



**NURSES MIDDLE
COLLEGE**
CHARTER HIGH SCHOOL
CAPITAL REGION

Nurses Middle College Charter High School Capital Region Student Handbook

www.nursescr.org

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NURSES MIDDLE COLLEGE
 CHARTER HIGH SCHOOL
 CAPITAL REGION, NEW YORK

This Student Handbook provides parameters for a safe and orderly learning environment, promotes student responsibility, and fosters personal and professional growth. This represents community responsibility for the success of all students and for the safety and effective management of the school environment. This handbook preserves due process rights for students while providing a safe and secure learning environment for students, faculty and staff.

Nurses Middle College Charter High School - Capital Region (NursesMC-CR) has specific operating policies and guidelines. Students are required to follow these policies; violations of these regulations may result in a conference, an action plan, or disciplinary action.

Mission & Vision

The mission of the Nurses Middle College Charter High School – Capital Region is to prepare a diverse group of students to become the highly educated and professional nursing workforce of the future.

Our vision is to create an innovative high school experience that is student-centric, structured to foster a supportive learning environment, and committed to developing the skills, knowledge, and passion necessary to excel in the nursing and allied health professions.

The NursesMC-CR is part of the NursesMC Network of Charter Schools and is managed by the NursesMC. NursesMC is a charter management organization that founded and developed the school model.

Accessibility

All courses and student activities at the NursesMC-CR are available without discrimination to individuals with disabilities as defined by the Rehabilitation Act of 1973 and/or Title II of the Americans with Disabilities Act.

Whenever an individual with disabilities selects a course or an activity for participation, that activity, if inaccessible, will be relocated to an accessible area without delay. In no instance will the relocation of the activity be delayed beyond two (2) school days. The Executive Director is responsible for implementing this policy by relocating programs within the building.

School Campus

The NursesMC-CR is located at 199 Washington St. in Rensselaer, NY; a district located within the Capital Region. Students are expected to demonstrate respect for themselves, for our neighboring buildings and businesses, and for the NursesMC-CR community at all times, 4

including travel to and from school. Access to the school building is designated by the Executive Director and all who enter/exit shall abide by all access rules. For their own safety, students are expected to use caution when approaching the building, to use sidewalks and crosswalks, and should not walk through the parking lot at the back of the building or cut across traffic.

The school building will be open from 8:00am to 5:00pm Monday through Friday. Students who arrive early will be held in the lobby until faculty supervision arrives. Breakfast is available in the cafeteria until 8:25 am daily. Students who stay after school must work in a designated area and with permission of a Teacher. Students who are waiting for rides at the end of the school day will be required to remain in the lobby until their ride arrives. Families should make arrangements for students to be picked up at a safe and public location near the school when transportation from school is after the close of the building. NursesMC-CR is not responsible for students who are not picked up by the time the school building closes.

Students are not allowed to leave and re-enter the school building freely at any time during the school day. This includes the hours before and after school.

Student ID Badges

Students will be issued a school ID badge with their photo. Students will be required to bring the ID to school each day and it will be used to “swipe in” for daily and individual classroom attendance.

Grading Policies

At the Nurses Middle College Charter High School - Capital Region, we believe the purpose of a course grade is to indicate the cumulative level of academic mastery the student reached by the end of the course. The purpose of assessment is feedback. While summative assessments provide feedback as to whether a student has mastered a set of learning targets, formative assessments provide feedback as to whether a student is progressing toward mastery.

Students should be formatively assessed on a continuous basis, as well as receive descriptive and timely feedback from teachers and peers. Formative assessments and feedback will help students build understanding and make connections, such that students will feel prepared and confident to perform summative assessments.

Standards Alignment and Grading

Academic content is aligned to state and national standards, ensuring that students are exposed to and expected to master appropriate and rigorous grade level academic material. The standards-based gradebook reflects progress towards mastery of specific skills, competencies, and content in each course. The NursesMC-CR uses a scale of 1-4 that translates to a more traditional letter grade and is mapped with a GPA conversion.

Proficiency Scale				
NO EVIDENCE	DEVELOPING	PARTIALLY PROFICIENT	PROFICIENT	MASTERED
0	1	2	3	4
Note: All events will be assessed on a rubric according to the proficiency scale above.				

Marzano (2010) Standard to Letter Grade Conversion Scale

3.75-4.00 = A+ 2.84-2.99 = B+ 2.34-2.49 = C+

3.26-3.74 = A 2.67-2.83 = B 2.17-2.33 = C

3.00-3.25 = A- 2.50-2.66 = B- 2.00-2.16 = C-

Below 2.0 = F

Gradebooks are configured to include the main subjects as well as skills (standards) and events (assignments) associated with each subject. One event, or assignment may actually include more than one skill or standard, and thus the score would be entered multiple times, as appropriate.

Honor Roll and Honor Societies

- Students will be recognized yearly with High Honors if they achieve a Quarterly Grade Point Average (GPA) of 95 or better and have no grade lower than 90 in every subject,
- Students will be recognized quarterly with Honors if they achieve a Quarterly GPA of 92 or better and have no grade lower than 87.
- **National Honor Society:** At the end of the first semester of their junior year, students who have a cumulative scholastic average of 90 or above will be notified and told that for further consideration for selection to the National Honor Society chapter, they may complete the Student Activity Information Form. This form will be reviewed by the Faculty Council along with any other verifiable information about each candidate. The Council will evaluate members on the basis of service, leadership, and character. The selection of each member shall be by a majority vote of the Faculty Council. If an applicant is not selected, he/she has the right to appeal this decision. The Council's decision following the appeal is final. Members are liable for dismissal at any time if they do not maintain the standards of scholarship, leadership, service, and character that were used as the basis for their selection.

Attendance Policy

The Nurses Middle College Charter High School - Capital Region (NursesMC-CR) strongly believes that attendance is crucial to educating students. Consistent attendance improves the ability of students to learn and better prepares students for successful employment in the nursing and health care profession.

Pursuant to New York Education Law, § 3205(1)(a), In each school district of the state and in each charter school, “each minor from six to sixteen years of age shall attend upon full time instruction.”

Definitions: For purposes of this attendance policy, the following definitions apply:

Excused Absences/Tardiness - all absences/tardies are unexcused except for medical appointments with a note, death in the immediate family, funerals, family emergency (to be approved by the Executive Director), participating in a religious observance or holiday of their faith, attending a verified legal court obligation, suspension days, illness or injury (Medical Providers note to be received within three (3) days of the absence), an acute or chronic illness, participating in an approved activity, or participating in a college visit (prior approval required).

Parent/guardian or student (if over the age of 18) must notify NursesMC-CR via phone stating the specific reason for the absence and provide the appropriate justification and/or documentation. Please note that a parent phone call does not constitute an excused absence. A phone call is a notification of the absence. Please refer to the excused absence list above for permissible forms of excused absences.

Family Travel/Vacation - Days missed due to family travel or vacations are unexcused absences. NursesMC-CR strongly discourages planning family travel or vacation over school days.

Guardian(s) - the legal guardian(s) of the student.

Justification - documentation that demonstrates a student's absence or student's tardiness occurred due to a permissible reason; justification includes, but is not limited to, a parent note, legal documents, a newspaper clipping or obituary demonstrating the necessity of a student's attendance at a funeral, a medical note prepared by a licensed Medical Provider.

Medical Appointments - A student's unexcused absences or tardy presentation greatly inhibits that specific individual's education as well as the class as a whole. To avoid unnecessary disruption, medical appointments should be scheduled outside of school hours, to the best extent possible.

Student - the individual enrolled at NursesMC-CR.

Tardy - a student who is late to class without justification.

Truancy Behavior Referral - a mailed notification to the student or student's parent/guardians (dependent upon the age of the student) to advise that the student has either been absent or tardy and further requests participation in a conference in an effort to reduce future unexcused absences/ tardy attendance.

Truant - a student who willfully and habitually absents himself or herself from attending school.

Unexcused Absence - an absence from a school day without appropriate justification.

NursesMC-CR Intervention – Unexcused Absences

NursesMC-CR will make reasonable efforts to work with families to ensure that students are successful in school by notifying families of attendance/tardy issues in a timely manner.

- NursesMC-CR will contact the family/guardian when a student has an unexcused absence. If a student is over 18 years of age and has not informed the school of his/her absence that day, the student will be called.
- NursesMC-CR will notify parents/guardian(s) or the student (if over the age of 18) in writing when a student has two (2) or more unexcused absences in any given month.

A written truancy behavioral referral will be issued by mail upon a student's fifth (5) unexcused absence in a given semester, advising the parent/guardian(s) and student of the need to develop a truancy behavior plan. The parent/guardian(s), the student, and NursesMC-CR will meet to devise a written truancy behavior plan for the student outlining the cause for the behavior and the positive plan for addressing the same.

- For each unexcused absence following the truancy behavioral referral, NursesMC-CR will notify the parent/guardian(s) or student (dependent upon the age of the student)
- Any student who has fifteen (15) unexcused absences in any given semester will be considered truant and may be referred to the Juvenile Services Probation Department. A student is considered chronically absent at eighteen (18) days. Parent/Guardian(s) or the student (if over the age of 18) will receive a copy of the truancy referral by mail.
- After seven (7) consecutive absent days with no contact with guardian(s) or student (if over the age of 18), NursesMC-CR will attempt to contact, by phone, all emergency contacts listed on the student's emergency contact form in an attempt to reach the parent/guardian(s) or student (if over the age of 18).

NursesMC-CR Intervention – Tardiness

- NursesMC-CR will notify parents/guardian(s) or the student (if over the age of 18) in writing when a student has three (3) or more unexcused tardy attendances in any given month.
- Five (5) unexcused tardy attendances in any given month will result in a truancy behavioral referral.
- A written truancy behavioral referral will be issued by mail upon a student's fifth unexcused tardy attendance in a given semester advising the parent/guardian(s) and student of the need to develop a truancy behavior plan. The parent/guardian(s), the student, and NursesMC-CR will meet to devise a written truancy behavior plan for the student outlining the cause for the behavior and the positive plan for addressing the same.
- For each unexcused tardy attendance following the truancy behavioral referral, NursesMC-CR will notify the parent/guardian(s) or student (dependent upon the age of the student)
- Any student who has fifteen (15) unexcused tardy attendances in any given semester will be considered truant and may be referred to the Juvenile Services Probation Department. A student is considered chronically absent at eighteen (18) days.
- Guardian(s) or the student (if over the age of 18) will receive a copy of the truancy court referral by mail.

McKinney-Vento Act

New York's Education for Homeless Children and Youth program provides support to ensure that homeless children and youth who live in temporary housing have equal access to the same free, appropriate, public education - including public preschool - provided to other New York children, with the opportunity to meet the same challenging state content and student performance standards. Some examples of temporary housing include:

- Sharing the housing of others due to loss of housing, economic hardship or other similar reason,
- Living in motels, hotels, trailer parks, camping grounds,
- Living in emergency or transitional shelters,
- Abandoned in hospitals,
- Living in a public or private place not designed for sleeping,
- Living in cars, parks, abandoned buildings, bus or train stations, etc.
- Migratory living in circumstances described above

Every school district, BOCES and charter school is required to have an LEA liaison whose duties include the removal of barriers to the enrollment, attendance and success of homeless children and youth in school. Reach out to your student's Executive Director to be connected with the McKinney Vento liaison for your school.

Bathroom Pass

With the permission of the classroom Teacher, only one student at a time is allowed to leave the classroom. Students will signⁱⁿ / sign-out, based on school policy, when leaving and returning from the bathroom / classroom. Students are only allowed to use the bathroom on the floor where their classroom is located.

Nurse Visits

Students who need to visit the Nurse *at any time* must obtain permission from their classroom Teacher. If a student is with the Nurse after the change of class, the Nurse must provide the student with a new hall pass in order for the student to return to class. The Nurse is to maintain a time log of all incoming and outgoing students. The Nurse must notify the Main Office when they have a student so attendance can be reconciled accordingly.

Social Worker or School Counselor Visit

Students who need to visit the school's Social Worker during class time must obtain permission from their classroom Teacher. The classroom Teacher will call the Social Worker to ensure their availability. Due to the nature of this role, students are not allowed to drop by to see if the Social Worker is available. If a student is with the Social Worker after the change of class, the Social Worker must provide the student with a new hall pass in order for the student to return to class. The Social Worker is to maintain a time log of all incoming and outgoing students. The School Social Worker or School Counselor must notify the Main Office when they have a student so attendance can be reconciled accordingly.

Restricted Hall Pass

Students may have their hall pass usage restricted for attendance or disciplinary reasons.

- All students who are on a restricted pass should arrive to class on time and remain in class for the entire period.
- Lavatory visits should occur during passing time or if absolutely necessary the student will be escorted after the first ten (10) minutes or during the last ten (10) minutes of the period.
- Students on a restricted pass are not allowed to use the phone when they leave the room.
- If a student must go to the nurse, the teacher must call ahead to make sure the nurse is available and must be escorted to the clinic.

Uniform Policy and Dress Code

The uniform requirement balances the rights of expression of the individual with the Nurses Middle College's goal of developing a professional student body. The required uniforms portray a professional image for those aspiring to a career as a Registered Nurse or other healthcare provider. Clothing worn on campus and at all school-sponsored events must meet the guidelines of this policy.

Class A Uniform: School-issued scrubs are to be worn whenever the school requires this uniform.

Class B Uniform: Scrubs of any color or pattern (must be a scrub top and scrub pants);

Students may wear long sleeve solid colored shirts under their scrub top if they wish. A lab/scrub coat may be worn over scrubs if needed. Scrub pants must be worn. Sweatpants, leggings, or jeans are not permitted. Hooded sweatshirts are not permitted.

Accessories:

Fashion items, including large jewelry, are not permitted as they are not professional and distract from the learning environment.

Footwear:

Sneakers, nursing shoes, clogs, crocs, or other closed toe and low-heeled shoes are the only acceptable professional nursing and healthcare provider footwear. "Fashionable" footwear presents a health and safety risk and the student would be in violation of healthcare workplace dress codes. Rain or snow boots may be worn only in inclement weather; fashion boots are not allowed under this dress code policy.

Hats/Hair Accessories:

Hats (of all kinds) do not comply with professional nursing attire, and are not allowed in school. Bandanas, turbans, bonnets, baseball caps, and do-rags are not permitted, other than for religious or health reasons. Professional head scarfs are allowed. All headwear (other than for religious or health reasons) must be removed prior to entering the building. No scarfs are to be worn around the neck or otherwise when wearing scrub/school uniforms. Explicit, illegal, or inappropriate graphic content on clothing of any kind is prohibited in the school building at all times.

Coats are not to be worn in class or while moving about the building.

Violation of this policy: Students whose clothing does not meet school requirements will not be allowed in class; students will be asked to correct any dress code violations by changing, contacting family to have appropriate clothing brought to them, or accessing the NursesMC-CR supply of scrub top and bottoms. Students will be loaned a uniform the first time there is a need, and then will be required to sign a form agreeing to pay \$1.00 per item for cleaning costs. There is no guarantee that NursesMC-CR will have all sizes or specific colors; this is an “as available” option, and should not be used on a regular basis.

There may be times when school uniforms may not be required and then appropriate dress is expected. Clothing that promotes or portrays violence, offensive language, drugs or alcohol is not allowed. Sleepwear, pajama bottoms or slippers will not be worn in school. Clothing, for both males and females, that is revealing is not allowed. Muscle shirts, halter tops, or shirts that expose the midriff will not be allowed; skimpy or cut pants or shorts will not be allowed.

School Announcements, Weather Delays and Early Closing

In the event of a snowstorm or other emergency conditions that would necessitate the cancellation and/or a delay in the opening of school, the following procedures will be in effect.

Media Announcements: Notifications about school closures will be provided to various Albany/Capital Region area media outlets. The school will provide a listing of these outlets on its website.

Early Closing of Schools: If schools need to be closed before the end of the normal school day, notice will be given over the media outlets mentioned above. Parents/Guardians are urged to make the necessary plans should no adult be home.

1. An automated phone system is also utilized by the school district to communicate a recorded message by phone to the number on record at the school.
2. Email notification will also be sent via the students NursesMC-CR email account and the parent/guardian email on record with the school.

Public Notices and Posters

To display any notice or poster, approval must be obtained from the NursesMC-CR Executive Director. Any messages shall not interfere with scholastic decorum, must be related to the purposes of the school, and must have an educational purpose. All posters must identify the student or group that produced the poster. The Executive Director shall determine where such notice or poster will be displayed.

Text Books

All school textbooks are to be returned before or upon completion of the final exam. They are to be treated with care and respect; no writing is permitted within the books. Students/families will be expected to reimburse the school for any textbook that is not returned or is damaged.

NOTE: If textbooks are NOT returned or a lost book is not paid for, report cards and transcript record requests will be withheld.

Food/Drink

Water is available for students to refill water bottles throughout the day. There is no eating in classrooms. Student arrival time is 8:00AM and breakfast is served from 8:00AM - 8:25AM daily. If students arrive at school after 8:00AM carrying purchased beverages/food from any establishment, those beverages/food will be collected from students and brought to the Main Office. Students can retrieve them during their lunch period. Please note, we do not discourage students from bringing beverages/food to school, in fact, we encourage students to have a hearty breakfast prior to coming to school. We do discourage students from purchasing beverages/food when they should be in school and, as a result, be late for school. Students are encouraged to limit intake of highly caffeinated or sugary drinks.

School Phones and Intercoms

Students are not permitted to use the classroom telephones or intercom system for any reason.

Student Owned Cell Phones and Other Electronic Devices

Use of electronic devices can be disruptive to the learning process. Students are not permitted to use cell phones, tablets, computers, or other electronic devices (“electronic devices”) during academic classes or school activities without specific faculty approval. This includes use on school property, in school vehicles, and at school sponsored events. Students will receive a school-issued Chromebook and may not bring personal laptops, iPads, computers or Chromebooks to school.

As the use of cell phones is disruptive to the learning process, it is also not generally accepted in the healthcare workplace environment. Students are not permitted to use cell phones during academic classes or activities. Students are permitted phone usage between classes and during their designated lunch break.

Students disrupting learning through cell phone or other technology use are not displaying appropriate professional behaviors. Inappropriate behaviors will be managed, tracked and counseled as per school policy. Students who are using technology inappropriately will be told to lock the devices away and/or may be asked to give their device to the faculty member for the remainder of the day. Repeated violations of policy may result in confiscation of devices until a parent/guardian comes to school for a meeting to retrieve the device. This policy also applies to all electronic devices, including but not limited to cell phones, earphones, laptop computers, gaming devices, tablets, iPads, etc. Misuse of any device is not allowed.

In case of emergency, family members are asked to contact their child by calling the school and are encouraged NOT to text or phone their child on his/her personal cell phone.

Students who choose to take electronic devices to school do so at their own risk. The NursesMC-CR assumes no responsibility, financial or otherwise, for lost, confiscated, damaged, or stolen electronic devices. NursesMC-CR reserves the right to intercept, access, monitor, copy, review, or download any communications or files that are sent, received, or stored on its network or on any NursesMC-CR-owned device.

The use of electronic devices for illegal or unethical actions is strictly prohibited. All illegal activities such as transmission of any material in violation of any federal or state laws or

regulations are prohibited. This includes, but is not limited to, copyrighted material, threatening or obscene material, or material protected by trade secrets. Students are not permitted to take images or video within the school building without prior permission from the Executive Director. At no time are students allowed to record or photograph any Teacher or student without their permission. Any form of electronic or cyber-bullying will not be tolerated and will be addressed through the NYS Dignity for All Students Act (DASA).

Internet Acceptable Use Policy

The use of the Internet has been provided to the faculty and students as an educational tool and must be used for NursesMC-CR-related purposes only. NursesMC-CR reserves the right to intercept, access, monitor, copy, review, or download any communications or files that are sent, received, or stored on its network. Students are cautioned not to open any attachments sent from unfamiliar email addresses, and they should report all such emails to the system administrator as soon as feasible. Only software authorized by NursesMC-CR may be used on NursesMC-CR computers. The use of the internet for illegal, commercial, or unethical actions is strictly prohibited. All illegal activities such as transmission of any material in violation of any U.S. federal or state regulations are prohibited. This includes, but is not limited to: copyrighted material, threatening or obscene material, or material protected by trade secrets. NursesMC-CR computers shall not be used to access social media sites.

Any form of digital or electronic bullying will be addressed through the NYS Dignity for All Students Act (DASA). All students will sign an Internet Acceptable Use Student User Agreement prior to using the NursesMC-CR computers. Violations of this Policy or Contract may result in discipline, as well as referral to civil and/or criminal authorities for further legal action.

Sports

NursesMC-CR does not offer New York State Public High School Athletic Association (NYSPHSAA) interscholastic sports programs. New York State law provides that school districts may offer extra-curricular activities to resident charter students, but that eligibility is not always uniformly granted in each district. Parents/guardians are responsible for contacting their home school district to discuss opportunities to participate in NYSPHSAA interscholastic sports programs. The opportunity to engage in NYSPHSAA sports programs requires that students be in good academic standing in order to be eligible for sports. Students who are failing any NursesMC-CR class or who have unexcused attendance/tardiness requiring interventions will be reported as ineligible to participate in sports through the New York State Public High School Athletic Association. No student whose conduct or work in school is unsatisfactory shall be allowed to take part in any interscholastic athletics. All students desiring to participate in athletics must be examined by their primary care physician or other licensed health care professional within the past twelve (12) months. An Interval Health History must be completed and signed by a parent/guardian before each sport season if a health exam has not been conducted within thirty (30) days of the start of the sports season. A School Nurse, who is a Registered Nurse of the Director of School Health Services (Medical Director or Medical Officer) must review each student's Interval Health History. All required documentation must be provided to the School Nurse and the team Coach/Athletic Director at the appropriate time.

NursesMC-CR requires parent/guardian permission to participate in NYS Public High School Athletic Association sports. A signed permission slip is required. Students must also provide a

copy of the game schedule for the team/school for which they are playing. Any eligible student who wishes to be dismissed early from school for the purposes of NYS Public High School Athletic Association sports will be granted permission and given a pass for game days only, with prior parent/guardian approval. Students will not be given permission to leave school early to attend practice sessions.

Smoking

New York State law requires that schools be smoke free. NursesMC-CR is a healthy community and a smoke free campus. Smoking is prohibited in and around the school. E-cigarettes, vaporizing devices or other devices used to inhale substances are included under the no smoking policy and are not allowed in school.

Behavior Expectations

All members of the NursesMC-CR community are expected to demonstrate respect for themselves and for all others; including faculty, staff, fellow students, visitors, and members of the greater community. As members of a diverse learning community, we embrace differences and celebrate our commonalities and do not tolerate bullying, racially offensive, sexually offensive, or improper language or actions. We understand that behaviors that detract and disrupt the educational process harm everyone. We respect the privacy and property of others, and encourage respect and professionalism within our community in face-to-face communication and through social media.

Social Media

For the purposes of this policy, “social media” is defined as any form of online publication or site that allows interactive communication, including but not limited to, social networks, blogs, photo and video sharing platforms (such as, but not limited to, Facebook, YouTube, Instagram, Snapchat, TikTok or Twitter), as well as email and texting.

This policy is intended to be interpreted in conjunction with the Student-owned Electronic Devices and Internet Acceptable Use policies. Parents/guardians are encouraged to monitor and, if necessary, limit the use of social media. Excessive use of social media sites and a preoccupation with these forms of communication distracts students from their studies, limits authentic interactions, promotes unauthorized use of electronics during the school day and, when used inappropriately, has been determined to be the cause of student and peer conflicts. Neither current nor prospective students should attempt to contact or be compelled to connect with any member of the NursesMC-CR faculty or staff on their personal social media accounts.

Students are prohibited from using NursesMC-CR computers, devices, or networks to access social media accounts without specific approval from a faculty member. Such access may be granted for school or educational purposes only. When accessing social media under these circumstances, students shall have no expectation of privacy, and NursesMC-CR reserves the right to intercept, access, monitor, copy, review, or download any communications or files that are sent, received, or stored on its Network, or on any NursesMC-CR-owned device. Students must be thoughtful and respectful when sharing information on social media, and all information posted by students must comply with NursesMC-CR and legally mandated policies and procedures, including policies concerning bullying.

Students who are found to be using school devices to access inappropriate, illegal, explicit content will forfeit the opportunity to use such technology and will have access to school computers on a restricted and highly supervised basis only during class time.

Vandalism / Defacement of Property

Students demonstrate self-respect by respecting the property of others, including our campus and neighborhood. Vandalism /defacement of any kind such as: writing in school textbooks, writing on or carving into desks or walls, breaking/damaging walls or furniture, and spray-painting (graffiti) will not be tolerated. Vandalizing school or local property will result in disciplinary action, will require restitution, and may include police involvement.

Academic Dishonesty/Plagiarism

All members of the NursesMC-CR are responsible to uphold the academic integrity policy and support the pursuit of scholarship. Students apply to NursesMC-CR to pursue a career in the nursing or health care field however, our goal is to educate the whole student and support the development of young men and women as scholars with character, compassion & empathy, and professionalism. This Academic Integrity Policy is intended to support and ensure a culture of trust, equity, and respect.

Educator & Administrator Protocol for Violation of Academic Integrity Policy

When a Teacher finds reason to believe a student or group of students has violated the academic honesty policy, the following steps will be taken:

- The Teacher will discuss their concern with the student.
- The Teacher will refer, in writing, the information they have to the Executive Director via the Student Information System's behavioral referral.
- The Executive Director and the Teacher will confer.
- If they conclude that a violation in the Academic Integrity Policy has occurred, the Teacher will notify parent(s) and student(s).
 - First offense will result in a disciplinary referral/written warning and the student will have to make up the work with the teacher.
 - Any further or future incidents where a student is found guilty of violating the Academic Integrity policy in any school year and on any schoolwork/assessment will receive a zero for the work and may be referred to the PNACC (Professional Nurses Academic & Conduct Committee) where the student may be subject to additional disciplinary action including in-school and/or out-of-school suspension
- The student will be excluded from the award honor roll status for that school year only.
- Students eligible for the National Honor Society (NHS) will not be eligible if there are two (2) or more incidents reported. Current NHS members may be placed on probation or dismissed from the NHS.

Theft/Possession of Stolen Property

A student may not, without permission by the owner or custodian of the property, take property nor have in their possession any property that does not belong to them. Theft may result in disciplinary actions and/or referral to criminal authorities for further legal action.

Metal Detectors

For the safety and security of all students, staff, and visitors, our school employs a metal detector at the main entrance. All individuals entering the building are subject to screening to maintain a safe and secure environment.

Creation of an Unsafe Environment

Students who create an unsafe environment by pulling fire alarms, setting off fire extinguishers, smoking inside the school building, inciting others to unruly behavior, misbehaving on buses, leaving school grounds without permission, or engaging in other destabilizing behaviors create an unsafe environment and are subject to disciplinary action and/or referral to criminal authorities for further legal action.

The NursesMC-CR has ZERO tolerance regarding the possession of weapons, fireworks, alcohol and/or drugs, and the use of violence. Students who commit any of these offenses (below) will be referred to the Professional Nurse Academic and Conduct Committee (PNACC) and the appropriate local law enforcement agency.

Weapons

Gun-free School Act

Federal and state laws require the expulsion from school for a period of not less than one (1) year of a student who is determined to have brought a firearm to the school, or to have possessed a firearm at school, except that the Executive Director may modify such expulsion requirement for a student on a case-by-case basis, if such modification is in writing, in accordance with the Federal Gun-Free Schools Act of 1994 (as amended).

Any such expulsion must be consistent with the requirements of the Individuals with Disabilities Education Act and its implementing regulations, for a student with or presumed to have disabilities.

“Firearm,” as used in this law, is defined by 18 USC §921(a), and includes firearms and explosives.

The definition of “firearm” includes but is not limited to:

- Any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive
- The frame or receiver of any weapon described above
- Any firearm muffler or firearm silencer
- Any destructive device, which is defined as any explosive, incendiary, or poison gas, such as a bomb, grenade, rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or other similar devices

The Executive Director shall refer to the criminal justice or juvenile delinquency system any student who brings a firearm or weapon to the school. “Weapon” as used in this context shall mean any device, instrument, material, or substance that is used for or is readily capable of

causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than two and a half inches in length.

Bringing a weapon to school, using a weapon on school grounds or at a school-sponsored or related activity, or a student having a weapon in their locker, pocket, or while at school, on the bus or at an afterschool activity, is a grave offense and is against school rules and regulations. It is also against the law. The NursesMC-CR recognizes three kinds of weapons:

Those that are "legally dangerous," which include weapons that are against the law to possess, such as anything that is carried and used in a manner to intimidate or with the intent to cause harm to another person, are considered dangerous weapons. They include the following: firearms of any kind, including BB guns and air rifles, any knife that has a double-edged blade, a switch blade or any knife that has an automatic spring device by which the blade is released from the handle; any stiletto or dagger, metallic knuckles, nunchaku, shuriken or any other similar pointed starlike object that is intended to injure a person when thrown, black jacks, blow guns, any arm band that is made of leather which has metallic spikes, points or studs; any similar device made from any other substance, mace, pepper spray, tear gas, or any other substance that is used to incapacitate another person, fireworks or explosives of any kind, all other such similar weapons.

Other prohibited items, which, though may not be defined as weapons, are nonetheless not permitted on school premises, at school sponsored and/or at school related events, including athletic games. Possession or use of said items will result in suspension and may result in expulsion from school. The following are examples: knives of any kind, shape or length; including key chains, knives, drafting knives, blades of any size razors, box cutters, chains, whips or any other metal object of no academic purposes or any other object of no reasonable use in the school setting, on school grounds, and/or at school-sponsored events, including athletic games.

Other ordinary items that may become dangerous when used in a threatening way and use of these items in that manner may result in suspension or expulsion from school. Such items include: pencils or pens, scissors, needles and pins, nails, carpentry tools, etc. Use of such items in a dangerous or threatening manner may result in suspension or expulsion from school. Additionally, engaging in or attempting to engage in any unreasonably dangerous athletic technique that endangers the health or safety of an individual, such as using a helmet or any other sports equipment as a weapon may result in suspension or expulsion from school.

Further, no toy or replica weapons of any kind, including guns and knives, will be permitted on school premises, on school grounds, on the bus or at school sponsored events and/or at school related events, including athletic games. Items such as these will be confiscated and may result in suspension or expulsion if they are determined by the Executive Director to be in violation of this policy.

Discipline

Any student found to be:

- in possession of, using, or selling illegal or unauthorized drugs or alcohol,
- suspected of being under the influence of drugs or alcohol, or
- in possession of illegal drug paraphernalia

Students may be suspended out of school for up to five (5) days. Suspected use by a student will require a medical assessment by the School Nurse. Students who refuse to submit to an evaluation will be considered an act of admission and will be considered, along with other evidence, to determine whether or not a student is under the influence of a chemical substance.

This policy shall be enforced in the school building, on school property, on school buses, and at school-sponsored functions sanctioned by the school administration.

When a student violates the drug and alcohol use policy:

- The student may be immediately suspended for up to five (5) days.
- The appropriate law enforcement/juvenile officer may be immediately notified, and all evidence turned over to him/her. All evidence will be kept in a secured location by the NursesMC-CR Executive Director until it is turned over to the appropriate authority.
- The parents/guardians of the student will be notified and referred to the PNACC (Professional Nurses Academic & Conduct Committee). Parent(s) and student must both attend the PNACC and may be required to attend a reinstatement meeting in order for the student to be reinstated to in person learning.
- All procedural guidelines for suspension or expulsion will be followed. All students have the right to a hearing and rights of appeal.

Intervention

Students returning to NursesMC-CR after a suspension are required to attend a PNACC meeting for reinstatement. The PNACC team will review the suspension report, discuss the incident with the parent/guardian and student, and deliberate on whether to recommend any further disciplinary action and/or a behavior plan. This plan may require students to meet with the school Social Worker, School Counselor, Student Assistance Counselor, School Nurse and/or attend outside school counseling or support services.

Inpatient/outpatient treatment

Any student absent from school due to attendance at a community inpatient or outpatient treatment program should be provided educational support. Responsibility for students returning from a community treatment program rests with the student, parent, and community treatment program personnel. The Executive Director, school faculty, the student, parents, and community treatment personnel will work cooperatively to ensure the student's privacy rights under HIPAA/FERPA and to facilitate educational support when the student returns to full-time, in person learning.

Searches, Breathalyzer, and Interrogations

Students are entrusted to the care and custody of the NursesMC-CR for the purpose of education. All students are entitled to perform in a safe environment free of dangerous weapons and drugs. In order to preserve the educational decorum, all school property including, but not limited to,

desks, closets, and all school-associated items, are subject to search as determined necessary and appropriate.

Search and Seizure

Under the IV Amendment to the U.S. Constitution, students are protected from unreasonable search and seizure conducted by public school officials and teachers. The following rules shall apply to searches of students, school property, the property of individuals while in school, enroute to or from school, to or from school events on school buses, or in automobiles operated by students. A search may only be conducted by authorized individuals.

1. Searches shall be conducted based upon reasonable suspicion that school rules, town, city/state, or federal laws have or will be violated.
2. A search may be conducted on any area of property under the jurisdiction of NursesMC-CR and shall include items of personal property in the control of or possession of a student, including that which may be abandoned or discarded.
3. School authorities are authorized to seize illegal items or contraband that may present a threat to the safety of the individual or others. Items seized shall be retained in proper order to preserve a controlled chain of custody for purposes of prosecution by the police department.
4. Items that are used, or may be used, to disrupt or interfere with the educational process or environment may be temporarily removed from a student's possession. This includes all electronic devices that are either the property of the school or of the individual
5. Authorized individuals include the Executive Director, Director, faculty or staff member, or such person as the Executive Director may designate
6. A search of an automobile may only be conducted with the permission of the operator and/or owner of the vehicle.
7. Parents/guardians will be contacted upon completion of any search conducted by authorized individuals.

Canine Searches

The use of dogs trained to detect illegal drugs and/or other contraband, whether conducted by law enforcement or others retained by the School District, may occur anywhere on school property, school vehicles, and at school events. The use of dogs to search school property, or the personal property of students or others, are not searches which require a reasonable suspicion of a violation of law or school rules. Such searches may be conducted on school property and include, but not limited to desks, closets, vehicles on school property, and items of personal property.

Breathalyzer

Any student for whom there is a reasonable suspicion of the use of alcohol before or during the school day, prior to or during school sponsored activities, or on school property, may be asked to submit to a breathalyzer test. School property shall include, but is not limited to, school grounds, buildings, buses, gymnasiums, facilities rented by the school, and other facilities or premises utilized for school sponsored activities and/or events.

The following guidelines shall apply:

1. A student about whom there is a reasonable suspicion of consumption of alcohol may be asked to submit to a breathalyzer test. Indicators of reasonable suspicion may include, but not limited to, alcohol odor, slurred speech, unsteady gait, lack of coordination, presence in the vicinity of an alcohol container, bloodshot or glazed eyes, or such other information as is reasonable to raise suspicion. No breathalyzer test will be administered if a student acknowledges consumption of alcohol.
2. Breathalyzer tests shall be administered in a secure location away from other students by the Executive Director, Director, School Nurse or other designee who has been fully trained in breathalyzer test administration.
3. Parents will be called following the administration of the breathalyzer test. If a student tests positive, parents must transport their student home. If a parent is not available to transport a student, local police may be called. Emergency medical personnel will be sought if the student is assessed to be in need of medical assistance. Students determined to have consumed alcohol will be subject to disciplinary consequences.
4. Refusal to submit to a breathalyzer test will be considered an act of admission and will be considered along with other evidence to determine whether or not a student has consumed alcohol.
5. Random testing of participants in school sponsored events may be conducted by authorized school personnel.
6. Non-students attending school sponsored events may be subject to breathalyzer testing and failure to pass such a test or refusal to submit shall be grounds to exclude such individuals from participation in the event.
- 7.

Physical Violence

Any student who threatens another student or staff member, physically intimidates another person, or makes inappropriate contact or harmful physical contact with another person, will be automatically suspended, referred to the Professional Nurse Academic and Conduct Committee (PNACC), and/or face further consequences per the discretion of the Executive Director and in accordance with the NursesMC-CR Bullying Prohibition and Prevention Policy, Dignity for All Students Act (DASA) and/or NursesMC-CR Prohibition Against Teen Dating Violence and Sexual Violence Policy.

Seclusion and Restraint

As part of our emergency procedures, physical restraint is permitted in limited circumstances where a student is in imminent risk of injury to themselves or others and the student is not responsive to less intensive behavioral interventions, including verbal directives or other de-escalation techniques. No student will be placed in seclusion and/or restrained by school staff as a form of discipline or punishment. As soon as possible, during or after any such use of restraint and/or seclusion, family member(s) or guardian(s) will be informed when any of these actions have occurred and will be provided with an account of the incident, including the circumstances that led to the use of seclusion and/or restraint. Additionally, situations where there is the potential for significant harm may be reported to crisis services for additional support. NursesMC-CR is committed to following the evolving rules and requirements relating to the use of any force in schools and will ensure that its practices align with all current relevant law.

Positive Behavior/Behavioral Interventions

To support students in meeting the NursesMC-CR behavioral expectations, our program emphasizes a commitment to a respectful learning environment toward supporting all students in demonstrating appropriate behaviors.

Positive behavior approaches include extensive student support measures with concentration on student responsibility and appropriate choices. Behavioral interventions when needed may include sanctions within the classroom, behavioral plan and/or monitoring, school-wide limitations, or referral to the Professional Nurses Academic and Conduct Committee and may require faculty, parent, and /or administrative meetings.

Steps to Address Behavior Concerns

Intervention - Steps taken by faculty or staff to resolve an immediate issue or concern

Warning Notice - Notification to the student and family of any concerns (academic or behavioral), with possible steps for remediation.

Conference - A meeting between the student, parent/guardian, and school faculty and/or administration to identify issues (academic or behavioral) toward developing a plan of action and solutions.

Administrative Action - Actions taken through informal and formal behavior, and academic committees following other steps; undertaken if prior steps have not succeeded. Action by the Professional Nurse Academic and Conduct Committee Formal as required for serious behavioral infractions will occur.

The NursesMC-CR follows the New York State Education Department and Committee on Special Education guidelines regarding out-of- school suspension of students for behavioral or disciplinary reasons.

Suspensions may be immediate in cases of community safety, for egregious violations of the Code of Conduct or where the continued presence of the student within the community creates the potential safety concerns or disruption to learning. Following a suspension, the student may be referred to the PNACC for further action. A re -instatement meeting with the Executive Director, the student, and parent/guardian must take place prior to resumption of attendance.

Should applicable law or regulation require further interventions for a particular student, such interventions will be addressed on an individual basis.

The Professional Nurse Academic and Conduct Committee (PNACC)

The Professional Nurse Academic and Conduct Committee is the body that has been authorized by the Nurses Middle College's Board of Trustees to resolve major discipline and academic matters, hold hearings, and enter into behavior and/or academic agreements with students. The PNACC is made up of members of the faculty and leadership who deliberate on cases that have been brought to it through administrative action.

Code of Conduct

Outline of Due Process Rights for Students and their Parents and/or Guardians

We respect and protect the rights of all students and families in all matters. Academic and behavioral expectations and potential interventions for violations are outlined above and elsewhere in this handbook. In cases of suspension and possible exclusion from school, the process includes options for immediate interim suspensions (pending a parent meeting), and longer ones (pending a PNACC or manifestation determination meeting). In all cases, NursesMC-CR will conform to state and federal guidelines and legislation concerning due process, including but not limited to the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973.

Steps include:

Ten (10) Consecutive Days or less

Prior to removal from school for ten(10) consecutive days or less, NursesMC-CR will adhere to

the following:

1. The student must be afforded oral or written notice of the charges against him/her;
2. If the charges are denied, the student must be afforded an explanation of the school's supportive evidence; and
3. The student must be afforded an opportunity to present his or her side of the story. If the student has not attained the age of majority (18), the notice and reason for the suspension must be provided to the student's parents in their spoken language.

More Than Ten (10) or More Consecutive Days

Prior to the removal from school for more than ten (10) consecutive days, NursesMC-CR will adhere to the following:

1. The student must be afforded an opportunity to present his or her side of the story. If the student has not attained the age of majority (18), the notice and reason for the suspension must be provided to the student's parents in their spoken language.
2. A clear written statement of the reason for suspension or long term removal;
3. An opportunity for a formal hearing before the PNACC;
4. The student is afforded prompt notice of the time and place of the hearing, with a reasonable time to allow for preparation;
5. Opportunity to be represented by legal counsel;
6. If the student is not 18 years old, the parent(s) or guardian is afforded the procedures outlined in steps 1, 2, 3, and 4 above;
7. At hearing, the right to cross-examine witnesses and to present witnesses on his or her behalf;
8. A complete and accurate stenographic or electronic record of the hearing, including all exhibits;
9. A written decision rendered within five (5) days time, based exclusively on the record detailing the reasons and factual basis therefore;
10. A copy of the decision; and
11. Special circumstances may warrant immediate removal from school. In such cases, an affected student may be removed prior to the school effectuating the aforementioned steps.

An appeal from the written decision may be made to the Board of Trustees, which will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the Board within ten (10) calendar days of the date of the written decision unless the parent(s) or guardian(s) can show that extraordinary circumstances preclude them from doing so.

The Board of Trustees will issue a written decision within ten (10) business days of receiving the appeal. The decision of the Board of Trustees may be appealed to the school's authorizer, the SUNY Board of Trustees, through its Charter Schools Institute. If the complainant is not satisfied by SUNY's ruling, the complainant may further appeal to the New York State Board of Regents, through the New York State Education Department, whose ruling shall be final.

Disciplinary Infractions

The following 5-level protocol provides information about potential violations and consequences. It is not meant to be comprehensive; staff will use their judgment on how to apply the protocol to misbehavior not specifically identified below.

Level 1 Uncooperative/Noncompliant Behavior
<p>Wasting Learning Time</p> <ul style="list-style-type: none"> ● Not doing any work/disengaged ● Not focused on work ● Calling out inappropriately ● Complaining or whining ● Sleeping/Head on desk/Slouching ● Giggling ● Inappropriate Noises ● Nonverbal communication (getting another student off track from classwork) ● Passing a note ● Unprepared for class ● Getting up and walking around the room without permission (tissue, garbage, replace materials, etc. ● Talking/Whispering with a neighbor when should be working. ● Prolonged bathroom breaks <p>Distracting</p> <ul style="list-style-type: none"> ● Inability to let a joke go, or bring it back after a funny incident ● Fake sneezing/Intentionally passing gas, burping etc. ● Low level disruption of learning <p>Disregard</p> <ul style="list-style-type: none"> ● Passive refusal or reluctance to follow directions ● Not handing in homework or poor quality homework ● Silently not following directions ● Uniform/Dress code violations ● Cell phones/electronics policy violation ● Gum/food ● Littering
<p>Responses may include: Teacher redirection, verbal and nonverbal correction, proximity, visual prompts, offer choice, time out</p>

Level 2 Disorderly Behaviors & Repeated Offenses from Lower Level
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Repeated offenses from Level 1

Inappropriate Physical Contact

- Horse playing/Play fighting (first offense)
- Hitting (no harm)

Repeated Failure to Follow directions

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

Disrespect to the Community

- Cursing/ Inappropriate language or gesture (first offense)
- Yelling/Screaming
- Graffiti/Defacing school property (not aggressive or violent in action)
- Insulting a peer or adult
- Verbal aggression Teasing

Responses may include: Level 1 responses and/or send out, lunch detention/restitution, student/teacher conference, public apology, reflection sheet, loss of privilege

Parent Contact will occur as we seek family support in the correction of the behavior

After School Detention may occur for older students; parents will be notified.

Level 3 Disruptive Behavior & Repeated Offenses from Lower Levels

Repeated offenses from lower Levels

Unsafe

- Walking out of class without permission from a teacher/cutting
- Running away from an adult (on or off school grounds)

Dishonesty

- Lying/Spreading rumors
- Academic Dishonesty
- Covering for or planning with someone an offense against a peer or staff member

Explosive Behavior

- Verbal threats towards another student or staff
- Attempting to fight (no contact)
- Putting themselves or others in danger

Horseplay or play fighting (2nd offense)

Responses may include: Level 2 responses, out-of-school suspension (up to 3 days), send home early (recorded as a suspension), family conference (including re-entry restorative plan)

Level 4

Aggressive, Injurious/Harmful or Risky Behavior & Repeated Offenses From Lower Levels

Repeated offenses from lower Levels

Physical aggression/harm

- Fighting outside or inside the school
- Inappropriate touching
- Hitting (harm done)

High-risk

- Self-exposure
- Throwing items (whether to hurt someone or not)
- Setting off false alarms
- Leaving school grounds
- Gambling

Dignity for All Students (DASA) violations

- Hate speech
- Disrespectful gesture

Stealing

Vandalism

Disruptive Behavior Away from School

Any out of school behavior that disrupts the safety, learning, well-being, and/or reputation of the school (e.g. cyberbullying).

Responses may include: Level 3 responses and/or out-of-school suspension (4-9 days) and family restorative conference required; student support team and/or external services as needed

Level 5

Seriously Dangerous or Violent Behavior & Repeated Offenses From Lower Levels

Repeated Offenses from lower Levels

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

- Cyber bullying (including sending or sharing of inappropriate pictures/comments/posts)
- Harassment

Dangerous/Violent Behavior

- Distribution/use/possession of drugs or alcohol
- Being under the influence of illegal drugs or alcohol
- Smoking on school grounds
- Distribution/use/possession of a weapon or other dangerous object
- Group violence
- Assaulting a student or staff member
- Inappropriate sexual behavior
- Sexual harassment
- Creating a fire
- Tampering with school records
- Committing a felony
- Engaging in any behavior that threatens the safety of the school community

Chronic Disciplinary Issues

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

Responses may include: Level 4 responses and/or long-term suspension (10+ days), expulsion; family conference

911 may be called at the discretion of the principal and/or Behavior Crisis Support Team; parent will be notified.

Discipline for students with disabilities

In addition to the discipline procedures applicable to all students, the following procedures are applicable to students with disabilities. A student not specifically identified as having a disability but whose school district of residence or charter school, prior to the behavior which is the subject of the disciplinary action, has a basis of knowledge - in accordance with 34 CFR §300.534. If a disability exists, discipline shall take place in accordance with these provisions.

The school shall comply with sections 300.530-300.536 of the Code of Federal Regulations and the following procedures, except that in the event that the following procedures are inconsistent with federal law and regulations, such federal law and regulations shall govern.

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

Students whose IEP includes a Behavior Intervention Plan (BIP) will be disciplined in accordance with the BIP. If the BIP appears not to be effective or if there is a concern for the health and safety of the student or others if the BIP is followed with respect to the infraction, the matter will immediately be referred to the appropriate Committee on Special Education (CSE) for any consideration of changes.

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

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

The School will ensure that the Special Education Coordinator or Special Education Teachers and/or the general classroom teacher will attend all meetings regarding their students initiated by the CSE from the student's district of residence. These meetings could be relating to the development and implementation of behavioral intervention plans, initial referrals, change in service, or annual review, Manifestation Determination Reviews (MDRs), among other things.

Provision of services during removal

The School will place students in an interim alternative educational setting as appropriate and mandated by 34 C.F.R. § 300. 531.

Services must be provided to the extent determined necessary to enable the child to progress appropriately in the general curriculum and achieve the goals of their Individualized Education Program (IEP). In these cases, school personnel, in consultation with the child's special education teacher, shall make the service determination.

During any subsequent removal that does constitute a change in placement, but where the behavior is not a manifestation of the disability, the services must be provided to the extent necessary to enable the student to progress appropriately in the general curriculum and in achieving the goals of their IEP. The CSE of the student's district of residence will make the service determination.

During any removal for drug, weapon, controlled substance and/or serious bodily injury offenses pursuant to 34 CFR §300.530(g), services will be provided to the extent necessary to enable the child to progress appropriately in the general curriculum and in achieving the goals of their IEP.

These service determinations will be made by the CSE of the student's district of residence.

Additional due process (manifestation determination review - MDR)

If discipline that would constitute a change in placement is contemplated for any student with a disability, the following steps shall be taken: (1) not later than the date on which the decision to take such action is made, the parent(s) or guardian(s) of the student with a disability shall be notified by the school of that decision and provided the procedural safeguards notice described in 34 CFR §300.504; and two (2) immediately, if possible, but in no case later than ten (10) school days after the date on which such decision is made, the CSE of the student's district of residence and other qualified personnel shall meet and review the relationship between the student's disability and the behavior subject to the disciplinary action.

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

A student's parent(s) or guardian(s) may request a hearing to challenge the manifestation determination. Except as provided below, the student will remain in their current educational placement pending the determination of the hearing officer.

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

Prohibition and Prevention of Bullying - Dignity for All Students Act (DASA)

The State of New York and the Department of Education have taken a strong stand against bullying in our schools. The Dignity for All Students Act ("DASA"), signed into law on July 1, 2012 and amended on July 1, 2013, was established to protect all students from harassment, bullying and discrimination. It encompasses all forms of bullying, including cyberbullying. DASA prohibits bullying, harassment, discrimination, or cyberbullying against students in school based on race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression), sex, and other identity which may be held by a person. The NursesMC-CR is working to eliminate bullying and harassment in all forms within our school in order to provide a safe and secure school climate so that all students may learn. As part of the Anti-Bullying Education Program at NursesMC-CR it is important that all members of our community are aware of school policies including what bullying looks like. All students and their parents/guardians should read and sign the policies below.

Definitions

Bullying - an unwanted, aggressive behavior that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Bullying can occur before and after school hours, in a school building, on a playground, on a school bus while a student is traveling to or from school, or on the Internet.

Cyberbullying - occurs when harassment or bullying happens through any form of electronic communication which shall include, but not be limited to, any transfer of signs, signals, writing, images, sounds, data, texting or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, Internet communications, instant messages or facsimile communications.

Forms of cyber-bullying may include but are not limited to:

- The creation of a web page or blog in which the creator assumes the identity of another person;
- The knowing impersonation of another person as the author of posted content or messages; or
- The distribution by electronic means of a communication to more than one person or the posting of materials on an electronic medium that may be accessed by one or more persons, if the creation, impersonation, or distribution results in any of the conditions enumerated in clauses (a) to (e) of the definition of bullying.

Harassment - the creation of a hostile environment by conduct or verbal threats, intimidation, or abuse that has or would have the following effect:

1. Reasonably and substantially interfering with a students educational performance, opportunities or benefits; or
2. Would reasonably be expected to cause a student to fear his or her physical safety.

Discrimination - the act of denying rights, benefits, justice, equitable treatment or access to facilities available to all others, to an individual or group of people because of the group, class or category to which that person belongs.

Crown Act

The CROWN Act protects students' rights to wear or treat their hair however they desire, without the threat of racial discrimination or loss of access to school, participation in activities, and inclusion in opportunities inside and beyond typical classrooms. School administrators can work to create a culturally responsive and sustaining school environment that reflects the diversity of its students, including their hairstyles, and supports student self expression. The enactment of the CROWN Act provides the opportunity for districts and schools to engage students, staff, and the community in the process of revisiting and revising their codes of conduct and dress codes to include the provisions of the CROWN Act and the Commissioner's The CROWN Act helps to promote school belonging and engagement for all students; reduces disparities in school discipline; increases educational engagement and academic success; and protects students, regardless of gender or gender identity.

At School - on school premises, at any school-sponsored activity or event whether or not it is held on school premises, on a school-transportation vehicle, at an official school bus stop, using property or equipment provided by the school, or acts which create a material and substantial disruption of the education process or the orderly operation of the school.

School Climate

Bullying, cyber-bullying, and retaliation against any person associated with a report of bullying or the investigation thereof is prohibited. School staff shall take all reasonable measures to prevent bullying at school. Such measures may include professional development and prevention activities, parental workshops, and student assemblies among other strategies.

School faculty, administration, and staff, at all times, will model courteous behavior to each other, to students, and to school visitors. Abusive or humiliating language or demeanor will not be accepted. Additionally, students and their families are expected to exhibit courteous behavior to all members of the learning community in school and at school sponsored events.

Reports of Bullying

Nurses Middle College - Capital Region requires students and/or staff to immediately report incidents of bullying to the Head of School/Executive Director. Staff who witness such acts take immediate steps to intervene when safe to do so and complete the Nurses Middle College - Capital Region Incident Report Form.

Each complaint of bullying shall be promptly investigated. This policy applies to students on school grounds, while traveling to and from school or a school-sponsored activity, during the lunch period, whether on or off campus, and during a school-sponsored activity.

To ensure that bullying does not occur on school campuses, Nurses Middle College - Capital Region will provide staff development training in bullying prevention and cultivate acceptance and understanding in all students and staff to build each school's capacity to maintain a safe and healthy learning environment.

Teachers should discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of bullying. Students who bully are in violation of this policy and are subject to disciplinary action up to and including expulsion.

The procedures for intervening in bullying behavior include, but are not limited, to the following:

- All staff, students and their parents will receive a summary of this policy prohibiting intimidation and bullying: at the beginning of the school year, as part of the student handbook and/or information packet, as part of new student orientation, and as part of the school system's notification to parents.
- The school will make reasonable efforts to keep a report of bullying and the results of investigation confidential.
- Staff who witness acts of bullying shall take immediate steps to intervene when safe to do so. People witnessing or experiencing bullying are strongly encouraged to report the incident; such reporting will not reflect on the target or witnesses in any way.

Policy Oversight and Responsibility

The Executive Director shall be responsible for the implementation and oversight of this bullying policy. The Executive Director shall provide the Board of Trustees with a summary report of incidents, responses, and any other bullying-related issues at least twice annually. The prevention of bullying shall be part of the school's strategic plan and safety plan.

Information Dissemination

The School Administration shall ensure that students, staff, volunteers, and parents/legal guardians are provided information regarding this Policy. This information shall include methods of discouraging and preventing this type of behavior, the procedure to file a complaint, and the disciplinary action that may be taken against those who commit acts in violation of this policy. This policy shall be:

- Distributed annually to students, staff, volunteers, and parents/legal guardians
- Included in student codes of conduct, disciplinary policies, and student handbooks
- A prominently posted link on the home page of the school /district website

Reporting

The Executive Director shall establish, and prominently publicize to students, staff, volunteers, and parents/guardians, how a report of bullying may be filed and how this report will be acted upon. (See Appendix A for Reporting Form)

The victim of bullying, anyone who witnesses an incidence of bullying, and anyone who has credible information that an act of bullying has taken place may file a report of bullying.

Any student or staff member who believes they are being bullied should immediately report such circumstances to an appropriate staff member, teacher or administrator.

Parents/Guardians of the victim of bullying and parents/guardians of the alleged perpetrator of the bullying shall be notified within twenty-four (24) hours of the incident report. When there is a reasonable suspicion that a child is either a bully or a victim of bullying, the parents/guardians of the child will be notified immediately by the Executive Director.

Responsibility of Staff: School staff, including volunteers, who observe an act of bullying or who have reasonable grounds to believe that bullying is taking place must report the bullying to school authorities. Failure to do so may result in disciplinary action.

Responsibility of Students: Students who observe an act of bullying or who have reasonable grounds to believe that bullying is taking place must report the bullying to school authorities. Failure to do so may result in disciplinary action. The victim of bullying, however, shall not be subject to discipline for failing to report the bullying. Student reports of bullying or retaliation may be made anonymously, provided, however, that no disciplinary action shall be taken against a student solely on the basis of an anonymous report.

Prohibition against Retaliation: Retaliation or threats of retaliation in any form designed to intimidate the victim of bullying, those who are witnesses to bullying, or those investigating an incident of bullying shall not be tolerated. Retaliation or threat of retaliation will result in the imposition of discipline in accordance with the school behavior code.

False Reporting/Accusations: A school employee, school volunteer or student who knowingly makes a false accusation of bullying or retaliation shall be disciplined in accordance with the school policies.

Reports in Good Faith: A school employee, school volunteer, student, parent/ legal guardian, or caregiver who promptly reports, in good faith, an act of bullying to the appropriate school official designated in the school's policy shall be immune from a cause of action for damages arising from reporting bullying.

Investigation/Response

The Executive Director shall promptly investigate all allegations of bullying, harassment, or Intimidation. If the allegation is found to be credible, appropriate disciplinary actions, subject to applicable due process requirements, will be imposed. The Executive Director or other qualified staff may be utilized to mediate bullying situations.

The investigation will include an assessment by the School Social Worker of what effect the bullying, harassment or intimidation has had on the victim. A student who engages in continuous and/or serious acts of bullying will also be referred to the school social worker.

Police Notification: Immediate notification of the local law enforcement agency will be made when circumstances warrant the pursuit of criminal charges against the perpetrator.

Protection: If a student is the victim of serious or persistent bullying:

- The Executive Director will intervene immediately to provide the student with a safety plan to ensure a safe educational environment.
- The interventions will be developed, if possible, with input from the student, his or her parent/ guardian, and staff.
- The parents/ guardians of a victim shall also be notified of the action taken to prevent any further acts of bullying or retaliation.

Disciplinary Action

The disciplinary actions for violations of the bullying policy shall be determined by the school. Disciplinary actions for violations of the bullying policy shall balance the need for accountability with the need to teach appropriate behavior. The severity of the disciplinary action shall be aligned to the severity of the bullying behavior.

The range of disciplinary actions that may be taken against a perpetrator for bullying, cyberbullying or retaliation shall include, but not be limited to:

- Admonitions and warnings
- Parental/ Guardian notification and meetings
- Detention
- In-school suspension
- Loss of school-provided transportation or loss of student parking pass
- Loss of the opportunity to participate in extracurricular activities
- Loss of the opportunity to participate in school social activities
- Loss of the opportunity to participate in graduation exercises or promotional activities
- Police contact
- School suspension: No student shall be suspended from school unless it is deemed to be a necessary consequence of the violation of this Policy.

Social Services/Counseling

Referral to appropriate counseling and/or social services currently being offered by schools or communities shall be provided for bullying victims, perpetrators and appropriate family members of said students.

Social Networking

Students shall be prohibited from accessing social networking sites in school, except for educational or instructional purposes and with the prior approval from school administration.

Other Redress

This section does not prevent a victim of bullying, cyber-bullying or retaliation from seeking redress under any other available law, either civil or criminal. This section does not create or alter any tort liability.

Prohibition Against Teen Dating Violence and Sexual Violence

Teen dating violence and sexual violence are prohibited at NursesMC-CR. The prevention of teen dating violence and sexual violence is part of NursesMC-CR' strategic plan and school safety plan. Dating Violence and Sexual Violence will not be tolerated at NursesMC-CR. The purpose of this policy is to:

- raise school-wide awareness about teen dating violence and sexual violence;
- provide direction in responding to incidents; and
- prevent new incidents of dating violence, and sexual violence.

Definitions

At School - on school premises, at any school-sponsored activity or event whether or not it is held on school premises, on a school-transportation vehicle, at an official school bus stop, using property or equipment provided by the school, or acts which create a material and substantial disruption of the education process or the orderly operation of the school.

Bullying - the use by one or more students of a written, verbal or electronic expression or a physical act or gesture or any combination thereof directed at a student that:

- Causes physical or emotional harm to the student or damage to the student's property;
- Places the student in reasonable fear of harm to himself/herself or of damage to his/her property;
- Creates an intimidating, threatening, hostile, or abusive educational environment for the student;
- Infringes on the rights of the student to participate in school activities; or
- Materially and substantially disrupts the education process or the orderly operation of a school.

The expression, physical act or gesture may include, but is not limited to, an incident or incidents that may be reasonably perceived as being motivated by characteristics such as: Race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression or mental, physical, or sensory disability, intellectual ability or by any other distinguishing characteristic.

Bullying most often occurs as repeated behavior and often is not a single incident between the bullying/cyber-bullying offender(s) and the bullying victim(s).

Bystander - someone who is aware of dating violence or sexual violence, but does not intervene or seek help for the victim.

Cyber-bullying - bullying through the use of technology or any electronic communication, which shall include, but not be limited to, any transfer of signs, signals, writing, images, sounds, data, texting or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, Internet communications, instant messages or facsimile communications.

Forms of cyber-bullying may include but are not limited to:

- The creation of a web page or blog in which the creator assumes the identity of another person;
- The knowing impersonation of another person as the author of posted content or messages; or
- The distribution by electronic means of a communication to more than one person or the posting of materials on an electronic medium that may be accessed by one or more persons, if the creation, impersonation, or distribution results in any of the conditions enumerated in clauses (a) to (e) of the definition of bullying.

Dating - any romantic relationship between an unmarried couple regardless of duration, commitment level, or physical intimacy. Dating includes hooking up, going out, and friends with benefits.

Dating Partner - Any person, regardless of gender, involved in a dating relationship. This could include persons who have a former dating or sexual relationship, are same sex couples, or are unrelated but have had intimate or continuous social contact with one another.

Dating Violence - a pattern of behavior where one person uses threats of, or actually uses physical, sexual, verbal or emotional abuse to control his or her dating partner.

Perpetrator/Abuser/Dominant Aggressor - a person who uses either bullying, dating violence,

or sexual violence to establish and maintain power and control over the target of their behavior. The dominant aggressor/abuser means the person determined to be the most significant, rather than the first, aggressor. The following should be considered when identifying the dominant aggressor:

1. whether either person made threats creating fear of physical injury;
2. whether there is a history of domestic or sexual violence between the persons involved;
3. whether either person acted in self-defense; and
4. whether either person used or threatened to use a weapon and/or physical force.

Rape - is nonconsensual oral, anal, or vaginal penetration of the victim by body parts or objects using force, threats of bodily harm. This includes taking advantage of a victim who is incapacitated or otherwise incapable of giving consent. Incapacitation may include mental or cognitive disability, self-induced or forced intoxication, status as minor, or any other condition defined by law that voids an individual's ability to give consent.

Sexual Assault - includes behaviors that are attempted or perpetrated against a victim's will or when a victim cannot consent because of age, disability, or the influence of alcohol or drugs. Sexual assault may involve actual or threatened physical force, use of weapons, coercion, intimidation, or pressure and may include:

- Intentional touching of someone in ways that are unwanted,
- Voyeurism,
- Exposure to exhibitionism,
- Undesired exposure to pornography, or
- Public display of images that were taken in a private context or when the victim was unaware.

Sexual Harassment - includes degrading remarks, gestures, and jokes, notes, graffiti, and spreading rumors to indecent exposure, being touched, grabbed, pinched, or brushed against in a sexual way.

By an Employee: Sexual harassment of a student by a school employee includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually- motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

A school employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or

The conduct is severe, persistent, or pervasive such that it:

- Affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or;
- Creates an intimidating, threatening, hostile, or abusive educational environment.

By Others: Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is severe, persistent, or pervasive.

Sexual Violence: includes sexual harassment, sexual assault, and rape. In cases of sexual violence, the perpetrator may be a stranger, acquaintance, friend, family member, or partner.

Stalking: is the willful, malicious, and repeated following of another person with the intent to

place that person in reasonable fear of bodily injury.

Victim/Survivor: the target of the perpetrator's coercive and/or violent acts.

Witness: someone whose awareness of dating violence compels them to intervene and/or seek help on behalf of the victim.

Reporting Responsibilities:

School administration shall establish, and prominently publicize to students, staff, volunteers, and parents, how to report dating violence and how such reports will be acted on. The victim of dating violence, or sexual violence, witnesses/bystanders to such actions, or anyone who has information that these actions have occurred may file a report.

Investigation:

The Executive Director shall investigate dating violence and sexual violence reports. If the allegation is found to be credible, appropriate disciplinary sanctions, subject to due process procedures, shall be imposed. Whenever teen dating violence or sexual violence involved conduct that violates criminal law, the police shall be notified.

Disciplinary Sanctions:

Disciplinary sanctions for dating violence, or sexual violence may include loss of privilege to participate in extra-curricular activities including athletics and school social events; loss of school bus transportation; assignment of additional school work or community service; and, depending on the extent of involvement in the prohibited activity, suspension from school.

Victims' Rights and Protection:

The NursesMC-CR is committed to creating a campus environment that promotes timely and fair adjudication of teen dating violence, and sexual violence cases. School administration shall protect the rights and privacy of the victim as well as the due process rights of the alleged perpetrator.

Prevention:

The Executive Director shall ensure that students and staff are instructed on how to identify, prevent, and report teen dating violence, and sexual violence. School administration shall also ensure that the school health program and counseling services include the appropriate social skills training to help students avoid isolation and help them interact in a healthy manner.

School staff shall model correct and courteous behavior to each other, to students, parents and to visitors. Abusive or humiliating language or demeanor shall not be accepted. The staff shall ensure that each student is known by a teacher that the student can turn to if abuse develops. To the extent possible, the influence of cliques and other exclusive student grouping shall be diminished by the creation of inclusive school activities in which all students are encouraged to participate.

Responsibilities and Expectations

Responsibility of Leadership:

Investigation of all Teen Dating Violence, and Sexual Violence Reports:

The Executive Director shall investigate all allegations of dating violence, and sexual violence and the parties involved. If the allegation is supported by the outcome of an approved investigation, appropriate disciplinary sanctions, subject to any appropriate due process procedures, will be imposed. The investigation will include an assessment of what effect the dating violence, and/or sexual violence has had on the victim.

Creation of Individualized School Safety Plan:

When a student discloses dating violence, and/or sexual violence, school administration shall work with the victim, alleged perpetrator, their respective parents, appropriate staff, and possibly a domestic violence advocate to create an individualized safety plan. Whenever possible, face-to-face contact between the victim and alleged perpetrator should be avoided. If changes need to be made, attention should be given to the victim's preference. The burden for any bus, classroom or other schedule changes should be on the alleged perpetrator, not the victim. The safety plan could include the following three (3) components, depending on the circumstances:

Victim Safety Plan:

A safety plan is a tool for helping to increase students' safety. When responding to an incident of sexual harassment, dating violence or sexual violence, NursesMC-CR shall develop a safety plan in collaboration with the victim and the victim's parents that may include the following elements:

- The staff person(s) that have been identified as a support system for the victim,
- Routes to and from school,
- Routes to and from classes, class changes and/or locker changes,
- Names and contact information of peers who can help support the victim and accompany him or her to and from classes as needed,
- A discussion of potential school-related problems/areas of concern and strategies for increasing safety: after-school activities, class trips, dance, etc.
- A plan of action for the victim to follow if he/she encounters the alleged perpetrator outside of school in a public place, on public transportation, at the victim's home, at the home of a friend, etc.
- A list of general safety tips to aid the victim outside of school: lock doors, screen phone calls, never walk alone, etc.
- A list of local resources: shelters, hotlines, agencies, advocates, and other services,
- Follow-up meeting dates to review the situation and to make any necessary adjustments.
- School Stay-Away Agreement

Enforcement of Protective Orders:

When a legal protective order (such as a Restraining or No-Contact order) has been issued by a court to protect one student from another, NursesMC-CR shall take the following steps:

Hold separate meetings with the victim and the alleged perpetrator and their respective parents to:

- Review the protective order and ramifications.
- Clarify expectations.
- Review the school day, classes, lunch (open/closed campus situation), and activities,

paying attention to potential conflicts and opportunities for face-to-face contact between the victim and the alleged perpetrator.

- Identify schedule overlaps, i.e. arrival/dismissal times, classes, lunch, before- and after-school activities, locker, etc.

Stay-Away Agreements: School-Based Alternatives to Protective Orders:

The school-based alternative to a legal protective order is called a Stay-Away Agreement. The Stay-Away Agreement provides a list of conditions that must be followed by the alleged perpetrator while on school grounds or at school -sponsored activities. It is designed to ensure the safety of the victim.

NursesMC-CR encourages Stay-Away Agreements in a conference with the alleged perpetrator and their parent/guardian. If the parent/guardian is unavailable or unwilling to attend the conference, the school may note this on the Agreement. A Stay-Away Agreement may include the following elements:

- A description of the relationship between the victim and alleged perpetrator.
- A description of the violent incident(s): what, when, where, witnesses.
- A list of behaviors that the alleged perpetrator may not do (i.e. talking to the victim, sitting near the victim, sending notes to the victim, etc.).
- Schedule changes for the alleged perpetrator (to separate the victim and alleged perpetrator), including classes, lunch period, arrival and dismissal times, locker location, and extracurricular activities.
- Notes on other disciplinary actions taken.
- Disciplinary consequences if the alleged perpetrator violates the Stay-Away Agreement.
- Dates during which the Stay-Away Agreement is valid.
- Date when the Stay-Away Agreement will be reviewed.

The individualized safety plan will be developed, if possible, with input from the parents/guardians of the students involved. Staff members who are to implement the plan will help formulate it. The Executive Director is responsible for assigning a designee to oversee prompt resolution of an incident; identifying who needs to be notified (school personnel, parents, police, School Resource Officer); and providing a protocol for the school's response where an abuse prevention order is issued against one student, for the protection of another students.

Responsibility of School Staff:

School staff shall take all reasonable measures to prevent teen dating violence or sexual violence. All school staff who witness, hear of, or have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents according to this policy. In this context, the staff includes volunteers working in the school. Failure of any school staff member to follow these procedures will result in consequences consistent with NursesMC-CR's existing policies for non-compliance.

Responsibility of Students

Students who observe an act of teen dating violence or sexual violence, or who have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents to school authorities. The victim shall, however, not be subject to discipline for failing to report dating violence or sexual violence.

Protocol For Responding To Reports of Teen Dating, Violence, and Sexual Violence

NursesMC-CR hereby incorporates the following response protocol to teen dating violence and sexual violence into its school district policies.

Protocol for School-Based Intervention:

Staff Members - Any school staff member who witnesses or learns of an act of teen dating violence, sexual violence, sexual harassment, sexual assault, or rape shall take the following steps:

1. Separate the victim from the alleged perpetrator.
2. Speak with the victim and alleged perpetrator separately
3. Speak with any bystanders who may have been present or involved.
4. Encourage them to speak up directly on behalf of the victim if they should witness further incidents, or to get help from school personnel
5. Administer logical and reasonable consequences to the alleged perpetrator when appropriate, including but not limited to making a referral to school administration
 - a. Inform the victim of their right to file a complaint of sexual harassment, dating violence, or sexual violence with any counselor or administrator
6. Monitor the victim's safety. Increase supervision of the alleged perpetrator as needed.

Leadership - Any school leader who witnesses or learns of an act of teen dating violence, sexual violence, sexual harassment, sexual assault, or rape shall take the following steps:

1. Separate the victim from the alleged perpetrator.
2. Meet separately with the victim.
3. Review the student's complaint form or assist the student in documenting the incident on a complaint form during the meeting.
4. Further investigate the complaint by speaking with the alleged perpetrator and any bystanders separately. Document all information.
5. If the assessment by the School Social Worker, School Counselor, Student Assistance Counselor or leadership determines that the incident involved physical or sexual assault or threats, the School Social Worker, School Counselor, Student Assistance Counselor or leadership should notify the Executive Director, School Resource Officer, Title IX Coordinator (if appropriate) or police immediately.
 - a. If the assessment by a school psychologist, social worker, or counselor determines that the victim's mental health has been placed at risk, make appropriate referrals.
 - b. Contact the parents/guardians of the victim and the alleged perpetrator to inform them that an incident of sexual harassment, dating violence, or sexual violence has occurred. Ask the parents/guardians to attend a meeting with the administrator and their child to discuss the incident.
6. Track progress of investigation and intervention on the Student-On-Student Altercation Response Chart to ensure that all important actions are taken.

Protocol for Working with the Victim:

In working with the victim, NursesMC-CR makes every reasonable effort to protect the due process rights of the alleged perpetrator. Leadership shall consider adopting the following methods of intervention with the victim:

- Conference with the victim and parent/guardian.
- Identify immediate actions that can be taken to increase the victim's safety and ability to participate in school without fear or intimidation.
- Inform the student and parent/guardian of school and community resources as needed, including their right to file charges or seek legal protection.
- Encourage the student to report further incidents.
- Inform the victim of his or her right to request a Stay-Away Agreement or another school-based alternative to a protective order
- For situations also involving sexual harassment, inform the victim of his or her right to file a complaint alleging sexual harassment directly with the Title IX Coordinator.
- A complaint may also be filed with the Office for Civil Rights.
- If the behavior included a violent criminal offense, the victim will be informed of any school transfer rights he or she may have under the state or federal law.
- Monitor the victim's safety as needed. Assist the victim with safety planning for the school day and for after-school hours.
- Document the meeting and any action plans on a complaint form. If the victim or parent/guardian declines to document the incident, note this on a complaint form.
- Store all complaint forms in a separate, confidential file and document subsequent follow-up actions and complaints on a complaint form.

Administrators may provide the victim with the right to have a support person present during all stages of the investigation.

Protocol for Working with the Alleged Perpetrator

The NursesMC-CR makes every reasonable effort to protect the due process rights of the alleged perpetrator. At their discretion, administrators shall consider adopting the following methods of intervention with the perpetrator:

- Conference with the alleged perpetrator and parent/guardian.
- Allow the alleged perpetrator an opportunity to respond in writing to the allegations.
- Identify and implement disciplinary and other actions and consequences that will be taken to prevent further incidents.
- Inform the alleged perpetrator and parent/guardian of help and support available at school or in the community as needed.
- Address the seriousness of retaliation against the victim for reporting the incident or cooperating with the investigation. Inform the alleged perpetrator that retaliation or threats of retaliation in any form designed to intimidate the victim of dating violence or sexual violence, those who are witnesses, or those investigating an incident shall not be tolerated. In most cases retaliation or a threat of retaliation will result in the imposition of a short or long-term school suspension and, in appropriate cases, referral to the police.
- Increase supervision of the alleged perpetrator as needed.
- Document the meeting and action plans on a complaint form.

Protocol for Documentation and Reporting of Incidents:

NursesMC-CR shall establish, and prominently publicize to students, staff, volunteers, and parents, how to report incidents of teen dating violence or sexual violence may be filed and how this report will be acted upon. Anyone who has information concerning an incident of abuse may file a report. NursesMC-CR hereby incorporates the following protocol to document teen

dating violence into its policy.

1. Teen dating and sexual violence complaints and investigations are kept in a file separate from academic records. This practice is recommended to prevent inadvertent disclosure of confidential information.
2. Each complaint of teen dating or sexual violence, either written or orally given, must be documented. Documentation includes:
 - a. All allegations constituting the original complaint;
 - b. All evidence, statements, etc. gathered in support of or contradiction to the allegations;
 - c. Report of findings and recommendation(s) for action to disciplinary or other administrator(s);
 - d. Safety planning actions taken, including changing the victim's or offender's schedule and school activities; and
 - e. Follow-up actions, including any responses to disciplinary and safety planning actions and status reports from the victim.
3. In addition to the information specified above, NursesMC-CR shall track and archive aggregate, annual data on the incidence, types and prevalence of teen dating violence, and/or sexual violence.
4. School administration shall provide the Board with a semi-annual report on incidents of teen dating violence, and sexual violence which have taken place in the schools under their respective supervision. This report will include a statement describing what remedial action has been taken to address the incidents.

Prevention of Teen Dating Violence, and Sexual Violence Through Education, Training, and Social Norms Change

Administrator and Staff Training: The following is required:

The school shall provide training on NursesMC-CR's teen dating violence policy and on the topic of teen dating violence to all leadership, staff, Teachers, Nurses and Mental Health staff. Upon the recommendation of the Executive Director, other staff may be included or may attend the training on a volunteer basis; thereafter, this training shall be provided yearly to all newly hired staff deemed appropriate to receive the training by the Executive Director.

The training shall specifically include, but not be limited to:

- Basic principles and warning signs of dating violence;
- NursesMC-CR's dating violence policy may also include:
 - Identifying issues of confidentiality and safety related to dating violence, and
 - Appropriate school-based interventions for dating violence.
- Overlap of dating violence and sexual violence policy with Title IX policy

These concepts related to sexual violence shall also be integrated into trainings. The school's dating violence and sexual violence policy shall be reviewed at the training, to ensure that school staff are able to appropriately respond to incidents at school, provide instruction on how to file a complaint against dating violence and sexual violence, and understand the disciplinary action that may be taken against those who commit such acts. Ideally, these trainings will be facilitated by a school staff person and a representative from a community agency that services victims of bullying; intimate partner violence, and/or sexual violence such as a victim advocate.

Student Education:

On-going age-appropriate education on healthy relationships shall be provided to all students. This curriculum shall include, but not be limited to, defining teen dating violence, recognizing dating violence warning signs and characteristics of healthy relationships.

Additionally, students shall be provided with the school's bullying, teen dating violence, and sexual violence prevention policy. Upon written request to school administration, a parent or legal guardian of a pupil less than eighteen (18) years of age, within a reasonable period of time after the request is made, shall be permitted to examine the health education instruction materials at the school in which his or her child is enrolled.

Social Norms Change

School staff will always model correct and courteous behavior to each other, to students, and to visitors to the school. Abusive or humiliating language or demeanor will not be accepted. An effort will be made to ensure that each student is well known by at least one certified teacher so that the student will have someone to turn to at school if a situation of bullying, dating violence, or sexual violence develops. To the extent possible the influence of cliques and other exclusive student groupings will be diminished by the creation of a range of inclusive school activities in which students will be encouraged to participate.

Complaint Policy

NursesMC-CR seeks to resolve all grievances. There are two types of complaints – informal and formal. Informal complaints should be handled at the school level as described below. Formal complaints are brought to the NursesMC-CR board of trustees (the “Board”).

It is recommended that concerns or complaints are discussed with the individual(s) directly involved, such as a teacher or staff member. If the complaint is not resolved to the satisfaction of the complainant in discussions with the individuals directly involved, or if the complainant prefers in the first instance, a complaint may be brought to the Director of Teaching & Learning.

If there is no resolution, or if the complaint is about the Director of Teaching & Learning, the complaint may be brought to the Executive Director in writing. Within 14 school days of receiving a written complaint, the Executive Director will hold a meeting with the complainant and attempt to resolve the complaint.

If there is no resolution, or if the complaint is about the Executive Director, the complaint may be made to Managing Director of Schools, who may be contacted via or email at lwilkson@nursesmc.org. Depending on the nature of the complaint, the Managing Director of Schools may meet with the complainant and attempt to resolve the issue. If there is no resolution, or if the complaint is about the Managing Director of Schools, or if a parent wishes to file a formal complaint in the first place with the Board, the complaint may be sent to the Board in writing via email to board@nursescr.org or to the school's main office in a sealed envelope marked “To the Board.” The Board will respond to the complaint within 30 days of receipt of the complaint, or will respond to the complaining party in writing stating that additional time will be required to respond to the complaint along with a rationale for the required additional time.

If the complainant believes that the Board did not adequately address the complaint, the complainant may bring the complaint to the Trustees of the State University of New York via its Charter Schools Institute,

provided that the complaint alleges a violation of law or the school's charter. If the complainant determines that the Trustees of the State University of New York did not adequately address the complaint, the complainant may bring the complaint to the Board of Regents via the State Education Department's Charter Schools Office.

Title IX Policy - Non-Discrimination Policy

Purpose

This policy is established by NursesMC-CR in adherence with Title IX of the Education Amendments of 1972 ("Title IX") and all applicable New York statutes and regulations. Title IX prohibits the school from discriminating on the basis of sex (including sexual harassment and sexual violence) in all facets of its educational programs and activities, including distance learning.

This policy applies equally to all of NursesMC-CR's students, employees, authorized volunteers, parents, and other members of the NursesMC-CR community. This Policy applies to conduct at school, at school events, and away from school in all other instances when NursesMC-CR has substantial control over the parties and the context in which the alleged misconduct occurred.

Notice of Non-Discrimination

NursesMC-CR does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, ethnicity, age, disability, veteran, genetic information, or marital status in the delivery of its education programs and activities, and indeed, NursesMC-CR is required pursuant to Title IX not to discriminate in such a manner. If any member of the NursesMC-CR community has any questions or concerns with respect to this Policy and/or Title IX, they may contact NursesMC-CR's Title IX Coordinator and/or the Department of Education's Office of Civil Rights. NursesMC-CR's Title IX Coordinator is identified within this Policy and shall be available to answer all questions concerning this Policy.

The procedures for intervening in bullying behavior include, but are not limited, to the following:

- All staff, students and their parents will receive a summary of this policy prohibiting intimidation and bullying: at the beginning of the school year, as part of the student handbook and/or information packet, as part of new student orientation, and as part of the school system's notification to parents.
- The school will make reasonable efforts to keep a report of bullying and the results of investigation confidential.
- Staff who witness acts of bullying shall take immediate steps to intervene when safe to do so. People witnessing or experiencing bullying are strongly encouraged to report the incident; such reporting will not reflect on the target or witnesses in any way.

Policy Oversight and Responsibility

The Executive Director shall be responsible for the implementation and oversight of this bullying policy. The Executive Director shall provide the Board of Trustees with a summary report of incidents, responses, and any other bullying-related issues at least twice annually. The prevention of bullying shall be part of the school's strategic plan and safety plan.

Information Dissemination

The School Administration shall ensure that students, staff, volunteers, and parents/legal guardians are provided information regarding this Policy. This information shall include methods of discouraging and preventing this type of behavior, the procedure to file a complaint, and the disciplinary action that may be taken against those who commit acts in violation of this policy. This policy shall be:

- Distributed annually to students, staff, volunteers, and parents/legal guardians
- Included in student codes of conduct, disciplinary policies, and student handbooks
- A prominently posted link on the home page of the school /district website

Reporting

The Executive Director shall establish, and prominently publicize to students, staff, volunteers, and parents/guardians, how a report of bullying may be filed and how this report will be acted upon. (See Appendix A for Reporting Form)

The victim of bullying, anyone who witnesses an incidence of bullying, and anyone who has credible information that an act of bullying has taken place may file a report of bullying.

Any student or staff member who believes they are being bullied should immediately report such circumstances to an appropriate staff member, teacher or administrator.

Parents/Guardians of the victim of bullying and parents/guardians of the alleged perpetrator of the bullying shall be notified within twenty-four (24) hours of the incident report. When there is a reasonable suspicion that a child is either a bully or a victim of bullying, the parents/guardians of the child will be notified immediately by the Executive Director.

Responsibility of Staff: School staff, including volunteers, who observe an act of bullying or who have reasonable grounds to believe that bullying is taking place must report the bullying to school authorities. Failure to do so may result in disciplinary action.

Responsibility of Students: Students who observe an act of bullying or who have reasonable grounds to believe that bullying is taking place must report the bullying to school authorities. Failure to do so may result in disciplinary action. The victim of bullying, however, shall not be subject to discipline for failing to report the bullying. Student reports of bullying or retaliation may be made anonymously, provided, however, that no disciplinary action shall be taken against a student solely on the basis of an anonymous report.

Prohibition against Retaliation: Retaliation or threats of retaliation in any form designed to intimidate the victim of bullying, those who are witnesses to bullying, or those investigating an incident of bullying shall not be tolerated. Retaliation or threat of retaliation will result in the imposition of discipline in accordance with the school behavior code.

False Reporting/Accusations: A school employee, school volunteer or student who knowingly makes a false accusation of bullying or retaliation shall be disciplined in accordance with the school policies.

Reports in Good Faith: A school employee, school volunteer, student, parent/ legal guardian, or caregiver who promptly reports, in good faith, an act of bullying to the appropriate school official designated in the school's policy shall be immune from a cause of action for damages arising from reporting bullying.

Investigation/Response

The Executive Director shall promptly investigate all allegations of bullying, harassment, or Intimidation. If the allegation is found to be credible, appropriate disciplinary actions, subject to applicable due process requirements, will be imposed. The Executive Director or other qualified staff may be utilized to mediate bullying situations.

The investigation will include an assessment by the School Social Worker of what effect the bullying, harassment or intimidation has had on the victim. A student who engages in continuous and/or serious acts of bullying will also be referred to the school social worker.

Police Notification: Immediate notification of the local law enforcement agency will be made when circumstances warrant the pursuit of criminal charges against the perpetrator.

Protection: If a student is the victim of serious or persistent bullying:

- The Executive Director will intervene immediately to provide the student with a safety plan to ensure a safe educational environment.
- The interventions will be developed, if possible, with input from the student, his or her parent/ guardian, and staff.
- The parents/ guardians of a victim shall also be notified of the action taken to prevent any further acts of bullying or retaliation.

Disciplinary Action

The disciplinary actions for violations of the bullying policy shall be determined by the school. Disciplinary actions for violations of the bullying policy shall balance the need for accountability with the need to teach appropriate behavior. The severity of the disciplinary action shall be aligned to the severity of the bullying behavior.

The range of disciplinary actions that may be taken against a perpetrator for bullying, cyberbullying or retaliation shall include, but not be limited to:

- Admonitions and warnings
- Parental/ Guardian notification and meetings
- Detention
- In-school suspension
- Loss of school-provided transportation or loss of student parking pass
- Loss of the opportunity to participate in extracurricular activities
- Loss of the opportunity to participate in school social activities
- Loss of the opportunity to participate in graduation exercises or promotional activities
- Police contact
- School suspension: No student shall be suspended from school unless it is deemed to be a necessary consequence of the violation of this Policy.

Social Services/Counseling

Referral to appropriate counseling and/or social services currently being offered by schools or communities shall be provided for bullying victims, perpetrators and appropriate family members of said students.

Social Networking

Students shall be prohibited from accessing social networking sites in school, except for educational or instructional purposes and with the prior approval from school administration.

Other Redress

This section does not prevent a victim of bullying, cyber-bullying or retaliation from seeking redress under any other available law, either civil or criminal. This section does not create or alter any tort liability.

Prohibition Against Teen Dating Violence and Sexual Violence

Teen dating violence and sexual violence are prohibited at NursesMC-CR. The prevention of teen dating violence and sexual violence is part of NursesMC-CR' strategic plan and school safety plan. Dating Violence and Sexual Violence will not be tolerated at NursesMC-CR. The purpose of this policy is to:

- raise school-wide awareness about teen dating violence and sexual violence;
- provide direction in responding to incidents; and
- prevent new incidents of dating violence, and sexual violence.

Definitions

At School - on school premises, at any school-sponsored activity or event whether or not it is held on school premises, on a school-transportation vehicle, at an official school bus stop, using property or equipment provided by the school, or acts which create a material and substantial disruption of the education process or the orderly operation of the school.

Bullying - the use by one or more students of a written, verbal or electronic expression or a physical act or gesture or any combination thereof directed at a student that:

- Causes physical or emotional harm to the student or damage to the student's property;
- Places the student in reasonable fear of harm to himself/herself or of damage to his/her property;
- Creates an intimidating, threatening, hostile, or abusive educational environment for the student;
- Infringes on the rights of the student to participate in school activities; or
- Materially and substantially disrupts the education process or the orderly operation of a school.

The expression, physical act or gesture may include, but is not limited to, an incident or incidents that may be reasonably perceived as being motivated by characteristics such as: Race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression or mental, physical, or sensory disability, intellectual ability or by any other distinguishing characteristic.

Bullying most often occurs as repeated behavior and often is not a single incident between the bullying/cyber-bullying offender(s) and the bullying victim(s).

Bystander - someone who is aware of dating violence or sexual violence, but does not intervene or seek help for the victim.

Cyber-bullying - bullying through the use of technology or any electronic communication, which shall include, but not be limited to, any transfer of signs, signals, writing, images, sounds, data, texting or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, Internet communications, instant messages or facsimile communications.

Forms of cyber-bullying may include but are not limited to:

- The creation of a web page or blog in which the creator assumes the identity of another person;
- The knowing impersonation of another person as the author of posted content or messages; or
- The distribution by electronic means of a communication to more than one person or the posting of materials on an electronic medium that may be accessed by one or more persons, if the creation, impersonation, or distribution results in any of the conditions enumerated in clauses (a) to (e) of the definition of bullying.

Dating - any romantic relationship between an unmarried couple regardless of duration, commitment level, or physical intimacy. Dating includes hooking up, going out, and friends with benefits.

Dating Partner - Any person, regardless of gender, involved in a dating relationship. This could include persons who have a former dating or sexual relationship, are same sex couples, or are unrelated but have had intimate or continuous social contact with one another.

Dating Violence - a pattern of behavior where one person uses threats of, or actually uses physical, sexual, verbal or emotional abuse to control his or her dating partner.

Perpetrator/Abuser/Dominant Aggressor - a person who uses either bullying, dating violence,

or sexual violence to establish and maintain power and control over the target of their behavior. The dominant aggressor/abuser means the person determined to be the most significant, rather than the first, aggressor. The following should be considered when identifying the dominant aggressor:

5. whether either person made threats creating fear of physical injury;
6. whether there is a history of domestic or sexual violence between the persons involved;
7. whether either person acted in self-defense; and
8. whether either person used or threatened to use a weapon and/or physical force.

Rape - is nonconsensual oral, anal, or vaginal penetration of the victim by body parts or objects using force, threats of bodily harm. This includes taking advantage of a victim who is incapacitated or otherwise incapable of giving consent. Incapacitation may include mental or cognitive disability, self-induced or forced intoxication, status as minor, or any other condition defined by law that voids an individual's ability to give consent.

Sexual Assault - includes behaviors that are attempted or perpetrated against a victim's will or when a victim cannot consent because of age, disability, or the influence of alcohol or drugs. Sexual assault may involve actual or threatened physical force, use of weapons, coercion, intimidation, or pressure and may include:

- Intentional touching of someone in ways that are unwanted,
- Voyeurism,
- Exposure to exhibitionism,
- Undesired exposure to pornography, or
- Public display of images that were taken in a private context or when the victim was unaware.

Sexual Harassment - includes degrading remarks, gestures, and jokes, notes, graffiti, and spreading rumors to indecent exposure, being touched, grabbed, pinched, or brushed against in a sexual way.

By an Employee: Sexual harassment of a student by a school employee includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually- motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

A school employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or

The conduct is severe, persistent, or pervasive such that it:

- Affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or;
- Creates an intimidating, threatening, hostile, or abusive educational environment.

By Others: Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is severe, persistent, or pervasive.

Sexual Violence: includes sexual harassment, sexual assault, and rape. In cases of sexual violence, the perpetrator may be a stranger, acquaintance, friend, family member, or partner.

Stalking: is the willful, malicious, and repeated following of another person with the intent to

place that person in reasonable fear of bodily injury.

Victim/Survivor: the target of the perpetrator's coercive and/or violent acts.

Witness: someone whose awareness of dating violence compels them to intervene and/or seek help on behalf of the victim.

Reporting Responsibilities:

School administration shall establish, and prominently publicize to students, staff, volunteers, and parents, how to report dating violence and how such reports will be acted on. The victim of dating violence, or sexual violence, witnesses/bystanders to such actions, or anyone who has information that these actions have occurred may file a report.

Investigation:

The Executive Director shall investigate dating violence and sexual violence reports. If the allegation is found to be credible, appropriate disciplinary sanctions, subject to due process procedures, shall be imposed. Whenever teen dating violence or sexual violence involved conduct that violates criminal law, the police shall be notified.

Disciplinary Sanctions:

Disciplinary sanctions for dating violence, or sexual violence may include loss of privilege to participate in extra-curricular activities including athletics and school social events; loss of school bus transportation; assignment of additional school work or community service; and, depending on the extent of involvement in the prohibited activity, suspension from school.

Victims' Rights and Protection:

The NursesMC-CR is committed to creating a campus environment that promotes timely and fair adjudication of teen dating violence, and sexual violence cases. School administration shall protect the rights and privacy of the victim as well as the due process rights of the alleged perpetrator.

Prevention:

The Executive Director shall ensure that students and staff are instructed on how to identify, prevent, and report teen dating violence, and sexual violence. School administration shall also ensure that the school health program and counseling services include the appropriate social skills training to help students avoid isolation and help them interact in a healthy manner.

School staff shall model correct and courteous behavior to each other, to students, parents and to visitors. Abusive or humiliating language or demeanor shall not be accepted. The staff shall ensure that each student is known by a teacher that the student can turn to if abuse develops. To the extent possible, the influence of cliques and other exclusive student grouping shall be diminished by the creation of inclusive school activities in which all students are encouraged to participate.

Responsibilities and Expectations

Responsibility of Leadership:

Investigation of all Teen Dating Violence, and Sexual Violence Reports:

The Executive Director shall investigate all allegations of dating violence, and sexual violence and the parties involved. If the allegation is supported by the outcome of an approved investigation, appropriate disciplinary sanctions, subject to any appropriate due process procedures, will be imposed. The investigation will include an assessment of what effect the dating violence, and/or sexual violence has had on the victim.

Creation of Individualized School Safety Plan:

When a student discloses dating violence, and/or sexual violence, school administration shall work with the victim, alleged perpetrator, their respective parents, appropriate staff, and possibly a domestic violence advocate to create an individualized safety plan. Whenever possible, face-to-face contact between the victim and alleged perpetrator should be avoided. If changes need to be made, attention should be given to the victim's preference. The burden for any bus, classroom or other schedule changes should be on the alleged perpetrator, not the victim. The safety plan could include the following three (3) components, depending on the circumstances:

Victim Safety Plan:

A safety plan is a tool for helping to increase students' safety. When responding to an incident of sexual harassment, dating violence or sexual violence, NursesMC-CR shall develop a safety plan in collaboration with the victim and the victim's parents that may include the following elements:

- The staff person(s) that have been identified as a support system for the victim,
- Routes to and from school,
- Routes to and from classes, class changes and/or locker changes,
- Names and contact information of peers who can help support the victim and accompany him or her to and from classes as needed,
- A discussion of potential school-related problems/areas of concern and strategies for increasing safety: after-school activities, class trips, dance, etc.
- A plan of action for the victim to follow if he/she encounters the alleged perpetrator outside of school in a public place, on public transportation, at the victim's home, at the home of a friend, etc.
- A list of general safety tips to aid the victim outside of school: lock doors, screen phone calls, never walk alone, etc.
- A list of local resources: shelters, hotlines, agencies, advocates, and other services,
- Follow-up meeting dates to review the situation and to make any necessary adjustments.
- School Stay-Away Agreement

Enforcement of Protective Orders:

When a legal protective order (such as a Restraining or No-Contact order) has been issued by a court to protect one student from another, NursesMC-CR shall take the following steps:

Hold separate meetings with the victim and the alleged perpetrator and their respective parents to:

- Review the protective order and ramifications.
- Clarify expectations.
- Review the school day, classes, lunch (open/closed campus situation), and activities,

paying attention to potential conflicts and opportunities for face-to-face contact between the victim and the alleged perpetrator.

- Identify schedule overlaps, i.e. arrival/dismissal times, classes, lunch, before- and after-school activities, locker, etc.

Stay-Away Agreements: School-Based Alternatives to Protective Orders:

The school-based alternative to a legal protective order is called a Stay-Away Agreement. The Stay-Away Agreement provides a list of conditions that must be followed by the alleged perpetrator while on school grounds or at school -sponsored activities. It is designed to ensure the safety of the victim.

NursesMC-CR encourages Stay-Away Agreements in a conference with the alleged perpetrator and their parent/guardian. If the parent/guardian is unavailable or unwilling to attend the conference, the school may note this on the Agreement. A Stay-Away Agreement may include the following elements:

- A description of the relationship between the victim and alleged perpetrator.
- A description of the violent incident(s): what, when, where, witnesses.
- A list of behaviors that the alleged perpetrator may not do (i.e. talking to the victim, sitting near the victim, sending notes to the victim, etc.).
- Schedule changes for the alleged perpetrator (to separate the victim and alleged perpetrator), including classes, lunch period, arrival and dismissal times, locker location, and extracurricular activities.
- Notes on other disciplinary actions taken.
- Disciplinary consequences if the alleged perpetrator violates the Stay-Away Agreement.
- Dates during which the Stay-Away Agreement is valid.
- Date when the Stay-Away Agreement will be reviewed.

The individualized safety plan will be developed, if possible, with input from the parents/guardians of the students involved. Staff members who are to implement the plan will help formulate it. The Executive Director is responsible for assigning a designee to oversee prompt resolution of an incident; identifying who needs to be notified (school personnel, parents, police, School Resource Officer); and providing a protocol for the school's response where an abuse prevention order is issued against one student, for the protection of another students.

Responsibility of School Staff:

School staff shall take all reasonable measures to prevent teen dating violence or sexual violence. All school staff who witness, hear of, or have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents according to this policy. In this context, the staff includes volunteers working in the school. Failure of any school staff member to follow these procedures will result in consequences consistent with NursesMC-CR's existing policies for non-compliance.

Responsibility of Students

Students who observe an act of teen dating violence or sexual violence, or who have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents to school authorities. The victim shall, however, not be subject to discipline for failing to report dating violence or sexual violence.

Protocol For Responding To Reports of Teen Dating, Violence, and Sexual Violence

NursesMC-CR hereby incorporates the following response protocol to teen dating violence and sexual violence into its school district policies.

Protocol for School-Based Intervention:

Staff Members - Any school staff member who witnesses or learns of an act of teen dating violence, sexual violence, sexual harassment, sexual assault, or rape shall take the following steps:

7. Separate the victim from the alleged perpetrator.
8. Speak with the victim and alleged perpetrator separately
9. Speak with any bystanders who may have been present or involved.
10. Encourage them to speak up directly on behalf of the victim if they should witness further incidents, or to get help from school personnel
11. Administer logical and reasonable consequences to the alleged perpetrator when appropriate, including but not limited to making a referral to school administration
 - a. Inform the victim of their right to file a complaint of sexual harassment, dating violence, or sexual violence with any counselor or administrator
12. Monitor the victim's safety. Increase supervision of the alleged perpetrator as needed.

Leadership - Any school leader who witnesses or learns of an act of teen dating violence, sexual violence, sexual harassment, sexual assault, or rape shall take the following steps:

7. Separate the victim from the alleged perpetrator.
8. Meet separately with the victim.
9. Review the student's complaint form or assist the student in documenting the incident on a complaint form during the meeting.
10. Further investigate the complaint by speaking with the alleged perpetrator and any bystanders separately. Document all information.
11. If the assessment by the School Social Worker, School Counselor, Student Assistance Counselor or leadership determines that the incident involved physical or sexual assault or threats, the School Social Worker, School Counselor, Student Assistance Counselor or leadership should notify the Executive Director, School Resource Officer, Title IX Coordinator (if appropriate) or police immediately.
 - a. If the assessment by a school psychologist, social worker, or counselor determines that the victim's mental health has been placed at risk, make appropriate referrals.
 - b. Contact the parents/guardians of the victim and the alleged perpetrator to inform them that an incident of sexual harassment, dating violence, or sexual violence has occurred. Ask the parents/guardians to attend a meeting with the administrator and their child to discuss the incident.
12. Track progress of investigation and intervention on the Student-On-Student Altercation Response Chart to ensure that all important actions are taken.

Protocol for Working with the Victim:

In working with the victim, NursesMC-CR makes every reasonable effort to protect the due process rights of the alleged perpetrator. Leadership shall consider adopting the following methods of intervention with the victim:

- Conference with the victim and parent/guardian.
- Identify immediate actions that can be taken to increase the victim's safety and ability to participate in school without fear or intimidation.
- Inform the student and parent/guardian of school and community resources as needed, including their right to file charges or seek legal protection.
- Encourage the student to report further incidents.
- Inform the victim of his or her right to request a Stay-Away Agreement or another school-based alternative to a protective order
- For situations also involving sexual harassment, inform the victim of his or her right to file a complaint alleging sexual harassment directly with the Title IX Coordinator.
- A complaint may also be filed with the Office for Civil Rights.
- If the behavior included a violent criminal offense, the victim will be informed of any school transfer rights he or she may have under the state or federal law.
- Monitor the victim's safety as needed. Assist the victim with safety planning for the school day and for after-school hours.
- Document the meeting and any action plans on a complaint form. If the victim or parent/guardian declines to document the incident, note this on a complaint form.
- Store all complaint forms in a separate, confidential file and document subsequent follow-up actions and complaints on a complaint form.

Administrators may provide the victim with the right to have a support person present during all stages of the investigation.

Protocol for Working with the Alleged Perpetrator

The NursesMC-CR makes every reasonable effort to protect the due process rights of the alleged perpetrator. At their discretion, administrators shall consider adopting the following methods of intervention with the perpetrator:

- Conference with the alleged perpetrator and parent/guardian.
- Allow the alleged perpetrator an opportunity to respond in writing to the allegations.
- Identify and implement disciplinary and other actions and consequences that will be taken to prevent further incidents.
- Inform the alleged perpetrator and parent/guardian of help and support available at school or in the community as needed.
- Address the seriousness of retaliation against the victim for reporting the incident or cooperating with the investigation. Inform the alleged perpetrator that retaliation or threats of retaliation in any form designed to intimidate the victim of dating violence or sexual violence, those who are witnesses, or those investigating an incident shall not be tolerated. In most cases retaliation or a threat of retaliation will result in the imposition of a short or long-term school suspension and, in appropriate cases, referral to the police.
- Increase supervision of the alleged perpetrator as needed.
- Document the meeting and action plans on a complaint form.

Protocol for Documentation and Reporting of Incidents:

NursesMC-CR shall establish, and prominently publicize to students, staff, volunteers, and parents, how to report incidents of teen dating violence or sexual violence may be filed and how this report will be acted upon. Anyone who has information concerning an incident of abuse may file a report. NursesMC-CR hereby incorporates the following protocol to document teen

dating violence into its policy.

5. Teen dating and sexual violence complaints and investigations are kept in a file separate from academic records. This practice is recommended to prevent inadvertent disclosure of confidential information.
6. Each complaint of teen dating or sexual violence, either written or orally given, must be documented. Documentation includes:
 - a. All allegations constituting the original complaint;
 - b. All evidence, statements, etc. gathered in support of or contradiction to the allegations;
 - c. Report of findings and recommendation(s) for action to disciplinary or other administrator(s);
 - d. Safety planning actions taken, including changing the victim's or offender's schedule and school activities; and
 - e. Follow-up actions, including any responses to disciplinary and safety planning actions and status reports from the victim.
7. In addition to the information specified above, NursesMC-CR shall track and archive aggregate, annual data on the incidence, types and prevalence of teen dating violence, and/or sexual violence.
8. School administration shall provide the Board with a semi-annual report on incidents of teen dating violence, and sexual violence which have taken place in the schools under their respective supervision. This report will include a statement describing what remedial action has been taken to address the incidents.

Prevention of Teen Dating Violence, and Sexual Violence Through Education, Training, and Social Norms Change

Administrator and Staff Training: The following is required:

The school shall provide training on NursesMC-CR's teen dating violence policy and on the topic of teen dating violence to all leadership, staff, Teachers, Nurses and Mental Health staff. Upon the recommendation of the Executive Director, other staff may be included or may attend the training on a volunteer basis; thereafter, this training shall be provided yearly to all newly hired staff deemed appropriate to receive the training by the Executive Director.

The training shall specifically include, but not be limited to:

- Basic principles and warning signs of dating violence;
- NursesMC-CR's dating violence policy may also include:
 - Identifying issues of confidentiality and safety related to dating violence, and
 - Appropriate school-based interventions for dating violence.
- Overlap of dating violence and sexual violence policy with Title IX policy

These concepts related to sexual violence shall also be integrated into trainings. The school's dating violence and sexual violence policy shall be reviewed at the training, to ensure that school staff are able to appropriately respond to incidents at school, provide instruction on how to file a complaint against dating violence and sexual violence, and understand the disciplinary action that may be taken against those who commit such acts. Ideally, these trainings will be facilitated by a school staff person and a representative from a community agency that services victims of bullying; intimate partner violence, and/or sexual violence such as a victim advocate.

Student Education:

On-going age-appropriate education on healthy relationships shall be provided to all students. This curriculum shall include, but not be limited to, defining teen dating violence, recognizing dating violence warning signs and characteristics of healthy relationships.

Additionally, students shall be provided with the school's bullying, teen dating violence, and sexual violence prevention policy. Upon written request to school administration, a parent or legal guardian of a pupil less than eighteen (18) years of age, within a reasonable period of time after the request is made, shall be permitted to examine the health education instruction materials at the school in which his or her child is enrolled.

Social Norms Change

School staff will always model correct and courteous behavior to each other, to students, and to visitors to the school. Abusive or humiliating language or demeanor will not be accepted. An effort will be made to ensure that each student is well known by at least one certified teacher so that the student will have someone to turn to at school if a situation of bullying, dating violence, or sexual violence develops. To the extent possible the influence of cliques and other exclusive student groupings will be diminished by the creation of a range of inclusive school activities in which students will be encouraged to participate.

Complaint Policy

NursesMC-CR seeks to resolve all grievances. There are two types of complaints – informal and formal. Informal complaints should be handled at the school level as described below. Formal complaints are brought to the NursesMC-CR board of trustees (the “Board”).

It is recommended that concerns or complaints are discussed with the individual(s) directly involved, such as a teacher or staff member. If the complaint is not resolved to the satisfaction of the complainant in discussions with the individuals directly involved, or if the complainant prefers in the first instance, a complaint may be brought to the Director of Teaching & Learning.

If there is no resolution, or if the complaint is about the Director of Teaching & Learning, the complaint may be brought to the Executive Director in writing. Within 14 school days of receiving a written complaint, the Executive Director will hold a meeting with the complainant and attempt to resolve the complaint.

If there is no resolution, or if the complaint is about the Executive Director, the complaint may be made to Managing Director of Schools, who may be contacted via or email at lwilkson@nursesmc.org. Depending on the nature of the complaint, the Managing Director of Schools may meet with the complainant and attempt to resolve the issue. If there is no resolution, or if the complaint is about the Managing Director of Schools, or if a parent wishes to file a formal complaint in the first place with the Board, the complaint may be sent to the Board in writing via email to board@nursescr.org or to the school's main office in a sealed envelope marked “To the Board.” The Board will respond to the complaint within 30 days of receipt of the complaint, or will respond to the complaining party in writing stating that additional time will be required to respond to the complaint along with a rationale for the required additional time.

If the complainant believes that the Board did not adequately address the complaint, the complainant may bring the complaint to the Trustees of the State University of New York via its Charter Schools Institute,

provided that the complaint alleges a violation of law or the school's charter. If the complainant determines that the Trustees of the State University of New York did not adequately address the complaint, the complainant may bring the complaint to the Board of Regents via the State Education Department's Charter Schools Office.

Title IX Policy - Non-Discrimination Policy

Purpose

This policy is established by NursesMC-CR in adherence with Title IX of the Education Amendments of 1972 ("Title IX") and all applicable New York statutes and regulations. Title IX prohibits the school from discriminating on the basis of sex (including sexual harassment and sexual violence) in all facets of its educational programs and activities, including distance learning.

This policy applies equally to all of NursesMC-CR's students, employees, authorized volunteers, parents, and other members of the NursesMC-CR community. This Policy applies to conduct at school, at school events, and away from school in all other instances when NursesMC-CR has substantial control over the parties and the context in which the alleged misconduct occurred.

Notice of Non-Discrimination

NursesMC-CR does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, ethnicity, age, disability, veteran, genetic information, or marital status in the delivery of its education programs and activities, and indeed, NursesMC-CR is required pursuant to Title IX not to discriminate in such a manner. If any member of the NursesMC-CR community has any questions or concerns with respect to this Policy and/or Title IX, they may contact NursesMC-CR's Title IX Coordinator and/or the Department of Education's Office of Civil Rights. NursesMC-CR's Title IX Coordinator is identified within this Policy and shall be available to answer all questions concerning this Policy.

NursesMC-CR's policy of non-discrimination in its educational programs and activities extends to employment and admission considerations.

Definitions:

At School - In a classroom, all school common areas, on or immediately adjacent to school premises, on school property, on a school bus or other school-related vehicle, at a school bus stop, or at any school-sponsored or school-related activity or event whether or not it is on school grounds.

Authorized Volunteer - Any person who 1) is not employed by the school, 2) does not receive any compensation from the school, 3) has undergone school-required criminal background checks, and 4) is permitted to provide services approved by NurseMC-CR to the community, including students, employees, and other partners.

Away from School - Any location not defined above as "at school" but remaining within substantial control of NurseMC-CR.

Bystander - Someone who is aware of behavior or conduct "at school" in violation of or reasonably believed to be in violation of this Policy, including sexual violence and/or sexual harassment.

Complainant - Person who is alleged to be the victim of conduct that could constitute sexual harassment. For students under the age of majority, parents and legal guardians have the legal right to act on behalf of the student complainant in Title IX matters.

Formal Complaint - A document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the school investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the school with which the formal complaint is filed. A document filed by a complainant is a document or electronic submission that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.

Respondent - A person who has been reported to be the perpetrator of conduct that could constitute sexual harassment. A Respondent can be another student, a teacher, an administrator, any other NurseMC-CR employee, or a third party. Respondents will be presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process

Sexual Assault - Includes behaviors that are attempted or perpetrated against a victim's will or when a victim cannot consent because of age, intellectual disability, or any other disability precluding the victim from forming consent. Sexual assault may involve, but is not limited to, actual or threatened physical force, use of weapons, coercion, intimidation or pressure, intentional touching of someone in ways that are unwanted, voyeurism, exhibitionism, exposure to pornography, and/or public displays of images that were taken in a private context or when the victim was unaware.

Witness - Someone whose awareness of sexual violence compels them to intervene and/or seek help on behalf of the victim.

Sexual Harassment - Includes, but is not limited to, degrading remarks, gestures, jokes, notes, graffiti, and spreading rumors to indecent exposure, being touched, grabbed, pinched, or brushed against in a sexual way. Unwelcome conduct on the basis of sex that satisfies one or more of the following: An employee conditioning the provision of an aid, benefit, or service of the district on the complainant's participation in unwelcome sexual conduct; unwelcome sexual conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a complainant equal access NurseMC-CR's education program or activity; or sexual assault, dating violence, domestic violence, or stalking.

Sexual Harassment of a Student by a NurseMC-CR Employee - Sexual harassment of a student by a NurseMC-CR employee includes, but is not limited to, both welcome and unwelcome sexual advances; requests for sexual favors; sexually-motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

A NurseMC-CR employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct, or;

The conduct is of the type that reasonable person would determine is so severe, persistent, pervasive, and objectionably offensive that it affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or; creates an intimidating, threatening, hostile, or abusive educational environment.

Sexual Harassment of a Student (Including Harassment by Another Student) - Includes, but is not limited to, unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is of the type that a reasonable person would determine is severe, persistent, pervasive, and objectionably offensive that it effectively denies a complainant equal access NurseMC-CR's education program or activity; or sexual assault, dating violence, domestic violence, or stalking.

Sexual Harassment of a NurseMC-CR Employee or Authorized Volunteer - NurseMC-CR adopts the definitions and conditions set forth in NurseMC-CR's employee sexual harassment policy as defined under governing NY law.

Sexual Violence - Includes, but is not limited to, isolated/individual instances of sexual misconduct and/or aggression, sexual harassment, sexual assault, and/or rape. In cases of sexual violence, the perpetrator may be a stranger, acquaintance, friend, family member, or partner.

Sexual Violence Perpetrated Against a Student - Sexual violence perpetrated against a NurseMC-CR student, regardless of the perpetrator, includes, but is not limited to, both welcome and unwelcome sexual advances; requests for sexual favors; sexually-motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

The student is caused to reasonably believe that he/she must submit to the conduct in order to participate in a school program or activity, or that a perpetrator will make an educational and/or school-related decision based on whether or not the student submits to the conduct.

Conduct constituting "sexual violence" need not be repetitive, persistent, or pervasive such that it

affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or; creates an intimidating, threatening, hostile, or abusive educational environment.

Sexual Violence Perpetrated Against a NurseMC-CR Employee or Authorized Volunteer - NurseMC-CR adopts the definitions and conditions as defined under governing NY law.

Supportive Measures - Individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment.

Title IX Coordinator

The Title IX Coordinator's responsibilities shall include, but are not limited to:

- Coordinating NurseMC-CR's compliance with Title IX, including NurseMC-CR's grievance procedures for resolving Title IX Complaints;
- Drafting and publicizing procedures for reporting possible Title IX violations;
- Overseeing NurseMC-CR's prevention of and response to Title IX reports and complaints;
- Ensuring fair, equitable, and prompt resolution of complaints;
- Offering the complainant supportive measures with or without the filing of a formal complaint, considering the complainant's wishes with respect to supportive measures, and explaining to the complainant the process for filing a formal complaint;
- Identifying and addressing any patterns or systemic problems revealed by such reports and complaints;
- Providing confidential (to the extent possible) written reports to the Head of School and the Board of Directors as requested, but at least once every 4 months. Reports shall be kept in a separate and secure Title IX file;
- Providing training to NurseMC-CR's employees, authorized volunteers, and other members of the NurseMC-CR community with respect to Title IX and NurseMC-CR's implementation of this Policy.

The Title IX Coordinator shall understand and have knowledge of the Title IX requirements and NurseMC-CR's own policies and procedures on sex discrimination, anti-bullying, anti-retaliation, school place violence, and sexual harassment. NurseMC-CR shall require that the Title IX Coordinator, as well as investigators and adjudicators, be free of any conflict of interest or bias for or against complainants or Respondents, generally, or an individual complainant or Respondent. Any training materials for Title IX Coordinators, Investigators, Adjudicators, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

Each and every report or complaint filed with NurseMC-CR pursuant to Title IX or reasonably related to Title IX must be provided to the Title IX Coordinator to achieve his/her mission.

The Title IX Coordinator and Investigator is the Director of Teaching and Learning.

Sexual Violence and Sexual Harassment - Sexual harassment and sexual violence are prohibited and will not be tolerated. NurseMC-CR expressly prohibits sexual harassment and

sexual violence at school or by a student to another student; a student of or by a member of the staff; and/or of or by any other person who is any way associated with NurseMC-CR. This policy also prohibits sexual harassment and/or sexual violence by and among NurseMC-CR employees and authorized volunteers. To this end, NurseMC-CR commits its staff to the implementation of a comprehensive and preventive approach that addresses the underlying reasons for this behavior and helps to create a better school community that supports learning and teaching for students and adults.

Title IX Grievance Procedure

To facilitate the prompt and equitable resolution of any and all Title IX complaints, NurseMC-CR adopts the following grievance process. For the purpose of Title IX complaints and investigations, NurseMC-CR will apply a preponderance of the evidence standard of review. Complainants may choose to submit a written grievance to NurseMC-CR's Title IX Coordinator using the Title IX grievance form included as Appendix A of this Policy. NurseMC-CR shall respond to all Title IX complaints promptly and in a manner that is not deliberately indifferent, that is, in a way that is not clearly unreasonable in light of the known circumstances.

A formal grievance process is initiated when:

- A Complainant submits a written statement alleging discrimination prohibited by Title IX to the Title IX Coordinator.
- When the Title IX Coordinator receives a report of a suspected Title IX violation from another NurseMC-CR student, employee, volunteer, or other community member.
- Upon the Title IX Coordinator's receipt of a grievance or other complaint pursuant to this policy, or the Title IX Coordinator's initiation of the grievance process, a Title IX Investigator, shall commence and conduct an investigation pursuant to the procedures set forth within this Policy. The Title IX Coordinator may also serve as an Investigator, or may designate another trained Title IX Investigator from within or outside of NurseMC-CR to conduct investigations.
- The Title IX Coordinator will provide written notice of the investigation to all parties. The notice will include, among other things, a copy of this policy and a sufficiently detailed description of the allegations. The notice will specify the identities of the parties involved, the conduct allegedly in violation of Title IX, and the date and location of the incident(s), if known.
- Following an investigation, a Decision Maker, who is neither the Title IX Coordinator nor the Investigator, shall determine whether the Complainant was excluded from participation in, denied the benefits of, or subjected to discrimination on the basis of sex with respect to any NurseMC-CR program or activity.
- Hearings are not required under Title IX for complaints involving elementary and secondary school students, and there is no right to a hearing under NurseMC-CR's standard grievance procedure. If a party requests a hearing, the Title IX Coordinator will determine, in his/her sole discretion, whether to grant the request. The Title IX Coordinator's decision in this regard is not subject to appeal.
- After reviewing the Title IX Investigator's report and any submissions of the parties, and following a hearing, if such hearing is requested and granted, the Decision Maker shall prepare a written report setting forth his/her findings, conclusions, and actions to be taken, if any, and will determine with whom to share the report.
- The Title IX Coordinator shall, as necessary, take appropriate action(s) to ensure that NurseMC-CR implements any remedies called for in the decision and otherwise complies

with Title IX in a manner that is prompt and equitable to the parties.

- If any of the parties wish to appeal the decision(s) of the Decision Maker, that party must make a written appeal to NursesMC-CR Board of Trustees within ten (10) business days. Appeals will only be allowed for the following reasons:
 - Procedural irregularity that affected the outcome of the matter; or
 - New evidence that was not reasonably available at the time the determination regarding responsibility was made, that could affect the outcome of the matter; or
 - The Title IX Coordinator, Investigator, Hearing Officer, or Decision-Maker had a conflict of interest or bias for or against complainants or Respondents generally or the individual complaint or Respondent that affected the outcome of the matter.
- If/When an appeal is allowed, parties will be notified in writing and will have the opportunity to submit a written statement in support of or challenging the decisions of the Decision Maker. Appeals will be decided by the Board of Trustees.
- The Board of Trustees shall issue a written report within ten (10) business days of the deadline for the submission of written statements by the parties. The Board of Directors' written report shall include a notice to the parties of their further appellate rights.

To the extent possible, NursesMC-CR strives to complete all Title IX investigations, from date of report to final hearing and notice of outcome, within 60 days.

The Title IX Decision-maker is the Executive Director.

Reporting Responsibilities:

The Title IX Coordinator shall establish - and prominently publicize to students, employees, volunteers, and parents - procedures concerning how to report conduct believed to violate this Policy and how such reports will be acted on. Anyone who experiences and/or witnesses conduct that is or is reasonably believed to be in violation of this Policy, and/or or anyone who has information that such actions have occurred may file a report.

Reports must be acted upon by those persons receiving the report and the Title IX Coordinator (upon receipt of a report), whether made orally or in writing. Knowingly filing false reports shall result in the taking of disciplinary measures.

All NursesMC-CR employees, other than NursesMC-CR School Counselors, Social Workers, Student Assistance Counselors, School Nurse, and Psychologists who are required to maintain the confidentiality of the information shared with them, shall report incidents of alleged violations of this Policy to the Title IX Coordinator as soon as they learn of or have actual knowledge of any conduct allegedly in violation of this Policy. Employees shall report all relevant details that the victim Complainant shared or that the employee observed, including, but not limited to, the names of the alleged Respondent and Complainant (or a victim who does not wish to file a Complaint), the date, time, and location of the alleged conduct, and the circumstances surrounding the alleged conduct. A NursesMC-CR employee's failure to report a violation of this Policy of which he or she has actual knowledge shall result in disciplinary action, including termination of employment.

Students who witness alleged violations of this Policy, or parents whose children inform them of alleged violations of this Policy, shall report incidents to the Title IX Coordinator. Whether victims of alleged Title IX violations choose to file a complaint or not, they shall not be disciplined for failing to report an alleged violation of this Policy themselves. All reports from students or parents/guardians will be maintained in confidence to every extent possible.

Although NursesMC-CR cannot discipline or sanction parents or guardians who elect not to report violations of this Policy, particularly sexual violence and/or sexual harassment, when they learn of any such conduct, NursesMC-CR strongly encourages parents or guardians to contact the Title IX Coordinator as soon as practicable with any and all relevant information that they receive.

All reports will remain confidential, to every extent possible. NursesMC-CR may, however, have a legal obligation to share information received during an investigation. For example, NursesMC-CR is required to report known and suspected cases of child abuse to the Office of Children and Family Services (OCFS). NursesMC-CR may also have an obligation to report known or suspected violations of the law to law enforcement.

No individual who exercises their Title IX rights shall be subject to retaliation. Neither the school nor any person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation, proceeding, or hearing. Charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation. The school shall keep confidential the identity of complainants, Respondents, and witnesses, except as may be permitted by the Family Educational Rights and Privacy Act (“FERPA”), or as required by law, or as necessary to carry out a Title IX proceeding. Complaints alleging retaliation may be filed according to the Grievance Procedures in this Policy. By filing a Title IX complaint, no student, employee, volunteer or parent making such a report shall extinguish his or her right to file criminal or civil complaints concerning the same conduct.

Upon receiving a credible report of an alleged violation of this Policy, NursesMC-CR will take all necessary measures to ensure the safety all parties (e.g., separate the Complainant/student-victim from the Respondents; provide alternative schedules to one or both parties; provide necessary support services to the Complainant/student-victim, etc.) and will provide the Complainant/student-victim and the Respondents and their respective parent(s) or guardian(s) with regular updates as to the status of the investigation. NursesMC-CR shall implement appropriate interim supportive measures on a case by case basis and shall not rely upon any fixed rules related to any such measures. NursesMC-CR will provide Complainants/student-victims with the contact information for available resources outside of NursesMC-CR, including but not limited to, victim assistance organizations, law enforcement, mental health services, legal assistance, and or counseling services.

If the Respondent is a NursesMC-CR employee and the Complainant is a NursesMC-CR student, NursesMC-CR will report the alleged misconduct to the appropriate law enforcement agencies as well as the NursesMC-CR legal advisor/counsel.

Investigation:

The Title IX Coordinator shall oversee all Title IX investigations at NursesMC-CR. Depending on the nature of the alleged violation of this Policy, an investigation may include, but is not limited to conducting interviews with the complainant and the Respondent; conducting

interviews with witnesses; conducting interviews with the parent(s) or guardian(s) as necessary; reviewing law enforcement investigation documents, as applicable; reviewing student and personnel files; and gathering information from all other available outside sources.

All investigations shall commence once the Title IX Coordinator receives notice of the alleged violation of this Policy. Therefore, it is essential that NursesMC-CR employees, students, parents, guardians, and/or authorized volunteers immediately report suspected misconduct as soon as practicable once they have actual knowledge about such misconduct.

When commencing an investigation that may lead to disciplinary action against the Respondent, the Title IX Coordinator shall provide written notice to the Respondent (and/or his/her parents/guardians) of the allegations constituting a potential violation of this Policy, including sufficient details with sufficient time to prepare a response before any initial interview. The written notice shall also include a description of the formal complaint process; a statement that the Respondent is presumed innocent until a determination of responsibility has been made; a notice of the Respondent's right to review evidence and right to an advisor; and the prohibition against false statements or providing false information during formal complaint process.

All investigations shall be conducted impartially and in an adequate, reliable, and impartial manner. The designated Title IX Investigator shall analyze and document the available evidence to support reliable decisions, interview and objectively evaluate the credibility of parties and witnesses, synthesize all available evidence - including both inculpatory and exculpatory evidence - and take into account the unique and complex circumstances of each case. The investigation shall result in a written report summarizing the relevant exculpatory and inculpatory evidence.

Throughout the investigation, the Respondent and the complainant shall be permitted to, at a minimum:

- Receive written notice in advance of any interview or hearing with sufficient time to prepare for meaningful participation;
- Have equal and timely access to all witness statements and other documents/reports gathered by NursesMC-CR during the investigation;
- Present relevant witnesses and evidence, including expert witnesses;
- Retain counsel, at the parties own expense;
- Request a hearing (available only at the discretion of the Title IX Coordinator); and
- If a hearing is granted, parties may cross-examine witnesses as necessary.

Information gathered during the investigation shall be kept confidential to the extent possible. All evidence directly related to the allegations will be provided to the parties, or the parent(s) or guardian(s) of the parties and their advisors, as applicable, for inspection and review, and the parties will have ten (10) days to provide a written response to the Investigator. The Investigator will consider any such responses prior to issuing the final Investigation Report.

After NursesMC-CR has sent the investigative report to the parties and before reaching a determination regarding responsibility, the Decision Maker(s) must afford all parties ten (10) days to submit any written, relevant questions that they may wish to have asked of any party or witness. The Decision Maker shall review the parties' written questions, and if they deem a question to be irrelevant, that question shall not be transmitted to the intended party, and the Decision Maker will apprise the questioning party in writing of the reason(s) the question was deemed to be irrelevant. If relevant questions are submitted, the Decision Make will convey those to the party/ies, provide each questioning party with each responding party's answers, and

may allow for additional, limited follow-up questions from each party.

NursesMC-CR shall make all determinations using a “preponderance of the evidence” standard. If allegations are found to be credible, appropriate disciplinary sanctions, subject to NursesMC-CR’s due process procedures, shall be imposed. NursesMC-CR shall specifically inform the reporting party (and/or his/her parents/guardians) whether it found that the alleged conduct occurred, any individual remedies offered to the reporting party or any sanctions imposed on the responding party that directly relate to the reporting party, and other steps the school has taken to eliminate the hostile environment, if one was found to exist, and to prevent its recurrence, as appropriate.

Whenever conduct determined to meet the definitions of sexual violence and/or sexual harassment in this Policy also may have involved conduct that may violate state or federal criminal law, the police or other necessary agency(ies) shall be notified.

Option for Informal Resolution:

Where appropriate in light of the nature of the allegations and facts involved, NursesMC-CR may offer the parties the option to pursue an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. All parties must voluntarily agree to pursue informal resolution after receiving a full written disclosure of the allegations and their options for formal resolution. NursesMC-CR will not offer an informal resolution process to resolve allegations that an employee sexually harassed a student.

Disciplinary Sanctions:

Students:

Disciplinary sanctions for any violation of this Policy may include, but are not limited to, loss of privilege to participate in extracurricular activities including athletics and school social events; loss of school bus transportation; assignment of additional school work or community service; and - depending on the extent of involvement in the prohibited activity - suspension or removal from school.

Employees:

Disciplinary sanctions for any violation of this Policy may include, but are not limited to, suspension, termination, or filing of criminal charges as warranted.

Volunteers/Parents:

Disciplinary sanctions for any violation of this Policy may include, but are not limited to, denial of access to school premises, school-related events, or school-sponsored events; suspension or termination of volunteer activities; or filing of criminal charges as warranted.

Prevention:

The Title IX Coordinator shall ensure that students and staff are instructed on how to identify, prevent, and report violations of this Policy. The Title IX Coordinator, in conjunction with the Executive Director, CEO and Board of Trustees, shall also ensure that the NursesMC-CR’s health program and counseling services include the appropriate social skills training to help students avoid isolation and help them interact in a healthy manner. School staff shall model

correct and courteous behavior to each other, to students, parents and to visitors. Abusive or humiliating language or demeanor shall not be accepted.

Enforcement Agencies:

Nothing in this Policy is intended to prohibit or discourage individuals from contacting the applicable state and/or federal enforcement agencies with complaints or concerns, including but not limited to:

Office for Civil Rights
U.S. Department of Education
New York Office
32 Old Slip, 26th Floor
New York, NY 10005-2500
Tel: 646-428-3900
Email: OCR.NewYork@ed.gov

Equal Opportunity Employment Commission (EEOC)
33 Whitehall Street, 5th Floor
New York, NY 10004
Tel: 800-669-4000 TTY: 800-669-6820

Family Educational Rights and Privacy Act (FERPA) Notice for Directory Information

The *Family Educational Rights and Privacy Act* (FERPA), a Federal law, requires that NursesMC-CR, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, NursesMC-CR may disclose appropriately designated "directory information" without written consent, unless you have advised the NursesMC-CR to the contrary in accordance with NursesMC-CR's procedures. The primary purpose of directory information is to allow the NursesMC-CR to include information from your child's education records in certain school publications. Examples include:

1. A playbill, showing your student's role in a drama production;
2. The annual yearbook;
3. Honor roll or other recognition lists;
4. Graduation programs; and
5. Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965, as amended (ESEA) to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written

consent.

If you do not want NursesMC-CR to disclose any or all of the types of information designated below as directory information from your child's education records without your prior written consent, you must notify the NursesMC-CR in writing by the date designated by the Executive Director. See attached "opt out" form. NursesMC-CR has designated the following information as directory information:

- Student's name
- Address
- Telephone listing
- Email address
- Photograph
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- The most recent educational agency or institution attended
- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.
- A student ID number or other unique personal identifier that is displayed on a student ID badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

Title IX Grievance Form

Today's Date		/ /	
FIRST NAME			
	MIDDLE INITIAL		LAST NAME
HOME ADDRESS			
CITY/TOWN		STATE	ZIP CODE
HOME PHONE		CELL PHONE	
EMAIL ADDRESS			
COMPLAINANT'S PARENT/GUARDIAN			
FIRST NAME		MIDDLE INITIAL	LAST NAME
HOME ADDRESS			
CITY/TOWN		STATE	ZIP CODE
HOME PHONE		CELL PHONE	
EMAIL ADDRESS			
MARK ONE			
<input type="checkbox"/> STUDENT	<input type="checkbox"/> PARENT/GUARDIAN ON BEHALF OF STUDENT	<input type="checkbox"/> EMPLOYEE	<input type="checkbox"/> VOLUNTEER
RESPONDENT(S) - IF MORE THAN ONE RESPONDENT, INCLUDE INFORMATION BELOW ON BACK OF FORM			
FIRST NAME		MIDDLE INITIAL	LAST NAME
HOME ADDRESS			
CITY/TOWN		STATE	ZIP CODE
CONTACT INFORMATION			
SPECIFIC COMPLAINT			
DESCRIBE BELOW, INCLUDING ANY DATES OF ALLEGED DISCRIMINATION, IDENTITIES OF RESPONDENT(S), AND SPECIFIC CIRCUMSTANCES OF ALLEGED DISCRIMINATION. ATTACH EXTRA PAGES IF NECESSARY.			
WITNESS(ES)			
INCLUDE NAMES, ANY KNOWN CONTACT INFORMATION, AND BRIEF DESCRIPTION OF EACH WITNESSES' KNOWLEDGE OF EVENTS. ATTACH EXTRA PAGES IF NECESSARY.			
CORRECTIVE ACTION			
IF YOU WISH, PLEASE DESCRIBE ANY CORRECTIVE ACTION YOU WOULD LIKE TO SEE TAKEN WITH REGARD TO THE ALLEGED MISCONDUCT. PLEASE NOTE THAT YOUR RECOMMENDATIONS WILL BE TAKEN INTO CONSIDERATION, BUT MAY NOT BE THE ACTION TAKEN. ATTACH EXTRA PAGES IF NECESSARY			
SIGNATURE OF COMPLAINANT OR PARENT/GUARDIAN ON BEHALF OF COMPLAINANT			
COMPLAINANT		DATE	
PARENT/GUARDIAN ON BEHALF OF COMPLAINANT		DATE	

Student Chromebook Handbook Acknowledgment Form

By completing this form, I/We have read, understand and will abide by the Nurses Middle College Charter High School - Capital Region (NursesMC-CR) Google Chromebook Handbook. I/We further understand that any violation of this policy or access of inappropriate material may result in disciplinary action and/or criminal prosecution. Further, if any use of this equipment violates any policy, rule, regulation, ordinance, or law, resulting in any damage whatsoever, I hereby release and hold harmless NursesMC-CR, its agents, employees, or representatives, from any claims or causes of action arising from, related to, and/or concerning damages suffered and/or caused by me while using the equipment beyond its intended purpose.

STUDENT'S INFORMATION		FIRST NAME	
LAST NAME			
STUDENT'S GRADE		9TH GRADE	10TH GRADE
		11TH GRADE	12TH GRADE
PARENT/GUARDIAN'S INFORMATION			
FIRST NAME			
LAST NAME			
HOME ADDRESS			
CITY/TOWN		STATE	ZIP CODE
HOME PHONE		CELL PHONE	

I am the parent/guardian of a student of the Nurses Middle College Charter High School - Capital Region.

I acknowledge that I have received a copy of the Student Chromebook Handbook.

PARENT/GUARDIAN ACKNOWLEDGMENT			
PARENT/GUARDIAN'S SIGNATURE		DATE	

I acknowledge that I have reviewed the Student Chromebook Handbook with my student.

PARENT/GUARDIAN ACKNOWLEDGMENT			
PARENT/GUARDIAN'S SIGNATURE		DATE	

Student Handbook Acknowledgment Form

I am the parent/guardian of a student of the Nurses Middle College Charter High School - Capital Region.

I acknowledge that I have received a copy of the Student Handbook.

PARENT/GUARDIAN ACKNOWLEDGMENT			
PARENT/GUARDIAN'S SIGNATURE		DATE	

I acknowledge that I have access to the Student Handbook on the School's website.

PARENT/GUARDIAN ACKNOWLEDGMENT			
PARENT/GUARDIAN'S SIGNATURE		DATE	

I acknowledge that I will review the Student Handbook with my student.

PARENT/GUARDIAN ACKNOWLEDGMENT			
PARENT/GUARDIAN'S SIGNATURE		DATE	