the IEP.

Within **10 school days** of a disciplinary action resulting in a change of placement, the child’s IEP/504 Team shall convene. As with all IEP meetings, the parents must be advised of the Manifestation Determination Review meeting at least 5 days prior to the meeting in a written communication composed in their dominant language. Additionally, the parents must be provided a copy of their parental rights.

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| **Scholars in the Initial Referral Process or Scholars Suspected of Having a disability:**  If a scholar is in the initial referral process or is suspected of having a disability receives more than 10 school days of suspension (cumulative or consecutive), the following steps should be taken:   1. Within 10 school days of the decision, the school should hold an MDR meeting; 2. Since the school does not have a current evaluation, the IEP team cannot determine whether the behavior was a manifestation of the student’s disability. The IEP team will set aside the manifestation determination; 3. Expedite the completion of the evaluation; 4. While the evaluation is in process, the student may be referred to the placement determined by the school (including Out-of-School Suspension or expulsion) without services; 5. Once eligibility has been determined, the IEP team should reconvene the MDR meeting to complete the determine; 6. If the IEP team determined the student’s conduct was a manifestation of the student’s disability, the school must amend the disciplinary record to remove the consequence in question AND provide compensatory educational services, as necessary. |

The documentation below represents data sources and documentation the IEP/504 Team should consider for review at an MDR meeting. Some of the items below might overlap so this list is not designed as a “checklist”. Because each MDR is unique, the SSL should coordinate collection of documents, specific to the case at hand, with the school’s special education team.

|  |  |
| --- | --- |
| **Document Type** | **What to Collect** |
| Special Education/504 Plan File | * Current IEP and/or 504 Plan * Progress Reports * Evaluation Reports (academic, psychological, social emotional) * Medical Diagnosis (if applicable) |
| Academic Records | * Grades/Progress Reports * Reading and Math Intervention Data * IA Data * State Assessment Data * Student work samples |
| Behavior Data | * Attendance * Behavior reports (tableau, kickboard) * Behavior Intervention Data * Functional Behavioral Assessment (FBA) & Behavioral Intervention Plan (BIP) * Detention, Removals, and Suspensions (ISS and OSS) |

If the team determines, **YES**, the scholar’s behavior is a manifestation of his or her disability or due to a failure to implement the student’s IEP/504 Plan:

* Complete the MDR tracker with the findings from the meeting
* No further disciplinary action can be considered for this incident
* The student must return to school and his/her classroom immediately
* A Functional Behavioral Assessment must be conducted and a Behavior Intervention Plan implemented
* If an FBA/BIP has already been completed and created, the IEP team must review and modify the existing plan
* Steps must be taken immediately to revise/fully implement the student’s IEP
* If determined to be necessary, a reevaluation is requested

If the team determines, **NO**, the scholar’s behavior is not a manifestation of his or her disability or due to a failure to implement the student’s IEP/504 Plan:

* Complete the MDR tracker with the findings from the meeting
* The scholar may be disciplined in the same manner and for the same duration as a student without a disability
* The scholar receives the same educational services a scholar without a disability would receive during the disciplinary action
* The scholar receives their special education services during the disciplinary action
* Where appropriate, the team should convene immediately to revise the IEP and the behavior intervention plan

**Weapons, Drugs and Serious Injury:**

Regardless of the team’s determination, a school district may remove a student to an IAES for **not more than 45 school days** without regard to whether the student’s behavior is determined to be a manifestation of his/her disability in cases where a child:

* ***Carries or possesses a weapon*** to or at school, on school premises, or to or at a school function
* ***Knowingly possesses or uses illegal drugs,*** or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function
* ***Has inflicted serious bodily injury*** upon another person while at school, on school premises, or at a school function[[11]](#footnote-11)

An IEP/504 Team meeting must be held to determine the IAES.

Special Service Leaders and Deans of Students at each school should meet and develop systems to communicate and review removal data for students with disabilities. At a minimum, both parties should be alerted within 24 hours of a removal of a student with disabilities to ensure a change of placement has not occurred.

Some recommended practices are:

* Daily email correspondence between the DOS and SSL to communicate all students who received a disciplinary consequence, including out-of-school suspension, in-school suspension, class removal, and detention during the course of the day;
* Weekly meetings between the DOS and SSL to review all students with multiple disciplinary consequences, to determine if any students should be referred to the Grade Level CST, the building-level CST or the IEP team;
* The SSL should use Tableau to keep a list of the students with disabilities and suspected disability to keep track of total removals and suspension days;
* The members of the school leadership team should consult each other before deciding on any suspension more than 3 days (either consecutively or cumulatively) for a student with a disability or student with suspected disability to identify if a change of placement will occur with this suspension.

## Child Find

Federal and state special education statutes require schools to identify students who may qualify for special education. Students ages 3 to 21, with a disability recognized under the Individuals with Disabilities Education Act (IDEA), which negatively impacts their educational performance and, as a result, requires specially designed instruction, qualify for special education and related services. The IDEA requires that all students with disabilities receive a free and appropriate public education, which means the student receives special education and related services (if necessary) that meet his or her individual needs at no cost to his/her parent.

Our primary mechanism to identify students who may qualify for special education is the Response to Intervention (RTI). We believe that providing early and robust interventions, that are scientifically-based, can simultaneously help us identify students who may qualify for special education services. RTI encompasses a high quality curriculum and instruction in the general education classroom, as well as tier 2 interventions- academic or behavioral supports beyond what is offered in the general classrooms- and tier 3 interventions- individual instruction for the scholars who need the most support. For this reason, we rely on regular progress monitoring and an active Child Study Team to determine which students may require more intense interventions and/or should be referred to the IEP/504 Team for an initial evaluation to determine eligibility for Special Education and related services.

# Common Data Practices

This section outlines the processes schools will follow to track consequence data in Infinite Campus and the data practices Team Systems & Technology and Team Ops will put in place to monitor consequences across the network. These practices are intended to protect data integrity and provide easy-to-use reports so that schools have the information and data they need to build great culture and strong partnerships.

## Tracking and Coding Consequences in Infinite Campus

As previously stated in this document, all in-school suspensions, out-of-school suspensions, and expulsions are required data records that must be captured in Infinite Campus (IC). Though this requirement is partially about compliance, accessing this data in one common system will also bring with it benefits for your school’s culture team. Some of these benefits are explained below, particularly in the KPI/Tableau Reporting section. Additionally, all schools must track removals. IC is an option, and we hope that some schools choose to track removal data in IC as it will make more robust reporting easier. However, we are not requiring schools use IC, and schools could use Google Docs or other methods to track removals. This information should be retained for at least 24 months in case of audit or subpoena.

[**Behavior Code Guide**](#BehaviorCodeIndex)**:** In order to realize the benefits of clean and comparable data and make sure our consequence data is meaningful we have worked to create a Behavior Code Guide with common definitions of student behaviors. Each time an ISS, OSS, or Expulsion is entered into IC there is a behavior code assigned to it. This code indicates which student behavior led to the suspension. **Every time any staff person in your school is entering a consequence into IC, they should utilize the Behavior Code Guide to make sure that they accurately code the event in a way that is consistent with the definitions.**

Behavior Code Guide Highlights:

* All behavior codes/names have been defined, and some have examples and non-examples included to help you to determine whether the code is appropriate for the event you are entering.
* Some codes have been ‘retired’ from use because they are duplicative or vague. In these cases, there is an alternative code provided that should be used.
* Behaviors have also been grouped into four categories: Almost Always Suspend, Sometimes Suspend, Rarely Suspend, and Never Suspend. These categories will inform how your consequence data is displayed in reports and help you to diagnose trends at your school.

[**Infinite Campus Behavior Guide**](https://afnet.achievementfirst.org/AF/Documents/Essentials/6-%20Classroom%20and%20School%20Culture/Behavior%20Policy%20Materials/CT%20Expulsion%20Letter.docx)**:** In addition to the Behavior Code Guide, Team Systems & Technology has also re-vamped the IC guidance for entering behavior records. **Please utilize this guide (we recommend printing one out for handy access) for step-by-step instructions when entering data.**

Infinite Campus Behavior Guide Highlights:

* This document outlines each required field for an ISS, an OSS, and an Expulsion record. There is a handy table that allows you to step through each field and guides you to what data to enter.
* Step-by-step instructions to navigate the IC Behavior Management module are included.
* Instructions for running behavior reports in IC are also included, to allow you to easily and quickly pull out your data whenever you need it.

## Student Services Deep Dive

Once a year, Ops Teams will conduct a Student Services Deep Dive with their RDO. The Student Services Deep Dive has been updated to include a section on Consequence Documentation. During this portion of the Deep Dive, RDOs will pull the MDC Suspension Report and select 5 ISS and 5 OSS at random. The RDO will then confirm that each suspension has a Checklist with required documents in the appropriate scholar file.

## Tableau

Team Data Strategy and Team SysTech partner to provide schools with one key report that will give school and network leaders visibility to IC behavior data. The report is live and available in AF Tableau, with up-to-date IC data. Taking a close look at these reports each month is the best way to ensure that schools are exercising strong *behavior* practices and diagnosing key school culture trends.

# 

# Restraint and Seclusion Policy

At Achievement First, we strongly believe that all students can succeed if they have access to a great education. Consequently, there is a need to develop policies and procedures that support the learning and development of all students. As a result, we have put in place standard operating procedures that will be employed by staff members when crisis intervention is needed to protect the safety, health or welfare of all students and staff in the school setting.

**This policy is based upon and in alignment with the state statues for CT, RI, and NY.  We need to follow all of the guidelines in this policy in order to be in compliance.**

**Achievement First’s Policy**

The use of physical restraint on any student shall be limited to emergency situations to avoid imminent injury to the student or others, and **in CT, restraint** **may only be used by a school employee that has training on the proper means for performing physical restraint**. The physical restraint must end once the imminent danger of physical harm has ended. Use of seclusion shall not be used on any student, unless in an emergency situation to avoid imminent injury to the student or others, or, in the rare instance that it is specified as an option in a student's special education individualized education program. The seclusion period must end once the risk of imminent injury has ended. In every instance that a student is placed in restraint or seclusion the student's parents or guardian must be notified.

New CT state law, effective July 1, 2015 requires school boards to identify a crisis team that will be certified in the use of physical restraint and seclusion.

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| **Physical Restraint:** Any mechanical or personal restriction that immobilizes or reduces the free movement of a child’s arms, legs or head. It does not include: (1) briefly holding a child in order to calm or comfort the child; (2) restraint involving the minimum contact necessary to safely escort a child from one area to another; (3) medication devices, including supports prescribed by a health care provider to achieve proper body position or balance; (4) helmets or other protective gear used to protect a child from injuries due to a fall; or (5) helmets, mitts and similar devices used to prevent self-injury when the device is part of a documented treatment plan or IEP and is the least restrictive means available to prevent self-injury. |

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| **Seclusion:** The confinement of a person in a room, whether it be alone or with supervision in a manner that prevents the person from leaving the room. In a public school, seclusion does not mean any confinement of a child where the child is physically able to leave the area of confinement including in‐school suspension and time out. |

**Important Notes on Use of Restraint and Seclusion in CT**:

Under new CT state law, effective July 1, 2015:

1. **The State of Connecticut prohibits the use of restraint and seclusion for ALL public school students, ages 3-21, except in emergency situations.**
2. In such emergency situations, restraint may only be used by a school employee that has training on the proper means for performing physical restraint.
3. School boards are required to identify a crisis team that will be certified in the use of physical restraint and seclusion.
4. If a restraint or seclusion exceeds 15 minutes, an administrator or administrative designee, school health or mental health personnel, or BCBA trained in the use of restraint and seclusion shall determine if continued restraint or seclusion is necessary to prevent immediate or imminent injury to the student or others, with a redetermination every 30 minutes thereafter.
5. If a physical restraint or seclusion is used 4 or more times within 20 school days with a student eligible to receive special education or who is being evaluated, a PPT meeting must be convened to conduct or revise a behavior assessment, create or revise the BIP and the IEP.
6. Requires monitoring of a student in seclusion and requires all seclusion spaces to be equipped with a window that allows the student a clear line of sight. **As a policy, Achievement First does not maintain seclusion rooms and does not use seclusion under any circumstances.** Regardless, any instance of a student being confined in a room, whether alone or with staff supervision, in a manner that prevents the student from leaving, must be promptly reported.

**Family Notification of Emergency Use of Restraint or Seclusion & Notification**

In instances of emergency restraint or seclusion, notification to parents should be made on the day of, or within 24 hours after, the emergency intervention of restraint or seclusion to prevent imminent injury to the student or others. The notification must be made by phone, e-mail, or in person. Regardless of whether the parent has received this initial notice, the school must send him or her copy of the incident report no later than two business days after the emergency use of restraint or seclusion.

**Reporting Requirements**

In Connecticut, each incident in which physical restraint or seclusion is used on a student in an emergency situation will be reported to State Department of Education. Incident reports will utilize the incident form and will be completed no later than the school day following the incident. The same day as the restraint or seclusion, the incident report should be prepared as described [here](https://manyminds.achievementfirst.org/sites/NetworkSupport/Team%20SS/Documents/Restraint%20and%20Seclusion%20Policy%20-%20Final%20-%20March%202016.docx) for timely reporting to the SDE. Any instances of restraint will be discussed as an agenda item at the IEP/504 meeting.

In New York and Rhode Island, the documentation should be placed in the student’s file for auditing and data submission upon request.

**Use of Seclusion as Part of IEP**

When seclusion is part of the IEP, the Planning and Placement Team (PPT)/IEP Team and parents must determine a timetable and method of notification for each incident.

A PPT/IEP Team's decision to include seclusion in a special education student's IEP must be based on a functional assessment of behavior and other relevant information, and the PPT must indicate why it is an appropriate behavior intervention. This assessment and other information must be included in the IEP as the basis for including seclusion.

**The IEP must also specify:**

* the location of the seclusion, which may be more than one place in the school;
* maximum duration of any period of seclusion;
* maximum number of times during a single day a student may be in seclusion;
* the frequency of monitoring required for the student while in seclusion; and
* any other relevant issue the by agreement of the PPT.

The period of seclusion must (1) be limited to the time needed to allow the student to compose him or herself and return to class and (2) not exceed one hour. Seclusion may continue beyond one hour only with written authorization of the principal or his or her designee if the continuation is necessary to prevent imminent injury.

When use of seclusion as an intervention is repeated more than two times in any school quarter, the PPT/IEP Team:

* must convene to review the use of seclusion in the IEP,
* may consider additional evaluations or assessments, and
* may revise the IEP as appropriate.

At least annually, the PPT/IEP Team must meet to review whether the continued use of seclusion for the student is still appropriate. The PPT/IEP Team must inquire as to whether the student has any known medical or psychological conditions that would be adversely affected by seclusion, and a student with any such condition may not be placed in seclusion.

**Seclusion Monitoring**

A student in seclusion must be monitored as described in his or her IEP by a provider or assistant specifically trained in physical management, physical restraint and seclusion procedures, including training to recognize health and safety issues for children placed in seclusion.

**Seclusion Room Requirements**

The seclusion room must (1) be of appropriate size to the student's chronological and developmental age, (2) be equipped with heating, lighting, ventilation, and cooling systems comparable with the rest of the school, (3) be free of objects that could pose a danger to the student, (4) only be permitted to have a door lock if the lock is equipped with a device that automatically disengages the lock in an emergency, and (5) have an unbreakable observation window located in a wall or door to permit visual monitoring of the student and any provider or assistant in the room.

# Appendix

[Appendix 1: Removal Form 32](#_Toc366258549)

[Appendix 2: Removal Room Sign-In Sheet 33](#_Toc366258550)

[Appendix 3: ISS Checklist 34](#_Toc366258551)

[Appendix 4: CT, NY, & RI Short-Term OSS Checklist 35](#_Toc366258552)

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[Appendix 7: CT Expulsion Checklist](#_Toc366258554) 38

Found on Many Minds Behavior Policy Hub:

* Links to *ISS, OSS, and Expulsion Letter Templates*
* Link to IC Behavior Guide
* UPDATED: *Restraint and Seclusion Forms*

*Please note that all letters that are italicized are letters and forms that we are legally required to use. No other letters templates should be used with our families when communication with them regarding suspensions, expulsions, or restraints.*Appendix : Removal Form

**REMOVAL FORM**

**Please fill out this form in its entirety.**

Scholar Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ IEP/504? 🞏 Yes 🞏 No

Date: \_\_\_\_\_\_\_\_\_\_ Time: \_\_\_\_\_\_\_\_\_\_ Class: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Teacher Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

CAUSE FOR REMOVAL

**Details**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Signature of Individual Submitting Removal: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Appendix : Removal Room Sign-In Sheet

Removal Room Sign-In Log

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| --- | --- | --- | --- |
| **Scholar Name** | **Date** | **Time-In** | **Time-Out** |
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Appendix : ISS Checklist

In-School Suspension Checklist (All Regions)

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

Staff Member Assigning ISS: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date ISS Assigned: **\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Length of ISS: **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** (CT: 90 min to 10 days; NY & RI: 4 hours to 5 days)

YTD Suspension Days: **ISS** \_\_\_\_\_\_\_\_ + **OSS** \_\_\_\_\_\_\_\_ = **Total** \_\_\_\_\_\_\_\_

IEP/504? 🞏 Yes 🞏 No

* **ASAP**: Informal conference held with student (DOS\*)
* **ASAP:** Inform SSC if scholar has IEP/504 (DOS\*)
* **ASAP:** Gather supporting documents and attach to checklist (e.g., scholar statements, teacher notes) (DOS\*)
* **ASAP:** Inform family via phone (DOS\*)
* **By EOD:** Log phone call in IC or school’s parent communication log (DOS\*)
* **By EOD:** Collect Classwork, Homework, etc. from scholar’s teacher (DOS\*)
* **By EOD:** Log ISS in IC using Behavior Code Index (DOS\*)
* **By EOD:** Generate “Formal Letter” and print two copies (Ops Team)
* **By EOD:** Send Formal Letter home (Ops Team)
* **By EOD:** Log Formal Letter delivery in IC PLP (Ops Team)
* **By EOW:** File Checklist with Formal Letter and accompanying documents in scholar file (Ops Team)

\*Or Designee

Appendix : CT, NY & RI Short-Term OSS Checklist

Out-of-School Suspension Checklist (CT, NY & RI Short-Term OSS)

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

Staff Member Assigning OSS: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date OSS Assigned: **\_\_\_\_\_\_\_\_\_\_\_\_\_**

Length of OSS: **\_\_\_\_\_\_\_\_\_\_\_\_\_** (CT: 90 min to 10 days; NY & RI: 4 hours to 10 days)

YTD Suspension Days: **ISS** \_\_\_\_\_\_\_\_ + **OSS** \_\_\_\_\_\_\_\_ = **Total** \_\_\_\_\_\_\_\_

IEP/504? 🞏 Yes 🞏 No

* **ASAP**: Informal conference held with student (DOS\*)
* **ASAP:** Inform SSC if scholar has IEP/504 (DOS\*)
* **ASAP:** Gather supporting documents and attach to checklist (e.g., scholar statements, teacher notes) (DOS\*)
* **ASAP:** Inform family via phone (DOS\*)
* **By EOD:** Log phone call in IC or school’s parent communication log (DOS\*)
* **By EOD:** Collect Classwork, Homework, etc. from scholar’s teacher (DOS\*)
* **By EOD:** If requested by parent, arrange Alternative Education (Ops Team)
* **By EOD:** Log OSS in IC using Behavior Code Index (DOS\*)
* **By EOD:** Generate “Formal Letter” and print two copies (DOS\*)
* **By EOD:** Send Formal Letter home (Ops Team)
* **By EOD:** Log Formal Letter delivery in IC PLP (Ops Team)
* **By EOW:** File Checklist with Formal Letter and accompanying documents in scholar file (Ops Team)

\*Or Designee

Appendix : NY Long-Term OSS Checklist

Long-Term Out-of-School Suspension Checklist (NY)

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

Staff Member Assigning OSS: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date OSS Assigned: **\_\_\_\_\_\_\_\_\_\_\_\_\_**

Length of OSS: **\_\_\_\_\_\_\_\_\_\_\_\_\_** (10 days to 1 year or balance of school year)

YTD Suspension Days: **ISS** \_\_\_\_\_\_\_\_ + **OSS** \_\_\_\_\_\_\_\_ = **Total** \_\_\_\_\_\_\_\_

IEP/504? 🞏 Yes 🞏 No

* **ASAP**: Informal conference held with student (Principal\*)
* **ASAP:** Contact Regional Superintendent to discuss proposed consequence (Principal\*)
* **ASAP:** Inform SSC and Team Special Services if scholar has IEP/504 (DOS\*)
* **ASAP:** Gather supporting documents and attach to checklist (e.g., scholar statements, teacher notes) (DOS\*)
* **ASAP:** Inform family via phone (DOS\*)
* **By EOD:** Log phone call in IC or school’s parent communication log (DOS\*)
* **By EOD:** Collect Classwork, Homework, etc. from scholar’s teacher (DOS\*)
* **By EOD:** If requested by parent, arrange Alternative Education (Ops Team)
* **By EOD:** Log OSS in IC using Behavior Code Index (DOS\*)
* **By EOD:** Generate “Formal Letter” and print two copies (DOS\*)
* **By EOD:** Send Formal Letter home (Ops Team)
* **By EOD:** Log Formal Letter delivery in IC PLP (Ops Team)
* **By Day 2:** Schedule Formal Hearing (Ops Team with Team Legal & Compliance)
* **By Day 2:** Inform family of Formal Hearing (Ops Team)
* **By Day 5:** Hold Formal Hearing (Principal\* with Team Legal & Compliance)
* **By EOW:** File Checklist with Formal Letter, accompanying documents, documentation of hearing & final decision in scholar file (Ops Team)

\*Or Designee

Appendix 6: RI Long-Term OSS Checklist

Long-Term Out-of-School Suspension Checklist (RI)

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

Staff Member Assigning OSS: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date OSS Assigned: **\_\_\_\_\_\_\_\_\_\_\_\_\_**

Length of OSS: **\_\_\_\_\_\_\_\_\_\_\_\_\_** (10 days to 1 year or balance of school year)

YTD Suspension Days: **ISS** \_\_\_\_\_\_\_\_ + **OSS** \_\_\_\_\_\_\_\_ = **Total** \_\_\_\_\_\_\_\_

IEP/504? 🞏 Yes 🞏 No

* **ASAP**: Informal conference held with student (Principal\*)
* **ASAP:** Contact Regional Superintendent to discuss proposed consequence (Principal\*)
* **ASAP:** Inform SSC and Team Special Services if scholar has IEP/504 (DOS\*)
* **ASAP:** Gather supporting documents and attach to checklist (e.g., scholar statements, teacher notes) (DOS\*)
* **ASAP**: DSO and DOS partner to contact Team X and Team Legal & Compliance
* **By Day 5:** Schedule formal hearing and issue a Written Notice (DOS\* with Team Legal & Compliance)
* **By Day 5**: Send Written Notice home (Ops Team)
* **By EOD:** Log Formal Letter delivery in IC PLP and log parent communication (Ops Team)
* **By Day 10:** Hold Formal Hearing with Board of Directors, scholar, parent (Principal\*with Team Legal & Compliance)
* **After hearing:** Collect Classwork, Homework, etc. from scholar’s teacher (DOS\*)
* **After hearing:** If requested by family, arrange Alternative Education (Ops Team)
* **After Hearing:** Log OSS in IC using Behavior Code Index (DOS\*)
* **By EOW After Hearing:** File Checklist with Formal Letter, accompanying documents, documentation of hearing & final decision in scholar file (Ops Team)

\*Or Designee

Appendix 7: CT Expulsion Checklist

CT Expulsion Suspension Checklist

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

Staff Member Assigning OSS: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date OSS Assigned: **\_\_\_\_\_\_\_\_\_\_\_\_\_**

Length of OSS: **\_\_\_\_\_\_\_\_\_\_\_\_\_** (10 days to 1 year)

YTD Suspension Days: **ISS** \_\_\_\_\_\_\_\_ + **OSS** \_\_\_\_\_\_\_\_ = **Total** \_\_\_\_\_\_\_\_

IEP/504? 🞏 Yes 🞏 No

* **ASAP**: Informal conference held with student (Principal\*)
* **ASAP:** Contact Regional Superintendent to discuss proposed consequence (Principal\*)
* **ASAP:** Inform SSC and Team Special Services if scholar has IEP/504 (DOS\*)
* **ASAP:** Gather supporting documents and attach to checklist (e.g., scholar statements, teacher notes) (DOS\*)
* **ASAP:** Contact Team X and Team Legal & Compliance to get Board Member availability (DSO\*)
* **ASAP:** Schedule Expulsion Hearing (DOS\* with Team Legal & Compliance)
* **By Day 5**: Generate Expulsion Notice (DOS\*)
* **By Day 5:** Send Expulsion Notice home (Ops Team)
* **By Day 10:** Hold Expulsion Hearing with Board of Directors (Principal\* with Team Legal & Compliance)
* **By EOW:** Collect Classwork, Homework, etc. from scholar’s teacher (DOS\*)
* **By EOW:** If requested by family, arrange Alternative Education (Ops Team)
* **By EOW:** Log expulsion in IC using Behavior Code Index (DOS\*)
* **By EOW:** File Checklist with Expulsion Hearing, accompanying documents, documentation of hearing & final decision in scholar file (Ops Team)

\*Or Designee

1. A serious disruption occurring on school grounds or at a school-sponsored activity could be any activity that causes a serious disorder, confusion, interruption or impediment to the operation of a class, study hall, library, assembly, program or other gathering involving pupils or staff.

   For conduct that occurs off school grounds, Section 10-233c(a) states that when making a determination as to whether conduct is seriously disruptive, the school may consider, but such consideration shall not be limited to, the following:

   whether the incident occurred within close proximity of a school;

   whether other students were involved or whether there was any gang involvement;

   whether the conduct involved violence, threats of violence or the unlawful use of a weapon, as defined in Section 29-35 and whether any injuries occurred; and

   whether the conduct involved the use of alcohol.

   Finally, the school must determine that the conduct has some tangible nexus to the operation of the school. [↑](#footnote-ref-1)
2. The new CT statutes do not change the expulsion requirements in situations where a scholar is in possession of a firearm or attempting to sell a controlled substance. Therefore, a K-2 scholar who is in possession of a firearm or controlled substance may still be expelled in accordance with applicable law and statutes. Additionally, there may be exceptions for OSS of K-2 scholars where there is evidence the scholar’s conduct on school grounds was of a violent or sexual nature that endangers persons, but the DOS or principal should contact their Regional Superintendent when considering these limited exceptions. [↑](#footnote-ref-2)
3. Guiding questions to determine whether a student poses a serious disruption to the educational process are: 1) Does the behavior markedly interrupt or severely impeded the day-to-day operations of a school; and 2) Is there a pattern of frequent or recurring incidents versus a single incident? Additional guiding questions for school leaders can be found on pages 14-15 of the CSDE publication [*Guidelines for In-School and Out-of-School Suspensions*.](http://www.sde.ct.gov/sde/lib/sde/pdf/pressroom/In_School_Suspension_Guidance.pdf) [↑](#footnote-ref-3)
4. Students demonstrating persistent patterns of behavior which result in multiple exclusions should be referred to the Grade Level Child Study Team or the Building Level Child Study Team, per the school’s prompt referral triggers, to investigate current supports. Additionally, if a scholar incurs more than 10 cumulative ISS and OSS days, the student should be referred to the PPT, per the school’s prompt referral triggers. [↑](#footnote-ref-4)
5. When determining whether a behavior “seriously disrupts the educational process” and warrants expulsion, the hearing board will consider: 1) whether the incident occurred within close proximity of a school; 2) whether other students from the school were involved or whether a gang was involved; 3) whether the incident involved violence, threats of violence or the unlawful use of a weapon, and whether any injuries occurred; and 4) whether the conduct involved the use of alcohol. (See Connecticut General Statute 10-233(a)(1)) [↑](#footnote-ref-5)
6. “No pupil shall be placed in in-school suspension without an informal hearing before the building principal or such principal’s designee at which such pupil shall be informed of the reasons for the disciplinary action and given an opportunity to explain the situation.” ([Chapter 170 Sec. 10-233f, CT Boards of Education](http://www.cga.ct.gov/current/pub/chap_170.htm#sec_10-233a)) [↑](#footnote-ref-6)
7. “The pupil and the person in parental relation to the pupil shall, on request, be given an opportunity for an informal conference with the principal at which the pupil and/or person in parental relation shall be authorized to present the pupil`s version of the event and to ask questions of the complaining witnesses. The aforesaid notice and opportunity for an informal conference shall take place prior to suspension of the pupil unless the pupil`s presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, in which case the pupil`s notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.” ([NYS Consolidated Laws – Education Section 3214-3b-1](http://www.p12.nysed.gov/specialed/publications/policy/section3214.htm)) [↑](#footnote-ref-7)
8. The Regional Superintendent serving as the hearing officer will not be the Regional Superintendent who supervises and supports the particular school the scholar attends. A Regional Superintendent covering another region will be assigned instead. Another Hearing Officer may also be delegated authority by the school’s Board of Directors. [↑](#footnote-ref-8)
9. At Achievement First, any time a scholar with a disability is removed from his/her educational setting for more than 10 cumulative school days, we regard this as a change of placement and require a **Manifestation Determination Review** to be held. [↑](#footnote-ref-9)
10. Prior to an expulsion hearing for a student with a disability, an IEP/504 meeting must be convened to determine if the behavior was a manifestation of a disability. If the team determines that the behavior was a manifestation, the student cannot be expelled. The IEP/504 Team must also reevaluate the student’s current IEP or 504 plan to address the misconduct and ensure the safety of other students and staff at the school. If the behavior was not a manifestation of the child’s disability, the school may proceed with the expulsion. Whenever a child with a disability is expelled, the school must provide an alternative educational opportunity with meets the child’s educational needs for the entire period of the expulsion. [↑](#footnote-ref-10)
11. IDEA defines serious bodily injury as injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ or mental facility. [↑](#footnote-ref-11)