

School and Community Policies

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School and Community

3.00 Enrollment and Lottery Policies

This policy is in place to address the process for handling admissions at Kestrel Heights Charter School. The goal of this admissions policy is to declare the process and methods that will be used to admit scholars fairly and consistently that do not offer priority to any scholar except those specifically noted in North Carolina law.

Kestrel Heights Charter School is a nonprofit, tuition-free charter school authorized by the state of North Carolina. As a charter school, Kestrel Heights Charter School will be open to all scholars who would otherwise qualify for enrollment in North Carolina Public Schools. The school will not discriminate against any scholar based on ethnicity, national origin, gender, or disability. The school will open enrollment on November 15th. The open enrollment period will end on January 31st. If needed, the lottery will occur within two weeks of the end of open enrollment. The lottery date, time, and location will be published on the school's website by December 15th of each year.

No criteria for admission will be used except the completed application. The application may be completed online through our website [www.kestrelheights.org] unless a family is unable to access the site. In that case, we will provide a paper application to parents when requested. The application will include the scholar's name, parent/guardian names, the current address of the scholar, phone number of parent/guardian, email of parent/guardian, county of residence, current grade level, scholar's date of birth, the name of any siblings already enrolled at the school, and a declaration of the scholar's residence in the state of North Carolina.

Grade Level for the Lottery Application

Parents may not choose which grade they would like their child enrolled in for the coming year, they must enter the actual current grade, and the scholar will be entered into the lottery for the next grade level. Parents wishing to have their child considered for retention must still submit their scholar for the subsequent grade level. If the scholar's current school recommends a scholar for retention and has it documented in the scholar's file, the scholar will be moved to the appropriate grade if they have been admitted to the school and will retain enrollment status with the school. If the scholar is on the waitlist at the time the retention decision is made, they will be moved to the correct grade level and placed on the waitlist of their new grade based on the number they were pulled during the lottery.

Early Entry into Kindergarten

North Carolina state law says children must turn five (5) on or before August 31st of the year they will begin kindergarten. Families who want Kestrel Heights Charter School to consider their child/ren for early kindergarten enrollment should follow the standard application process. Their application will be accepted for the lottery.

Kestrel Heights Charter School will follow the guidelines for early entry as outlined in the North Carolina Department of Public Instruction's School Attendance and Student Accounting Manual. In accordance with state law, the required testing, assessments, and interviews will not begin before April 16th. Kestrel Heights Charter School is not responsible for the financial costs of any early kindergarten admission costs. Multiple factors will be considered for early kindergarten enrollment, including aptitude, achievement, performance, observable student behavior, motivation to learn, and student interest. Testing results must be at the 98th percentile on the aptitude tests and the 98th percentile on either the reading or mathematics achievement test. Parents/Guardians are required to bring the test results to the interview. All costs associated with testing and assessments are the responsibility of the applicant's parents or guardians.

The final decision regarding early kindergarten enrollment will be made by a school-based committee that shall include the Executive Director (or designee) and/or up to three teachers and/or staff members. The applicant's family will be notified by July 31st.

Private Kindergarten Grade Level Placement

North Carolina state law says children must turn five (5) on or before August 31st of the year they will begin Kindergarten. This means if a child enrolls in First grade they must be six (6) on or before August 31. If a student does not meet the age requirement, their initial point of entry into the Kestrel Heights School system is kindergarten. If a child has been through a non-public kindergarten or homeschooled, and then applies for Kestrel Heights School, they should apply for enrollment in kindergarten. Families who want Kestrel Heights Charter School to consider their child/ren for first-grade enrollment should follow the standard application process for enrollment in First grade. Their application will be accepted for the lottery.

Kestrel Heights Charter School will utilize the following process to determine if First grade is the appropriate placement: Review of paperwork from private school or home school, including but not limited to promotion information. Kestrel Heights School will base enrollment decisions on nationally recognized testing results the student may have completed. All costs associated with testing and assessments are the responsibility of the applicant's parents or guardians. In some cases, KHS may have the student take a series of tests to assess their appropriate grade placement.

The final decision regarding first-grade enrollment will be made by a school-based committee that shall include the Executive Director (or designee) and/or up to three teachers and/or staff members.

Returning Students

Following the first year of enrollment, current scholars at the School will not be required to re-enroll. They will be asked to sign a non-binding letter of intent for the coming year during January to allow the school to plan appropriately for the lottery.

Enrollment Priority and Weighted Lottery

Kestrel Heights Charter School will follow all rules and regulations regarding enrollment priority as required by applicable North Carolina law.

The following groups will have enrollment priority at Kestrel Heights Charter School in the order that follows as space permits in each grade:

1. Children of full-time employees and board members (may not exceed 15% of the total school population)
2. Siblings of currently enrolled scholars who were admitted to the charter school in a previous year (as determined by Charter School law G.S. 115C-218.45(f)(1))
3. Applicants who are currently enrolled in a North Carolina charter School

Bundled Policy for Siblings

All children in a family are "bundled" together under one unique lottery registration number, but will only be registered to run in the lottery under the name and grade of the oldest child ("Primary Registrant"). If the "Primary Registrant" child is admitted, all siblings bundled on the registration form will be eligible for placement in their respective grade level immediately, as long as there is an opening. If there are no openings, they will be placed on the preferred waitlist for the respective grade level. If the "Primary Registrant" is placed on the waitlist, the other siblings will also be placed on the waitlist for their respective grade levels. It is our intent to provide Lottery Procedures that benefit families but are fair and consistent for all of our applicants.

Multiple Birth Siblings

If multiple birth siblings apply to the school, they will be “bundled” together under one unique lottery registration number. If the multiple birth siblings are pulled in the lottery when there is still at least one spot remaining in their grade level, all multiple birth siblings shall be admitted. If their application is pulled after the spots are all filled, they will be added to the waitlist under a bundled registration.

Lottery Procedures

After the initial year, before the general enrollment lottery, the school will conduct a sibling lottery of the scholars admitted in the prior year if more siblings have applied than there are available spots. If more siblings have applied than there are spots available, a grade level waitlist will be started and scholars not receiving spots will be added to the waitlist in the order in which they are pulled. Once the sibling lottery has been completed (if needed) the general lottery will begin.

Kestrel Heights Charter School will place all applications received during the open enrollment period into a lottery. The lottery will be run based on grade level. It will fill the oldest grade level first, and move down one grade at a time, ending with kindergarten.

If the "Primary Registrant" child is admitted, all siblings bundled on the registration form will be eligible for placement in their respective grade level immediately, as long as there is an opening. If there are no openings, they will be placed on the general waitlist for the respective grade level. If the "Primary Registrant" is placed on the waitlist, the other siblings will also be placed on the waitlist for their respective grade levels.

The school will add the remaining applicants to the waitlist in the order they are pulled from the lottery. This waitlist will be used in the event that a spot opens and the school chooses to fill the vacant position.

Lottery Results

The School will post the results of the lottery on the website within 3 business days of the lottery. If a scholar has been admitted to the school, the parent/guardian of the scholar will be contacted via email unless they indicated on their application that they did not have access to email. If the parent is unable to receive email, an acceptance letter will be mailed to the child's residence.

The results and the waitlist will be updated monthly to allow parents to determine their current place on the waitlist. Parents of scholars placed on the waitlist will not receive communication via email or mail as to their scholar's place on the waitlist. They will be asked to look at the waitlist information placed online to determine their spot on the waitlist.

Students Applying after the Open Enrollment Period

Any scholars applying after the open enrollment period will be placed in their respective grades if there is still space available. Otherwise, they will be placed directly after any wait-listed scholars from the lottery in the order the application was received.

Enrollment

Students admitted on or before May 15 will have 10 calendar days from the date their acceptance email was sent to accept or decline enrollment and 30 days from the time of the acceptance email to turn in enrollment paperwork. If a scholar is admitted after May 15, they will have 7 days to accept or decline enrollment at the school and 10 days to return the enrollment paperwork. If a scholar is admitted after July 15, they will have 48 hours to accept or decline enrollment at the school and 5 days to return the enrollment paperwork. If the school does not receive an enrollment confirmation and the paperwork back by the specified time, the Head of School may decline enrollment to the scholar and offer the spot to the next scholar on the waitlist. If enrollment is declined and then a parent later decides they would like to send their scholar after all, they will be asked to submit a new application and they will be placed on the waitlist in the next available spot.

As spots at the school become available, the parent/guardian of the scholar will be contacted via email. If the parent does not have access to email and has specified that on their application, the school will mail a letter of acceptance to the child's residence. A phone call will also be made to the parent notifying the parent of the scholar's acceptance and applicable deadlines for the return of enrollment paperwork. Every effort will be made to communicate promptly with all accepted families.

School's Right to Refuse Enrollment

The school reserves the right to refuse to enroll any scholar currently under a term of expulsion or suspension by his or her school until that term is over.

The school reserves the right to refuse to enroll a scholar if a parent willingly and knowingly provided incorrect information on the enrollment application.

If a scholar has accepted enrollment at the school but does not appear at the school in the first 2 days of school, the school will make reasonable attempts to contact the parents. If there is no response from the parent by the 3rd day of school, the school reserves the right to remove the scholar from their enrollment roster and offer the next scholar on the waitlist the spot.

Enrollment Forms

Enrollment forms will include, but are not limited to the following:

- (1) Proof of North Carolina Residency
- (2) Permission to request current school records
- (3) Immunization Records
- (4) Proof of Legal Name and Date of Birth

Handling of Errors

School Errors

If any mistake is made by the School in administering the lottery (or if any discrepancy occurs in the lottery process as a result of the actions of the School that is not corrected during the lottery), such mistake or discrepancy will not invalidate the lottery and the lottery results will stand with respect to all applicants who were admitted at the appropriate grade level through the lottery. The mistake or discrepancy will be corrected at the next regularly scheduled meeting of the Board of Directors (after recognition of the mistake). If a mistake is made by an applicant resulting in the applicant not being placed at the appropriate grade level in the lottery, the applicant will not be admitted and may submit a corrected application, which will be subject to the process followed for scholars applying after the enrollment period.

If too many scholars were included in the lottery at a grade level or if a scholar's name was duplicated in the lottery at a grade level, the scholar or scholars who should not have been included (or the duplicate with the lower priority placement number, as applicable) will be removed, and any applicants with placement numbers behind the applicants who were removed will be advanced in order on the list.

If an applicant is left out of the lottery by mistake, the number of scholars who were included in the lottery will be determined. For each applicant not included by mistake, a random application number from the full pool of applicants received will be assigned, and the applicant will be assigned that number as his or her lottery placement number and appropriately placed as if they were pulled at the same time as the randomly assigned placement number. Any applicants with placement numbers on the waitlist behind the applicants who were left off by mistake will be moved down in order on the list. As noted above, lottery results will stand with respect to all applicants who were admitted at the appropriate grade level through the lottery.

Parent Errors

If a scholar's name is duplicated in the lottery and the School administration determines that the scholar was intentionally registered more than one time, the scholar will be assigned the lowest priority placement number assigned to the scholar in the lottery.

If an applicant has been incorrectly placed in a grade because a parent wishes to have their scholar retained, the applicant will not be admitted and may submit a corrected application, which will be subject to the process followed for scholars applying after the enrollment period.

3.15 Scholar Attendance Policies

K-8 Start and End Times

Drop-off Begins: 7:20 AM

School Begins: 7:50 AM

Dismissal: 3:00 PM

Pick-up Ends: 3:30 PM

Attendance

It is the responsibility of our Kestrel families to ensure their scholar(s) are at school every day. Regular attendance is the best way to ensure that scholars master the curriculum. We protect instructional time from interruptions and we ask that parents/guardians schedule appointments after school hours. A scholar is marked absent for the day when s/he misses half of the school day (scholar arrives after 11:20 or is picked up before 11:30). In addition, a 6-8 scholar is marked absent from a class period when s/he misses 20 or more minutes of the class period.

Tardiness

It is the responsibility of the scholars to be on time for school and classes; tardiness interrupts instruction for the entire class. Any scholar who arrives after 7:50 must report directly to the office and sign in. Parents must accompany their children and sign them in; this includes middle school scholars. Lateness may be excused for reasons of scholar illness, medical or dental appointments, and death/illness in the immediate family with proper documentation. Traffic delays, lost items, oversleeping, missed rides, etc. are not valid reasons for tardiness and will be considered unexcused.

Middle school scholars who arrive after 8:10 will be marked absent for their first-period class and the attendance policy outlined above for absences will apply. Any scholar who arrives after 11:20 will be marked absent for the entire school day.

Early Check-Out

Early dismissal interrupts the instruction for the entire class. A note signed by a parent stating the time and valid reason why the scholar needs to leave early must be presented to the school office on the day of the early departure. A parent/guardian must sign out the scholar at the front office. Recurrent unexcused early check-outs will result in the same consequences as unexcused tardies. Scholars checked out before 11:30 who do not return to school will be marked as absent for the day. In order for the absence to be marked as excused, proper written documentation should be provided to the office within three (3) days.

Sign-In and Sign-Out Procedures

The primary responsibility of the front office administrative assistant, as well as all staff, is to make sure scholars are safe. As such, all K-8 scholars arriving at school between 8:00 am and the end of school must be signed in by an adult at the front office. In addition, all K-8 scholars being picked up before the end of school must also be signed out by an adult in the front office; this adult must be listed on the scholar's "approved pickup list".

Absences

It is the parent's responsibility to contact the front office and notify the school of any absences in writing. If the school is not notified of the reason for an absence in writing, it will be marked as unexcused. Please see "Procedures for Notifying Kestrel About Absences", for more information.

Scholars must attend the first day of school or risk losing their right to admission. If a scholar is absent 10 days within the first 20 days of school, his/her admission spot may be reassigned. Openings created by scholar withdrawal within the first 20 days of school will be filled with the next scholar on the waiting list.

Excused Absences

- *Illness or injury:* When the absence results from illness or injury, which prevents the scholar from being physically able to attend school. Documentation will be required for this to be considered excused.
- *Quarantine:* When the scholar's isolation is ordered by the local health officer or by the State Board of Health. Documentation will be required for this to be considered excused.
- *Religious observance:* When a scholar, or the scholar's parents or custodians, adhere to a religion in which the tenets require or suggest the observance of a religious event, the parents must seek prior approval from the Executive Director or Director for such absence. Approval should be granted unless the religious observance or the cumulative effect of religious observances is of such duration as to interfere with the education of the scholar. The approval of such absences is within the discretion of the Executive Director or Director.
- *Death in the immediate family:* The immediate family of a scholar includes, but is not limited to, grandparents, parents, and siblings.
- *Medical or dental appointment:* A written excuse from the physician's office must be presented upon the scholar's return to school.
- *Educational opportunity:* When the scholar misses school due to a valid educational opportunity that would result in significant educational benefits and obtains prior written approval from the Executive Director or Director. Parents must submit a written request for educational leave 2 weeks in advance of the absence. Note: Educational absences will not be granted during the first twenty (20) days of school, during standardized state testing, or the day before/after scheduled school holidays.
- *Court or Administrative Proceedings:* When the scholar is a party to, or is under subpoena as a witness, in the proceedings of a court or administrative tribunal.
- *Absence related to Deployment Activities:* A scholar whose parent or legal guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting for the purpose of visiting said parent or legal guardian.
- *Child Care:* Absences due to the illness or medical appointment during school hours of a child of whom the scholar is the custodial parent.

All absences not listed above are considered unexcused.

Unexcused Absence or Skipping

An unexcused absence is an absence based on any reason other than those specified in the Excused Absences section. Such an absence cannot be excused even with a written explanation for the reason of absence.

There will be a school-based disciplinary action for scholars who choose to "skip school". School-based consequences may include but are not limited to, suspension. A scholar who skips school is defined as a person who does not show up for any part of a class or for the entire academic day without approval from the proper school-based authority. There are NO sanctioned skip days for scholars. It is the parent's responsibility to contact the front office and notify the school of any absences in writing. Please see "Procedures for Notifying Kestrel About Absences" for more information.

A scholar who misses any portion of a school day (including being tardy to school), except for reasons explained as excused, will not be allowed to participate in any school-sponsored activity, including athletics, for that day.

Procedure for Notifying Kestrel About Absences

On the day of an absence(s), parents/guardians should email the teacher(s) and the front office administrative assistant stating the reason for the absence no later than 8:30 am. An email or written note needs to be provided to the school within three (3) days of the scholar’s absence for an absence to be counted as excused. An absence may NOT be excused if a note is not provided to the school within three (3) days following the scholar’s return to school. Phone calls explaining the absence will not be accepted. Any medically excused absence lasting more than three (3) consecutive days must be accompanied by a doctor’s note. All medical or dental appointments need a doctor’s note to be marked as excused.

In all cases of absence (excused, unexcused, tardy absences, and early dismissal absences) scholars are expected to complete all missed work within the time frame given by the teacher. The amount of time given may vary, but for example: 1 day absence = 1 day of make-up time

Tuancy Intervention Guidelines

If a scholar is truant, the Director or designee will send written notification to the parents of scholars with three (3), six (6), and ten (10) unexcused absences in a school year, reminding them of the obligation to attend school.

Scholars with a total of 10 absences (excused or unexcused) will be placed on an automatic Action Plan, outlining the steps to be taken by the school and home in order to improve attendance. Failure to comply with the action plan may result in the automatic referral of the scholar to the Retention Committee. In addition, failure to comply with the action plan may result in the referral of the parents to Child and Family Services and/or the District Attorney per North Carolina Compulsory Attendance Law, including N.C.G.S.7B-302.

Parents of scholars with a total of 15 absences (excused or unexcused) will be required to attend an attendance meeting with a member or representative of the school administration to discuss the Action Plan and their scholar’s attendance.

Scholars absent more than 20 days (excused or unexcused) will automatically be referred to the Retention Committee for consideration and may be retained in their current grade level placement as per North Carolina Compulsory Attendance Law, including N.C.G.S. 115C-378. In addition, parents of scholars with a total of 20 absences may be referred to Child and Family Services and/or the District Attorney for failure to comply with North Carolina Compulsory Attendance Law, including N.C.G.S.7B-302.

Absence Intervention Guidelines	
Number of Absences (Daily absences for K-5; daily and/or class period absences for 6-8)	Action to be Taken
3 unexcused	Automated courtesy parent notification; No disciplinary action taken
6 unexcused	Automated courtesy parent notification; No disciplinary action taken
10 total (excused and/or unexcused)	Letter notification; Automatic Action Plan created outlining the steps to be taken by school and home to improve attendance.
15 total (excused and/or unexcused)	Letter notification; Required conference with school administration. The action plan will be reviewed.

	Failure to comply with the action plan may result in loss of bus transportation (if applicable) and automatic referral of the scholar to the Retention Committee. In addition, failure to comply with the action plan may result in the referral of the parents to Child and Family Services and/or the District Attorney per state law.
20+ total (excused and/or unexcused)	Retention Committee determines if the scholar will be retained in the current grade level placement due to absences (per state law). This decision may be appealed using the process outlined in the Retention Policy. Parents of the scholar may be referred to Child and Family Services and/or the District Attorney for failure to comply with state law.

Unexcused Tardy or Early Pick-Up Intervention Guidelines	
Number of Occurrences	Action to be taken
3 unexcused	Automated courtesy parent notification; No disciplinary action taken
6 unexcused	Automated courtesy parent notification; No disciplinary action taken
10 total (excused and/or unexcused)	Letter notification; Automatic Action Plan created outlining the steps to be taken by the school and home to improve attendance.
15 total (excused and/or unexcused)	Letter notification; Required conference with school administration. The action plan will be reviewed. Failure to comply with the action plan may result in loss of bus transportation (if applicable) and automatic referral of the scholar to the Retention Committee. In addition, failure to comply with the action plan may result in the referral of the parents to Child and Family Services and/or the District Attorney per state law.
20+ total (excused and/or unexcused)	Retention Committee determines if the scholar will be retained in the current grade level placement due to absences (per state law). This decision may be appealed using the process outlined in the Retention Policy. Parents of the scholar may be referred to Child and Family Services and/or the District Attorney for failure to comply with state law.

Scholars Tardy to Class During the School Day

Scholars who are tardy to individual classes during the school day may face disciplinary consequences including, but not limited to: lunch detention, working lunch, loss of privileges, and suspension. If scholars are chronically tardy to their classes, a parent/teacher conference may be required. If scholars need to use the restroom or conduct other business between classes and therefore will not be on time for their next class, they should first report to their next class and obtain a hall pass so that they are not marked tardy.

Late Pick-Up

Scholars must be supervised by an adult at all times while on campus. Younger siblings may not accompany older siblings to after-school activities; they must be picked up and supervised by a parent after 3:30 pm. Parents who arrive after pick-up has ended at 3:30 pm infringe on the time of the classroom teacher who must change their afternoon schedule to accommodate late parents. If you are unable to pick up your scholar by 3:30 pm, alternate arrangements such as YMCA after-school care, bus transportation, and/or a van service should be considered. Kestrel Heights Charter School is entirely free from any liability, including financial responsibilities for incidents occurring after 3:30 pm.

Parents are expected to make every effort to pick up scholars by 3:30 pm. In an emergency (car accident, illness), please contact the main office to notify the school that you will be late to pick up your scholar. Though emergency late pick-ups are understandable, routinely picking up scholars late will result in school-based consequences including but not limited to required conference with the Director, loss of privileges, and/or referral to Child and Family Services.

Scholars who are still on campus after 3:30 pm are required to report to the main office. Any scholar found in an unauthorized location will be required to meet with the Building Director, or their designee, and disciplinary actions, including suspension, may occur. If scholars are not picked up by 4:30 pm and/or their parents/guardians are unable to be reached, the school will notify Child and Family Services and/or the Durham Police Department.

3.20 Scholar Grading and Promotion Policies

Report Cards

All scholar grades are available to review on PowerSchool. This includes progress reports and report cards.

A scholar report card is a quarterly tool that is used to help scholars celebrate their accomplishments, better understand their needs, and determine the focus for the next grading period. It is designed to give feedback on academic content. Each KHS parent or guardian can access his or her child’s academic progress in real-time via PowerSchool.

Progress Reports and Report Cards can be accessed through the parent portal. Please log in to have access. If a hard copy is needed, please contact the main office.

PowerSchool (Parent Portal): <https://kestrelheights.powerschool.com/public/home.html>

A letter with your child’s unique ID and password will be given upon request.

Kindergarten Report Cards	Grades are reported as standards-based grades. The term standards-based refers to systems of instruction, assessment, grading, and academic reporting that are based on scholars demonstrating understanding or mastery of the knowledge and skills they are expected to learn.
Grades 1-8 Report Cards	Grades are reported as a letter grade and follow the standard grading scale for the state of North Carolina: A = 100-90% B = 89-80% C = 79-70% D = 69-60% F = <60%
Grades K-8 Citizenship and Effort	Citizenship and effort are reported on a scale of 1-5, with “1” being equivalent to an “F” and “5” to an “A”: 5 = “consistently demonstrates”; excellence 4 = “frequently demonstrates”; good 3 = “often demonstrates”; satisfactory

	<p>2 = "sometimes demonstrates"; needs improvement*</p> <p>1 = "rarely demonstrates"; unacceptable*</p> <p>*Scholars who receive a 1 or a 2 in any class for citizenship or effort will be disqualified from being on the honor roll.</p>
Grades K-8 Teacher Comments	<p>The comments describe a scholar's current strengths and needs and provide guidance for the next quarter. Teachers spend a significant amount of time and consideration in developing these written assessments, and scholars and parents/guardians have found them to be useful in developing scholar plans for the next quarter.</p>

Incomplete Grades

Incomplete grades at the end of a marking period should rarely be given because they are for pupils who, because of illness or injury, cannot fulfill their academic obligations. Incomplete grades are not to be given to pupils who had sufficient time (one day for each day of absence) to do makeup work.

For pupils qualifying to receive an incomplete grade at the end of a grading period or end of the year, there is a grace period of ten (10) school days to complete the missed work after the grading period is over. If the makeup work is not completed in the grace period, and special arrangements for an exception were not made with the director, then the incomplete reverts to a failing grade. Any pupil receiving an incomplete in any course for the fourth grading period will fail the course for the year if the incomplete is not removed within the permitted time.

Incomplete grades are rarities, and it is the responsibility of the pupil to contact his/her teachers immediately upon returning to school for makeup work, assignments, and tests given while the pupil was absent. Failure to abide by the time limits set forth for satisfying incomplete work after an absence will constitute a forfeiture of the right to make up the work at a later time.

Promotion Standards

Scholars with an Individual Education Plan (IEP), identified as English as a Second Language (ESL) scholars, or with extenuating circumstances will be considered on a case-by-case basis. Scholar grade level and course placement are at the discretion of the Director.

To be admitted to Kindergarten a child must be 5 years of age by August 31, 2022.

To be promoted to the 1st, 2nd, or 3rd grade the following information will be taken into consideration: proficiency in reading and mathematics, growth through diagnostic and summative testing, classroom achievement, and grade-level skill mastery.

To be promoted to the 4th grade North Carolina General Assembly's Excellent Public Schools Act includes the 'North Carolina Read to Achieve' program with the goal of ensuring that every scholar is reading at or above grade level by the end of the third grade.

The law can be accessed through this link:
<http://www.ncleg.net/Sessions/2011/Bills/Senate/PDF/S795v1.pdf> (pages 38-45).

To be promoted to 5th, 6th, 7th, or 8th grade the following information will be taken into consideration: proficiency in reading and mathematics, growth through diagnostic and summative testing, classroom achievement, EOG State Testing, and grade-level skill mastery.

Scholars entering KHS from other schools will be separately assessed based on past performance. Documentation may include report cards, scholar work samples, test data (e.g. Iowa Test of Basic Skills), or other information that verifies that a scholar is capable of grade-level work.

Private Kindergarten Grade Placement

North Carolina state law says children must turn five (5) on or before August 31st of the year they will begin Kindergarten. This means that in order for a child to enroll in first grade, they must be six (6) on or before August 31. If a scholar does not meet the age requirement, their initial point of entry into the Kestrel Heights School system is kindergarten. If a child has been through a non-public kindergarten or was homeschooled, and then applies for enrollment at Kestrel Heights Charter School, they should apply for enrollment in kindergarten.

Families who want Kestrel Heights Charter School to consider their children for first-grade enrollment should follow the standard application process for enrollment in first grade. Their application will be accepted for the lottery. Kestrel Heights Charter School will utilize the following process to determine if first grade is the appropriate placement: Review of paperwork from private school or home school, including but not limited to promotion information.

Kestrel Heights School Charter School will base first-grade enrollment decisions on nationally recognized testing results the scholar may have completed. All costs associated with testing and assessments are the responsibility of the applicant's parents or guardians. In some cases, KHS may have the scholar take a series of tests to assess their appropriate grade placement. The final decision regarding first-grade enrollment will be made by a school-based committee that shall include the Executive Director (or designee) and/or up to three teachers and/or staff members.

Single Subject Acceleration

Single subject acceleration is the practice of assigning a scholar to a higher grade level in a single subject than is typical, given the scholar's age, to provide access to appropriately challenging learning opportunities. At Kestrel Heights, single subject acceleration is only offered in English Language Arts (ELA) and Mathematics. For the North Carolina state testing program, scholars will be required to take assessments for the grade level in which they are enrolled, despite taking a higher-level course in a specific subject. For example, a sixth-grader who is accelerated in ELA and taking seventh-grade ELA will still be required to take the sixth-grade ELA EOG test. The testing requirement is a North Carolina state policy.

Requests for consideration for single subject acceleration for the following school year should be made in writing to the school director and counselor by the start of the fourth quarter. This allows time for the single subject acceleration committee to meet and discuss all relevant information to make an appropriate placement decision. The committee will be made up of the director, counselor, current homeroom teacher or Mathematics/ELA teachers, parents/guardians, and the scholar. The committee will consider all relevant information including, but not limited to, classroom performance, grades, benchmark testing data, EOG/EOC scores, AIG testing, teacher observation, and parent input. Final decisions will be made and communicated no later than July 31 to allow for scheduling to be completed for the following year.

The director shall have the final say in all single subject acceleration decisions. Scholars placed in a higher-level course will be subject to Kestrel Heights' standard schedule change request policy and will not be permitted to request a change in their placement after the 10th day of school.

Grade Level Acceleration

Grade level acceleration is the practice of placing a scholar, on a full-time basis, in a higher grade level than is typical given the scholar's age to provide consistent access to appropriately challenging learning opportunities. Grade level acceleration is commonly known as "grade skipping", and typically results in shortening the number of years the scholar spends in the K-12 educational system.

Another form of grade-level acceleration is early Kindergarten entrance. Please see policy 3.05 for Kestrel Heights' Early Kindergarten Entry policy.

Requests for consideration for grade-level acceleration for the following school year should be made in writing to the school director and counselor by the start of the fourth quarter. Scholars who are newly enrolled at Kestrel Heights School are not eligible for grade-level acceleration until they have completed a full academic year at Kestrel. This allows time for the grade level acceleration committee to meet and discuss all relevant information to make an appropriate placement decision. The committee will be made up of the director, counselor, current homeroom teacher or Mathematics/ELA teachers, parents/guardians, and the scholar. The committee will consider all relevant information including, but not limited to, classroom performance, benchmark testing data, grades, EOG/EOC scores, AIG testing, teacher observation, and parent input. Final decisions will be made and communicated no later than July 31 to allow for scheduling to be completed for the following year.

The director shall have the final say in all grade-level acceleration decisions. Scholars placed in a higher grade level will be subject to Kestrel Heights' standard schedule change request policy and will not be permitted to request a change in their placement after the 10th day of school.

Accelerated Math Placement

Per North Carolina state law, all scholars who achieve a score of 5 on their Grade 6 or Grade 7 Mathematics EOG will automatically be placed in accelerated math the following school year.

Accelerated Math 7 covers both 7th and 8th-grade math topics and is designed to prepare advanced 7th-grade mathematics students for Math I in 8th grade.

Math 1 is a high school-level course offered to 8th-grade scholars. Upon successful completion of the course and EOC exam, scholars may receive high school credit for Math I.

- North Carolina State Board of Education Policy Requirements Regarding End-of-Course Assessments (TEST-003) directs schools to use the results from all operational end-of-course (EOC) assessments as at least twenty percent (20%) of the scholar's final course grade.
- Prerequisite: Score of 4 or better on Math 7 EOG, 90 or better in Accelerated Math 7, teacher recommendation. Scholars not meeting these prerequisites will be considered on a case-by-case basis.

Scholars may not enroll in or withdraw from Accelerated Math courses after the 10th day of school.

3.25 Online Courses

North Carolina Virtual Public School (NCVPS) Information and Policies

What is NCVPS?

NCVPS is a 100% online course option that provides scholars with expanded academic options by offering courses (AP, Honors, World Languages, etc.), online services such as test preparation, career planning services, credit recovery, and online college courses to North Carolina scholars. By virtue of the online course delivery, scholars from all areas of the state will now have access to courses and highly qualified teachers in subjects that they may not have available at their local school. All NCVPS courses meet the standard course of study set by the Department of Public Instruction and recognized quality assurance standards for e-learning courses. Scholars are taught by North Carolina certified teachers.

Scholar grades earned in their NCVPS course will be transferred to their local school and become part of their academic record.

Who can take an NCVPS course?

The North Carolina Virtual Public School was established by the North Carolina General Assembly to serve scholars who are enrolled in a North Carolina public school.

SECTION 7.20. (d) . . . NCVPS shall be available at no cost to scholars in North Carolina who are enrolled in North Carolina's public schools, Department of Defense schools, and schools operated by the Bureau of Indian Affairs. The Department of Public Instruction shall communicate to local school administrative units all applicable guidelines regarding the enrollment of nonpublic school scholars in these courses.

Kestrel Heights Policies regarding NCVPS enrollment

Scholars at Kestrel Heights are required to meet with the Building Director and counselor to enroll in NCVPS courses. Enrollment in these courses is not guaranteed, upon receipt of confirmation from NCVPS, the scholar and parent/guardian will be notified of successful enrollment.

- **Enhancement Courses:** Courses taken to enhance scholars' academic options and offer courses that may or may not be offered at Kestrel Heights. Guidelines for enhancement courses are as follows:
 1. The scholar must be passing all his/her current courses at Kestrel with a C or better.
 2. The first time a scholar enrolls in an NCVPS course at Kestrel, he/she will only be allowed to take one course at a time.
 3. Upon successful completion of the 1st course, scholars will be allowed to take up to two courses at a time.

NCVPS Allocation Funds for courses are limited. Once funds have been exhausted, scholars will have to wait until the following year to register for online courses.

NCVPS Grading Policy

Course grading for NCVPS courses is the responsibility of the NCVPS teacher. Scholars with questions or concerns about their NCVPS grades should direct those inquiries to their assigned teacher.

The grade reflected on KHS scholars' report cards for an NCVPS course will be the grade that is reported on the most recent progress report received from NCVPS. Due to differing calendars, progress reports from NCVPS occasionally are published before the quarter ending at Kestrel. It is the scholars' responsibility to be aware of progress report dates for NCVPS and ensure that their work is up to date before progress reports are published.

The grade received on the most recent official NCVPS progress report is the grade that will be reported on the Kestrel report card unless a grade correction is received directly from the NCVPS teacher. Grade corrections must be sent directly from the NCVPS teacher to the NCVPS coordinator and be received within one week of the end of the quarter in order to be reflected on the Kestrel report card. If a scholar believes that their reported grade is incorrect, it is their responsibility to contact the NCVPS teacher for more information or to request a grade correction be sent to the NCVPS coordinator.

3.30 Retention Policies

Academic Standards and Requirements for Promotion K-8

The progress of scholars will be monitored at each grade level to determine appropriate grade assignments. Understanding that scholar promotion and/or retention is a serious decision with both positive and negative consequences, the process for retaining a child takes into account many factors. Scholars must be assessed for grade-level assignments, recognizing that there is a wide range of variables that must be considered in this process, including age, academic achievement, and social and

emotional development. Teachers, counselors, and the school building Director should make promotion and retention decisions in accordance with state regulations and this policy.

Teachers are responsible for the early identification of scholars who are at risk of not meeting promotion standards based on demonstrated grade-level proficiency on local assessments, standardized tests, report cards or progress reports, and scholar work. Parents should be notified by the classroom teacher that their child is functioning below grade level every quarter. At the time scholars are identified as functioning below grade level, the teacher and building Director with the support and assistance of the scholar's parent/guardian will use all available resources to begin intervention.

Academic Promotion Requirements

Scholars are required to meet promotion standards in grades K-8 that include demonstrated grade-level proficiency on local assessments, standardized tests, report cards, and scholar work. To be promoted to the next grade level, scholars in all grades should be proficient in reading and mathematics, which may be demonstrated through NC End-of-Grade tests, school assessments, scholar portfolio of work, and report card grades. A promotion decision should not be made solely based on a state assessment.

Read to Achieve

Third-grade scholars who do not pass the end-of-grade assessment for reading are subject to additional promotion requirements under the state's Read to Achieve law.

Retention Decision Making and Appeal Process

If a scholar appears likely to be retained, then the parent/guardian of the scholar shall receive at least three (3) notices before a final decision is made.

The start of the retention process, typically in the first quarter, will be a conference with the classroom teacher. An intervention plan should be developed or reviewed/modified if already in existence. At this point, concerns about a child's academic progress or consideration for retention should be addressed with the classroom teacher(s). At times, this initial conference will take place later in the year if academic concerns are not noted until later in the year.

The second notice of retention consideration will be provided in writing, usually by the end of the second quarter; in addition, the intervention plan should be reviewed/modified as needed. An additional parent conference may be required at this time. At this point, concerns about a child's academic progress or consideration for retention should be addressed with the classroom teacher.

The third notice will be provided in writing by the end of the third quarter; in addition, a parent conference will be held and the intervention plan should be reviewed/modified as needed. At this point, concerns about a child's academic progress or consideration for retention should be addressed with the classroom teacher(s) and building Director.

In the middle of the fourth quarter, a Retention Committee meeting will be held to determine a recommendation for retention or promotion. The child's teacher(s), counselor, building Director, and additional staff as needed will be a part of this meeting and will consider a variety of data to make a recommendation. The committee's recommendation will be made to the Building Director and counselor.

After the Retention Committee's recommendation, the parent will be invited for a conference with the teacher, counselor, and/or building Director to discuss the final decision regarding retention or promotion. In addition, at this meeting, the Building Director or counselor will provide a written copy of the decision. Any child receiving early notices of retention consideration will receive an official notice of final retention decisions, whether retained or promoted.

Parents/guardians may appeal their child's promotion or retention decision in writing to the building Director within one week of the final notification. If a parent chooses to appeal this decision, the building Director will examine all available information and a final decision will be communicated to parents/guardians in writing.

If a parent chooses to appeal the building Director's decision, they may appeal in writing to the Executive Director within one week of the building Director's appeal decision. The Executive Director will examine all available information and a final decision will communicate to parents/guardians in writing.

If a parent chooses to appeal the Executive Director's decision, they may appeal to the School Board within one week. The School Board will examine all available information and a final decision will be communicated to parents/guardians in writing after the next regular Board meeting. The decision of the School Board is final.

Retention Due to Excessive Absences

Excessive absences will have serious academic consequences and may result in class or grade level failure.

At the elementary level, excused and unexcused absences above twenty (20) are excessive. After twenty (20) absences (excused or unexcused) and failure to meet the requirements of the previously-determined Action Plan, scholars will be referred to the Retention Committee for review. Scholars with more than twenty (20) absences may be recommended for grade-level retention. Scholars with documented chronic medical conditions will be exempt from this policy provided that absences are excused. If parents disagree with the Retention Committee's recommendation, the same appeal process listed above applies.

At the secondary level, cumulative absences above twenty (20) in a single course are excessive. After twenty (20) absences in a single course and failure to meet the requirements of the previously-determined Action Plan, the scholar will be subject to failure of the course as well as grade-level retention. Scholars with documented chronic medical conditions will be exempt from this policy provided that absences are excused with medical documentation. If parents disagree with the Retention Committee's decision, the same appeal process listed above applies.

3.35 Athletic Eligibility

Purpose and General Information

Kestrel Heights Charter School takes pride in offering athletic opportunities that are both competitive and developmental to scholars in grades 6-8. Interscholastic athletics are historically a significant part of successful educational programs. Athletics offer an opportunity for scholars to be a part of a team, compete, serve their school, enjoy fellowship, and develop intellectually, physically, and emotionally.

We believe that Kestrel Heights Athletics will provide a unifying influence within our school community. The Kestrel Heights Athletic community will seek to provide each scholar-athlete with positive experiences that will help them learn to value commitment, responsibility, and loyalty which will guide them for post-school competition in society. We believe that the desire to win is important, but it will never outweigh the well-being of the scholar-athlete and will be kept in balance with what is best for the team and the individual.

If athletics are to be sponsored by the educational system, then athletics must be educational. Responsibility is the main focus of the educational process within Kestrel Heights Athletics. Responsibility in the classroom, to one's team, self and family are the most important aspects of education within the Kestrel Heights athletic department.

Kestrel Heights Hawks and spectators can be proud of a program that offers opportunities and helps scholar-athletes become the best that they can be on and off the field of play. Through the experiences gained through athletics, each scholar athlete can reach his/her potential both while in school, and later as a contributing member of society.

Athletic Conference Affiliations

Kestrel Heights is a member of the MSC (Mid-State Conference). The MSC consists of two divisions: East and West. The East division consists of Discovery Charter (Cary), Kestrel Heights School (Durham), Southern Wake Academy (Holly Springs), and Woods Charter School (Chapel Hill). The West division consists of Chatham Charter School (Siler City), Clover Garden School (Burlington), Cornerstone Charter Academy (Greensboro), and River Mill Academy (Graham).

Athletic Website

www.kestrelhawks.bigteams.com

Athletic Eligibility

Before participating in tryouts, practices, or games, scholars must have the following forms on file with KHS:

1. Sports Preparticipation Examination Form (doctor physical; valid for 1 year)
2. NCHSAA Concussion Statement form (valid for 1 year)
3. Athletic Waiver & Release Form
4. Scholar Information Form

Coaches will have a meeting with parents (virtual or in-person) to go over expectations for the scholars and parents for each seasonal sport.

Academic Eligibility

KHS scholars must earn the privilege of participating in athletics. Scholar-Athletes must maintain a quarterly grade of 70 (Q) or higher in all classes to participate in athletics. The grades of all scholar-athletes and scholar-managers participating in Kestrel Athletics will be monitored. If a scholar-athlete is displaying a grade that is **below a 70** in one or two classes at any point, the grade(s) will be confirmed with the teacher and the scholar-athlete will be on **athletic academic probation for one week**.

Athletic Academic Probation

Scholar-athletes with a grade of 70 or lower in one or two classes are required to make up missing assignments and seek extra help where necessary as determined by the coach and Athletic Director. Inactive scholar-athletes are permitted to attend and participate in practice if it does not conflict with tutoring/ extra help, they may also be excused from practice to make up assignments if necessary. Inactive scholar-athletes can attend games but may not participate in games. After one week the scholar's grade will be re-evaluated, if the scholar has below a 70 at the time of re-evaluation the scholar will serve an **athletic suspension for up to two weeks**.

Athletic Academic Suspension

Scholar-athletes who did not meet or exceed the athletic academic standard (grade of 70) after 1 week of athletic academic probation and/or scholar-athletes with three or more grades below 70 will serve an athletic suspension. Suspended scholar-athletes are required to make up missing assignments, seek extra help, and are encouraged to seek tutoring. Suspended scholar-athletes may not attend or participate in practice or games. Suspensions will be re-evaluated after the first week and second week of the suspension to see if all grades are above 70. Scholars can be reinstated after one week of suspension if they meet the athletic academic standard.

End of Season Suspension

If a suspended scholar-athlete is not eligible for reinstatement after the second week of their suspension, they will be dismissed from participation in Kestrel Heights Athletics for the remainder of that sport's season (fall, winter, spring).

3.40 Scholar Illness or Injury

The main reasons for keeping a scholar home from school are that he/she is too sick to participate comfortably at school or might spread a contagious disease to other scholars. If your scholar has been diagnosed with a contagious disease, please contact the school so other scholars' parents and school staff may be alerted of the symptoms

Health Reasons Your Child will be Sent Home from School

1. Fever > 100 degrees F or 37.8 degrees Celsius
2. Vomiting or Diarrhea
3. Drainage from a wound, rash, or eyes
4. Head Lice or Scabies
5. Conjunctivitis (Pink Eye)
6. Ringworm

Your scholar may not return to school until he/she has been fever-free and symptom-free for one full school day (i.e. if your child goes home sick at 11:00 am on Monday, your child can not return to school until Wednesday morning). When there is doubt in your mind about sending your scholar to school, consult your doctor.

Fever

Although variations can occur, an elevation of the body's temperature to 100 degrees Fahrenheit (37.7 degrees Celsius) is generally considered a fever and can be a sign of illness.

It is important to note that in many childhood illnesses, a fever is lowest in the morning, rises in the afternoon, and is highest in the evening and at night. As a child begins to recover, their temperature in the morning may be normal, with a fever still present later in the day. Scholars should be excluded from school under the following conditions:

- Oral temperature of 100.6 degrees Fahrenheit or above within the previous 24 hours
- Axillary temperature of 99.6 degrees Fahrenheit or above within the previous 24 hours

Fever - School Responsibility

If school staff suspects a scholar has a fever, the scholar's temperature will be assessed using a thermometer. If the scholar's temperature is over 100.6 degrees Fahrenheit (oral) or 99.6 degrees Fahrenheit (axillary), the parent/guardian will be called for immediate pick-up. The scholar's absence for the remainder of the day will be considered excused.

- School personnel is not permitted to administer fever-reducing medications unless the medication has been pre-authorized by the scholar's parent and medical provider and appropriate documentation provided. School personnel may provide the scholar with water or ice chips in an attempt to reduce the fever.
- It is recommended that scholars be fever-free for 24 hours (without fever-reducing medications) before returning to school.
- A fever of 105 degrees Fahrenheit or higher is considered a medical emergency. If parents/guardians are not readily available, emergency personnel (911) will be contacted.

Conjunctivitis (Pink Eye)

Conjunctivitis or "pink eye" is an inflammation of the thin tissue covering the white part of the eye and inside of the eyelids. Conjunctivitis may be viral, bacterial, allergic, or chemical. Viral and bacterial conjunctivitis are contagious and spread when hands become contaminated by direct contact with

discharge from the infected eye, or by touching other surfaces that have been contaminated by the secretions of the infected eye.

Conjunctivitis - School Responsibility

- If school staff suspects a scholar has conjunctivitis, the parent/guardian will be called for immediate pick-up. The scholar's absence for the remainder of the day will be considered excused.
- The school will inform the parent/guardian of the need for medical evaluation and possible treatment.
- The scholar will be isolated until the parent/guardian arrives and affected items are cleaned.
- Upon return to school, documentation from a medical provider must be provided to the school indicating the scholar's clearance to return to class.
- School staff may send a standard letter to parents/guardians containing information about conjunctivitis and treatment when 2 or more cases are identified in a classroom.

Head Lice

Head lice live only on human beings. Lice do not hop or jump; they only crawl. Head-to-head contact with an already infested person is the most common way to get head lice. Head-to-head contact is common during play at school, at home, and elsewhere (sports activities, playground, slumber parties, camp). It is less likely but possible for lice to spread through indirect contact by using a hat, comb, or brush of an infected person.

Head Lice - School Responsibility

Based on the recommendations of the American Academy of Pediatrics (Volume 135, number 5, May 2015) and the National Association of School Nurses (Head Lice Management in the School Setting Position Statement), and the North Carolina School Health Program Manual, Kestrel Heights School does not exclude children for the presence of nits. These three expert resources conclude that head lice is not a disease, does not spread disease, and should not interrupt the educational process. A child with nits poses little medical risk to others from the infestation.

If live lice are noted on a scholar, the parent/guardian of the child will be notified and asked to pick up their child so that prompt treatment can begin.

- School staff will notify parents/guardians if live lice or nits are identified on their child. If live lice are discovered, parents/guardians will be asked to pick up their child to begin prompt treatment. Information will be provided to the parent/guardian regarding suggested treatments and the need for prompt treatment.
- School staff will send a standard letter containing information about lice and treatment home to parents when 2 or more cases of live lice are identified in a classroom.
- Teachers should educate the children about not sharing personal items like combs, brushes, ribbons/headbands, and hats and avoiding direct head-to-head contact.

Please see the following CDC link for more information about head lice in schools:

<https://www.cdc.gov/parasites/lice/head/schools.html>

Ringworm

Ringworm is a fungal infection that may affect the body, feet, or scalp. Ringworm is contagious while lesions are present until under treatment and are spread by direct person-to-person contact by sharing combs, brushes, towels, clothing, or bedding or indirectly by contact with contaminated surfaces or objects. Ringworm remains contagious as long as the lesions are not treated. Covering skin lesions and seeking medical treatment are essential in preventing the spread of ringworm.

Ringworm - School Responsibility

If school staff suspect a scholar has ringworm, the parent/guardian will be called for immediate pick-up. The scholar's absence for the remainder of the day will be considered excused.

- The school will inform the parent/guardian of the need for medical evaluation and possible treatment.
- The scholar will be isolated until the parent/guardian arrives and affected items are cleaned.
- Upon return to school, documentation from a medical provider must be provided to the school indicating the scholar's clearance to return to class.
- School staff may send a standard letter to parents/guardians containing information about ringworm and treatment when 2 or more cases are identified in a classroom.

3.45 Guidelines for Administration of Medication During School Hours Policy

The goal of this medication policy is to assure system-wide consistency and set clear guidelines for safe and efficient medication administration.

Confidentiality must be maintained when administering medication to scholars at school according to the Family Education Rights and Privacy Act (FERPA) and State Confidentiality Laws.

- The Kestrel Heights Charter School discourages the administration of medication to scholars during the school day when medicine could be taken outside of school hours.
- Pursuant to G.S. 115C-307(c) and 115C-375.1, school employees may administer medication, including over-the-counter medication, when prescribed by a doctor, upon written request of a scholar's parent or guardian, or, pursuant to G.S. 115C-375.2A, in cases of suspected anaphylaxis. Administration of medication during school hours by school personnel is discouraged.
- The parent or legal guardian must complete and sign the Scholar Agreement for Self-Carried Medication and the Request for Medication Administration in School (signed by a physician) for ALL medications given at school whether prescription or over-the-counter (OTC) medications.
- Medication prescribed by a doctor, including over-the-counter medication prescribed by a doctor, that is administered by school personnel during school hours must be accompanied by a doctor's signature certifying that the medication must be dispensed during school hours. Medication prescribed by a doctor should be delivered by the parent or guardian to the school in its original container with the completed "Administration of Medication" form signed by a doctor.
- All over-the-counter, prescription, homeopathic, and supplement medications must be in their original containers with unexpired dates and labeled in English. Prescription medications must be clearly labeled with the physician's name, medication's name, strength, dosage, date, time for administration, and dispensing pharmacy. The Parent/Guardian must provide over-the-counter medications to the school. We do not provide OTC medications to dispense.
- If your scholar has a life-threatening condition (i.e. asthma, diabetes, or life-threatening allergy), permission may be granted to carry the medication (such as an inhaler, glucose tablet, epinephrine injector, or internal Insulin pump) on his or her person from the Scholar Agreement for Self-Carried Medication form.
- Parents may come to the school and give medication to their children at appropriate times.
- Medication shall be dispensed from a central location designated by the director of each school. It is the responsibility of the director or designee to see that the medications are kept locked in a central secure location (except for medications requiring refrigeration), designate two or more persons for the administration and security of medications, and designate staff to maintain proper documentation of the time and dosage of medications given on a form developed by Kestrel Heights Charter School. The completed medication form should be maintained through the end of the school year.
- No teacher, assistant teacher, or volunteer shall administer any prescription medication within the classroom setting except in the case of self-contained exceptional children's classrooms where it would be inappropriate to send scholars to the office or in individual cases in regular classrooms where the director and the teacher agree that a specific scholar would be better served by classroom administration of medication. In cases where classroom administration is approved, there shall be a locked storage facility within the classroom and appropriate record-keeping shall be maintained.

- If a scholar uses the medication in a manner other than as intended or prescribed or shares the medication with other scholars, the school may impose on the scholar disciplinary action according to the discipline policy, but may not limit or restrict the scholar's immediate access to prescription medication.
- The storage of self-administered medications is determined by the director based on the nature of the medication, age of the scholar, and the scholar's ability to maintain safe use, including the scholar's keeping the medication on their person.
- In cases where scholars self-administer medication during the school day, the Kestrel Heights Charter School Board will assume no liability.
- At the end of the school year, or if medication is discontinued, any medication not picked up by the parent or guardian within 2 weeks will be destroyed.
- A confidential prescription medication log shall be maintained for each child receiving medication.
- Directors shall provide staff development on the importance of administering medications in a manner to ensure the privacy of the scholar to the extent possible.
- Directors shall develop procedures to ensure that parents and scholars are informed of this policy at the beginning of each year.
- School personnel designated to administer medications during school hours may be trained by the registered nurse.
- The school-level director will ensure there is a clear process to administer medication that has been approved by the Kestrel Height Policy as stated above.

3.48 Scholar Safety

- It is the policy of the Kestrel Heights Charter School to promote the safety of all scholars, staff, and visitors in its schools.
- The safety of scholars, employees, and the public is paramount in all KHS operations.
- Unsafe conditions noticed by an employee will be immediately corrected and/or reported to the KHS administration.
- Safety will not be sacrificed in the interests of time or money.
- All safety laws or ordinances will be complied with as quickly as possible.
- All KHS employees are responsible for safety.
- This policy will be properly distributed to school community members and posted in buildings that are used by KHS.

Restraint, Seclusion, or Isolation

In the event that a scholar becomes disruptive, assaultive, and/or out of control to the point of hurting themselves or anyone else, KHS staff can intervene. In such situations, KHS staff will work to de-escalate the situation which, at times, may require a nonviolent physical restraint (as described in House Bill #1032), while maintaining the care, welfare, safety, and security of everyone involved. School personnel may, in compliance with G.S. 115C-391.1 and state and local policies and procedures, employ reasonable restraint, seclusion, or isolation techniques with scholars.

The Executive Director or designee shall make this policy and G.S. 115C-391.1 available to school personnel and parents/guardians at the beginning of each school year and shall notify parents of any prohibited use of seclusion, restraint, or aversive techniques and shall provide a written incident report within 30 days of any such incident as required by G.S. 115C-391.1 and applicable policies and procedures. The Executive Director or designee shall annually provide a record of reported incidents to the State Board of Education.

Any report or allegation regarding prohibited use of seclusion, restraint, isolation, or aversive techniques shall be governed by the Whistleblower policy

Creation of Hostile Environment

Recording or Sharing videos of fights/altercations, making threats via any internet sites or social media platforms, texting, phone messages, or anything else in this context that creates hostility at school is not acceptable. Scholars who participate in these actions will face consequences. These consequences could include but are not limited to, detention, removal of the web page, ISS (In-School Suspension), OSS (Out of School Suspension), or exclusion from the school.

Access to Buildings

It is the policy of the Kestrel Heights School Board of Directors to protect the learning environment of the school for all scholars, staff, and parents. To that end, the KHS Board of Directors reserves the right to restrict access to KHS faculty and buildings by any person, parent or otherwise, whose behavior we believe imposes a negative impact on the learning environment of the school.

Trespassing

The Executive Director shall have the authority to take reasonable measures to maintain a safe and positive learning environment for scholars and staff. The Executive Director is specifically authorized to invoke state trespassing laws to maintain safety and order in the school. For purposes of this policy statement, "school grounds" shall include the school parking lot, auditorium, gymnasium, athletic fields, buildings, and school buses.

3.51 School Safety Policy

Kestrel Heights School has procedures in place outlining the actions and responsibilities of staff and administration in addressing the following issues:

- Evacuation
 - Fire Evacuation
 - Non-Fire Evacuation
 - Hazardous Materials Evacuation
- Lockdown
 - Perimeter Lockdown
 - Full Lockdown
- Serious medical emergency
- Severe weather (tornado, hurricane, etc.)
- Public health emergency
- Scholar in crisis

It is the responsibility of the Executive Director to ensure the procedures are current and applicable and that all applicable parties are aware of the procedures. The Executive Director is also responsible for making sure that drills occur regularly.

These procedures will be reviewed annually by the administration and the safety committee and submitted to the Board of Directors for discussion. If there are any changes or revisions that must be made between annual reviews, it is the responsibility of the Executive Director to immediately notify the staff and provide written notification to the Kestrel Heights Charter School Board of Directors.

For additional information regarding any of these procedures, interested parties may contact the school administration.

3.52 Safety Threat Policy

Unfortunately, many American public schools have recently become the site for violent acts committed by youth against scholars, teachers, and property. One common denominator that is becoming evident with these tragic incidents is the inability of school personnel or other adults in charge to understand and deal with scholar perpetrators' needs or problems. At KHS, we are working hard to understand our scholars'

needs and teach them what it means to be responsible citizens. We also strive to help our scholars create a sense of community—respect for themselves, others, and their environment.

The following procedures will be followed in the event that Kestrel Heights School is involved in a safety threat as defined as the discharge/threat of a weapon, fire, detonation of an explosive, fire, or any other event that could result in serious injury or damage to person or property.

Bomb Threat

- The Executive Director or designee will be immediately notified, who in turn will call 911.
- If the Director cannot be located, the person who knows of a bomb threat (or the impending occurrence) will call 911.
- Scholars will be instructed to not touch any “foreign” object(s), such as a box, briefcase, etc.
- No scholar will enter the hallways from the classrooms.
- All teachers will bring their roll books with them and check that their scholars are present.
- Teachers will remain outside until given an “all clear” signal from the Executive Director.

Fire Threat

- The Director will be immediately notified, who in turn will call 911.
- If the Director cannot be located, the person who knows of a fire (or the impending occurrence) will call 911.
- No scholar will enter the hallways from the classrooms.
- Teachers/staff not supervising scholars at the time of the incident will perform the role of building sweepers. These staff members will sweep the building.
- All teachers will bring their roll books with them and check that their scholars are present.
- Teachers will remain outside until given an “all clear” signal from the Director.
- Each year the Durham Fire Department performs a fire prevention readiness inspection at the school.

Weapon Threat

- Teachers will gather their scholars in a classroom, lock the door(s), and close any window blinds.
- Scholars will be positioned against the wall to the side of the door to minimize being targeted.
- Teachers should call the Director and/or 911, and stay on the line.
- Teachers will remain in their classrooms until given an “all clear” signal from the Director.

3.53 Suicide Prevention

Protecting the health and well-being of all scholars is of utmost importance to Kestrel Heights School. Scholars will learn about recognizing and responding to warning signs of suicide in friends, using coping skills and support systems, and seeking help for themselves and friends. The encouragement of help-seeking behavior will be promoted at all levels of the school leadership and stakeholders.

Kestrel Heights School employs a school counselor on each campus, who may serve as a point of contact for scholars in crisis and refer scholars to appropriate resources. When a scholar is identified as being at-risk, a school staff member will work with the scholar and help connect the scholar to appropriate local resources

Scholars will have access to national resources that they can contact for additional support, such as:

- National Suicide Prevention Lifeline: 1-800-273-TALK (8255) suicidepreventionlifeline.org
- The Trevor Lifeline: 1-866-488-7386 thetrevorproject.org/get-help-now
- Trevor Lifeline Text/Chat Services, available 24/7 Text “TREVOR” to 678-678
- Crisis Text Line: Text TALK to 741-741 crisistextline.org

All school personnel and scholars will be expected to help create a school culture of respect and support, in which scholars feel comfortable seeking help for themselves or friends. Scholars are encouraged to tell any staff member if they or a friend are feeling suicidal, or need help. While confidentiality and privacy are

important, scholars should know that when there is a risk of suicide, safety comes first. For more information about suicide prevention and Kestrel's plan for addressing suicide risk, please see the Suicidal Ideation or Self-Harm Crisis Plan.

3.54 Scholar Discipline

Directors and Executive Director

The director and Executive Director shall have the authority to exercise discipline over the pupils of the school. The director may suspend a scholar for 10 days or less or recommend long-term suspension or expulsion of a scholar.

A director may choose to delegate to an individual or group the authority to make or review disciplinary decisions, but the final responsibility for making or recommending those decisions shall rest with the director.

Teachers and Staff

According to Legal Reference: G.S.115C-307(a), teachers and staff have a responsibility to maintain order and discipline. "It shall be the duty of all teachers, including student teachers, substitute teachers, voluntary teachers, and teacher assistants when given authority over some part of the school program by the director or supervising teacher, to maintain good order and discipline in their respective schools."

A teacher may not suspend a scholar from school nor may he/she permanently remove a child from a classroom. A teacher should report serious misconduct to the director or designee for appropriate disciplinary action.

Responsibility for each pupil's conduct should be assumed by all teachers and staff of the school. Teachers and staff are obligated to accept this responsibility wherever they are in the classroom, halls, restrooms, and gym, on the school grounds, or at school-sponsored events.

School Staff Responsibility for Discipline

All staff members should assume their responsibility as adults to help maintain good order in the school.

Executive Director

The Executive Director is authorized to establish regulations for scholar control and discipline as necessary to implement and promote good discipline.

3.57 Code of Scholar Conduct and Disciplinary Procedures

All scholars shall comply with the Code of Scholar Conduct while on educational property, which includes any school building or bus, school campus, grounds, recreational area, athletic field, or other property under the control of the Kestrel Heights School board. Scholars may also be disciplined for conduct that occurs off educational property that violates this Code of Conduct if the conduct has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment. The discipline policies at KHS support the instructional program by enforcing the Code of Conduct and school policies.

The Code of Conduct is based on our school-wide SOAR expectations: Safety, Ownership, Attitude, and Respect. The discipline policies at KHS support the instructional program by enforcing the Code of Conduct and school policies. Policies are constructed that:

- Provide a safe environment where scholars can learn and teachers can teach
- Allow teachers some classroom management flexibility within their classrooms
- Provide scholars with choices and corresponding consequences that are fair and implemented consistently

Each teacher has a classroom management plan that they share with scholars and parents/guardians at the beginning of the year. This plan includes a method for documentation of incidents, a log of parent phone calls or contacts, and a mechanism for scholar reflection on the misbehavior. If a scholar's misbehavior cannot be managed by a teacher's plan, then the scholar is referred to an administrator.

Applicability of Code

All scholars shall comply with the Code of Scholar Conduct while on educational property, which includes any school building or bus, school campus, grounds, recreational area, athletic field, or other property under the control of the Kestrel Heights School board. Scholars may also be disciplined for conduct that occurs off educational property that violates this Code of Conduct if the conduct has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment.

Definitions

- *Day or Days*: school days excluding teacher workdays, holidays, vacations days, and weekends
- *Destructive Device*: an explosive, incendiary, or poison gas:
 - 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
 - Mine
 - A device similar to any of the devices listed
- *Expulsion*: permanent exclusion of a scholar from registering, enrolling, or attending any Kestrel Heights school. This exclusion also includes riding in a school-owned or operated vehicle and prohibits the scholar from participating in school activities or entering any school property.
- *Firearm*: any of the following:
 - A 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 such weapon. Any firearm muffler or firearm silencer
 - The term "firearm" does not include an inoperable antique firearm, BB gun, stun gun, air rifle, or air pistol
- *Long-Term Suspension*: exclusion from the school to which the scholar was assigned at the time of the disciplinary action and from participation in school activities or events for a period over ten days but not to exceed the remainder of the school year, except if the offense leading to the long-term suspension occurs in the final quarter of the school year, the exclusion may extend to the end of the first semester of the following school year.
- *Parent*: includes the natural parent, legal guardian, legal custodian, or another caregiver adult who is acting in the place of a parent and is entitled under state law to enroll the scholar in school
- *Director*: includes the director and the director's designee
- *School Personnel*: includes the following:
 - Any Board employee
 - Any person working on school grounds or at a school function under a contract or written agreement with the school system to provide educational or related services to scholars
 - Any person working on school grounds or at a school function for another agency providing educational or related services to scholars
- *Short-term suspension*: exclusion from school and participation in school activities or events for up to ten days
- *Reports to Law Enforcement*:
 - When a director has personal knowledge or actual notice from school personnel that an act has occurred on school property involving assault resulting in serious personal injury, sexual assault, sexual offense, rape, kidnappings, indecent liberties with a minor, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a weapon in violation of the law, possession of a controlled substance in violation of

- the law, assault on a school employee, robbery, armed robbery, homicide, manslaughter, or death by vehicle, the director shall report the act to the appropriate local law enforcement agency, notify parents/guardians of any alleged scholar victim of a violent crime and notify the Executive Director or designee
- o Notification must occur in writing or by electronic mail by the end of the workday in which the incident occurred, when reasonably possible, but no later than the end of the following workday. The Executive Director must also provide the information to the school board
 - o The director may notify law enforcement of any other potential criminal conduct or incident which may jeopardize the safety, security, or well-being of the school environment

Consequences and Behavioral Interventions

Violation of Board policies, the Code of Scholar Conduct, regulations issued by the individual school or an individual teacher, or North Carolina law may result in disciplinary action. Directors shall inform scholars at the beginning of each school year of the contents of this policy and any school rules that may result in discipline. Most disciplinary consequences can occur with the scholar remaining in an educational environment. In-school disciplinary consequences available to directors may include, for example, behavior contracts, peer mediation, in-school suspension, conflict resolution, detention, restitution, loss of privileges, and school or community service. When, in the judgment of the school director, a scholar's behavior warrants an out-of-school suspension, the director may impose a short-term suspension or, for more serious violations of the Code of Conduct, may recommend a long-term suspension, a 365-day suspension, or expulsion. Suspensions of greater than ten days are reserved for serious misconduct that either threatens the safety of others within the school or threatens to substantially disrupt the educational environment.

Short Term Suspension

When, in the judgment of the school director, a scholar's behavior warrants an out-of-school suspension. Only the director or assistant director may impose a short-term suspension; a short term will be given without the approval of the Executive Director.

Scholars who are suspended from school will receive a letter informing them of the reasons they are suspended and when they can return to school.

Long Term Suspension

Suspensions of greater than ten days are reserved for serious misconduct that either threatens the safety of others within the school or threatens to substantially disrupt the educational environment.

Scholars who are suspended from school will receive a letter informing them of the reasons they are suspended and when they can return to school. In some cases of long-term suspensions, there may be special requirements that a scholar must meet before returning to school.

No scholar shall be long-term suspended without the approval of the Executive Director. Directors will recommend a long-term suspension to the Executive Director and he/she will make the final decision.

Exclusion (Dismissal)

Any scholar can be excluded from attending KHS due to consistent and/or significant violations of the code of conduct. The exclusion process is different from expulsion and can be implemented for any scholar at Kestrel.

Scholars who consistently break the code of conduct impact the culture and learning environment of the school. As a result, they can and will be excluded from the school if they are not able to comply with the rules and regulations of the school.

Exclusion from school is a serious matter and the school will take the necessary steps to try to prevent a scholar from being excluded. However, for scholars with consistent Level I and II violations the school shall implement the following process to exclude a scholar from KHS:

- A scholar Review Board Meeting (SRB) is conducted to determine if Exclusion is the best option. To recommend exclusion the following criteria must be met before and during the SRB:
 - Prior- At least one (1) face to face parent conference will have occurred (meeting minutes and follow up email must be provided for documentation)
 - Prior- An intervention plan has been put into place and that plan must have had at least 20 school days of implementation (Documentation required)
 - Prior- A modification to that plan must occur after the 20 day period. The second or modified intervention must be put into place for 20 school days
 - During- Scholar Review Board meeting is held
 - 2 teachers who work directly with the scholar
 - 2 teachers who do not work directly with the scholar
 - The parents/guardians and scholar have an opportunity to discuss why they want to stay at KHS and what they will be willing to do to remain at the school (the school shall make two attempts to invite the parent but if the parents choose not to attend or do not respond to the school invitations the meeting can continue)
 - All four members must unanimously vote to exclude the scholar
 - Make a formal recommendation to Executive Director to exclude the scholar
- Conduct a formal Exclusion Recommendation Meeting
 - The parent presents their case for remaining (if the parent chooses not to attend the meeting, the school will proceed with the recommendation)
 - The director provides the recommendation for exclusion based on the SRB
 - Teachers who served on the SRB are welcome to attend but are not required
 - Executive Director oversees the process and makes the final decision
 - Parents will be informed in writing that their child will be excluded from KHS and they will immediately lose their placement at the school

Scholars who violate Level III or IV offenses or create a significant disruption to the academic environment and/or safety of the school can be excluded without going through the Scholar Review Board process. In these special cases, only the Executive Director has the authority to exclude a scholar.

A parent can appeal the decision of exclusion to the KHS Board of Directors following the grievance process.

§ 115C-218.60. Scholar discipline. The school is subject to and shall comply with Article 27 of Chapter 115C of the General Statutes, except that a charter school may also exclude a scholar from the charter school and return that scholar to another school in the local school administrative unit in accordance with the terms of its charter after due process. (1995 (Reg. Sess., 1996), c. 731, s. 2; 1997-430, s. 5; 1997-443, s. 8.19; 1997-456, s. 55.4; 1998-212, s. 9.14A(a); 1999-243, s. 8; 2001-462, s. 1; 2004-118, s. 3; 2004-203, s. 45(b); 2006-69, s. 3(e); 2006-137, s. 2; 2007-59, s. 2; 2007-126, s. 2; 2007-323, s. 28.22A(o); 2007-345, s. 12; 2009-239, s. 1; 2009-563, s. 2; 2010-10, s. 2(a); 2011-93, s. 2(a); 2011-145, s. 7.29(b); 2011-164, s. 4; 2011-282, s. 9; 2012-142, ss. 7A.1(f), 7A.3(c), 7A.11(b); 2012-145, s. 2.5; 2012-179, s. 1(c); 2013-307, s. 1.1; 2013-355, s. 1(f); 2013- 359, s. 1; 2013-360, ss. 8.43(a), 9.7(q); 2014-101, s. 7.)

Aggravating or Mitigating Circumstances

In determining the appropriate consequence for a violation of this Code, directors shall consider all aggravating or mitigating circumstances they deem relevant. Examples of aggravating or mitigating circumstances that may be considered include but are not limited to:

- The scholar's age

- The scholar's intent
- The scholar's disciplinary history
 - including the number of infractions and prior discipline for the same violation
- The scholar's academic history
- Whether the conduct caused a threat to school safety
- Whether school property or personal property was damaged
- Whether the conduct caused a substantial disruption of the educational environment
- Whether a weapon was involved and whether any injury resulted

Violations of Academic Integrity

Kestrel Heights scholars are expected to conduct themselves in a considerate and responsible manner. They are expected to respect the feelings and rights of others and to be trustworthy and reliable.

Two common kinds of academic dishonesty are cheating and plagiarism. Scholars who aid their peers in cheating or plagiarism are equally culpable as scholars who commit acts of cheating or plagiarism.

Cheating is the act of attempting to get credit for academic work by dishonest means. For example, if you copy from someone else's test or use notes or electronic equipment during a test, unless the teacher has given his/her permission.

Plagiarism is presenting the work or ideas of others as your own. For example, if you use the ideas, words, sentences, paragraphs, or parts of another person's writings, without giving appropriate credit, and represent the work as your own; or if you copy and turn in a paper from the Internet.

Scholar Code of Conduct

The Scholar Code of Conduct is leveled, indicating the severity of the violation and the type of consequence. The director shall inform scholars of local school rules that, if broken, may result in suspension from school.

Level I

Level I rule violations should *generally* result in in-school interventions in lieu of out-of-school suspensions. In cases where a scholar refuses to participate in the in-school interventions, engages in persistent violations of a Level I rule, or other aggravating factors are present, the building Director may impose a short-term suspension. Consistent level I violation could result in a scholar being excluded from the school.

Level I violations may result in in-school discipline or possible short-term suspension with aggravating factors. Level I violations include:

- *Cursing; vulgar, profane, or obscene language*: Cursing or use of vulgar, profane, or obscene language is prohibited.
- *Attendance policy violations*: Scholars shall attend school regularly. Scholars shall be considered truant and subject to discipline whenever they are absent from class or school without a valid excuse.
- *Cheating*: Cheating includes the actual giving or receiving of any unauthorized aid or assistance or the actual giving or receiving of unfair advantage on any form of academic work.
- *Plagiarism*: Plagiarism includes the copying of the language, structure, idea, and/or thought of another and representing it as one's original work.
- *Physical aggression*: No scholar may intentionally shove, trip, scratch, block the passage of, or throw objects at a scholar or other person. No scholar shall take any action or make any comments or written messages intended to cause others to fight or which might reasonably be expected to result in a fight.
- *Falsification*: Falsification includes the verbal or written statement of any untruth.

- *Noncompliance with directions:* Scholars shall comply with all reasonable directions of directors, teachers, substitute teachers, student teachers, teacher assistants, bus drivers, and all other school personnel who are authorized to give such directions.
- *Disrespect of other scholars:* Scholars shall not mistreat fellow scholars or act in a way that interferes with the ability of other scholars to learn in a peaceful and safe environment.
- *Disruptive behavior:* A scholar may not use any means to interrupt or interfere with teaching or orderly conduct of school activities.
- *Electronic device violations:* Except as permitted by this policy, no scholar shall use, display, transmit or have in the “on” position on school property any wireless communication device or personal entertainment device, including but not necessarily limited to, cell phones, pagers, two-way radios, CD/ MP3 players, and electronic games or similar devices until after the conclusion of the instructional day. Laser pointers are prohibited.
 - o If any school employee asks a scholar to put his or her personal technology device away at any time, the scholar must comply.
 - o School directors may authorize individual scholars to possess and/or use for personal purposes wireless communication devices if, in the opinion of the director, there is a reasonable need for such communication.
 - o Any device possessed or used in violation of this policy shall be confiscated and only returned to the scholar’s parents/guardian. Penalties for violation of this policy are set at the discretion of the director.
- *Scholar dress code violations:* The primary goal of the Kestrel Heights School is to provide a safe learning environment where all scholars can achieve their highest potential. The personal appearance of every scholar is an important component of establishing a safe environment for optimal learning and respect for one another. Scholars are expected to adhere to standards of dress and appearance that are compatible with an effective learning environment. Please reference the Scholar Handbook for an up-to-date and detailed dress code policy.
- *Gambling:* Scholars shall not participate in any unauthorized games of chance in which money or other items of value may be won or lost.
- *Disruptive or indecent images:* The possession or distribution of images, literature, or illustrations that are vulgar, indecent, or obscene or that significantly disrupt the educational process is prohibited.
- *Use of tobacco products:* Scholars shall not possess, smoke, or use tobacco products at school, on a school bus, at any school-related activity, or on school grounds at any time.
- *Misconduct on a school vehicle:* While riding a school bus or other school vehicle, scholars shall observe the directives of the school bus driver. The following conduct is specifically prohibited:
 - o Delaying the bus
 - o Refusing to obey the driver's instructions
 - o Tampering with or willfully damaging the school vehicle
 - o Failing to observe established safety rules and regulations
 - o Willfully trespassing upon a school bus
 - o Violating any other rule of the Code of Scholar Conduct policy while on the school bus or other school vehicle
 - o Violations of this rule may result in not being allowed to ride in Kestrel Heights School vehicles in addition to other disciplinary consequences available under this policy.

Level II

Level II rule violations involve more serious misconduct that may warrant short-term suspension. Directors may recommend a long-term suspension based upon the presence of aggravating factors. Directors may involve law enforcement based on aggravating factors. Any long-term suspension recommendation is subject to the appeal procedure. Consistent level II violation can result in a scholar being excluded from the school.

Level II violations may result in short-term suspension, possible long-term suspension with aggravating factors, or possible in-school disciplinary consequences with mitigating factors. Level II violations include:

- *Verbal abuse*: Scholars may not direct cursing, vulgar, or abusive language toward any school employee.
- *Threat/false threat*: No scholar shall make any threat through written or verbal language or act which conveys a serious expression of intent to cause harm or violence. Furthermore, no scholar shall make a false threat of harm or violence, even in jest, which causes or is reasonably likely to cause fear or disruption to school activities.
- *Bullying and harassment*: No scholar shall engage in any conduct prohibited by Board Policy pertaining to Bullying and Harassment.
- *Sexual harassment*: No scholar shall engage in any conduct prohibited by Board Policy pertaining to Sexual Harassment.
- *Fighting/physical aggression*: No scholar may intentionally hit, bite, or throw and hit objects at a scholar or other person.
 - A scholar who is attacked may use reasonable force in self-defense, but only to the extent necessary to get free from the attack and notify proper school authorities. A scholar who exceeds reasonable force may be disciplined even though someone else provoked the fight.
- *Hazing*: No group or individual shall require a scholar to wear abnormal dress, play abusive or ridiculous tricks on him/her, frighten, scold, swear, harass or subject him/her to personal indignity.
- *Theft or damage to property*: No scholar may steal or attempt to steal or knowingly be in possession of stolen property or intentionally damage or attempt to damage any school property or private property while under school jurisdiction.
- *Arson*: Starting a fire or attempting to start a fire on school property is prohibited unless specifically authorized by school officials.
- *False fire alarms*: No scholar shall set off, attempt to set off, or aid and abet anyone in setting off a fire alarm at school.
- *Trespassing*: No scholar may be on the campus during the school day without the knowledge and consent of the officials of the school she/he is visiting. Scholars who remain after school or come on any school campus after the school day or while school is closed without permission will be considered trespassers.
 - Any scholar who has been suspended from school shall be considered trespassing if she/he appears on any school property during the suspension period without the express permission of the director.
- *School transportation disturbance*: Any physical or verbal disturbance which occurs on a school vehicle and which interrupts or interferes with the safe and orderly operation of the vehicle is prohibited. Violations of this rule may result in not being allowed to ride in Kestrel Heights School vehicles in addition to other disciplinary consequences available under this policy
- *Misuse of technology*: Individual users of school-provided Internet service and technology devices (on school property and/or through NCVPS) or users of personal technology devices on school property. In addition to the provisions of that policy, the following are specifically prohibited:
 - Sending or displaying offensive, vulgar, crude, or threatening messages or pictures
 - Using obscene language
 - Harassing, insulting, or attacking others
 - Damaging computers, computer systems, software, or computer networks
 - Violating copyright laws
 - Using another's ID/password
 - Illegal use of data in folders or work files
 - Intentionally wasting limited resources. This includes distributing mass e-mail messages, creating and participating in unauthorized newsgroups, and storing files on file servers without proper authorization. Employing the network for commercial purposes
 - In the event a scholar engages in any of the above-referenced activities, his/her access privileges may be revoked and other disciplinary measures may result. Users who engage in criminal activity using district-owned computer resources or accessing the school network or the Internet on school property are subject to applicable state and federal criminal laws.

Level III

Level III rule violations are more severe in nature and support long-term suspension. The building Director may impose a short-term suspension based on mitigating factors.

Level III violations may result in long-term suspension or possible short-term suspension with mitigating factors. Level III include:

- *Assault on school personnel*: No scholar may cause or attempt to cause physical injury to any school employee.
- *Assault on another scholar*: No scholar may cause or attempt to cause serious physical injury to another scholar.
- *Coercion or extortion*: No scholar may use force or violence or threat of force or violence to obtain money, property, or personal services from another scholar.
- *Weapons and dangerous instruments*: No scholar shall possess, handle, or transmit any weapon or dangerous instrument at school or school events. No scholar shall possess, handle, or transmit any weapon or dangerous instrument at any other time when such conduct has a direct impact on school order or safety.
 - Examples of weapons include, but are not limited to, any loaded or unloaded firearm, including a gun, pistol, or rifle; knives of any kind regardless of size; fireworks; BB guns or air guns; pepper spray; electric shock devices; box cutters or any sharp-pointed or edged instrument except unaltered nail files and clips or tools used solely in instruction. Facsimiles of a gun or other weapon also are prohibited. This policy also shall apply to any item that is used or possessed in the same manner as a weapon. Gunpowder and ammunition for firearms are weapons for the purposes of this policy.
 - Refer to Level IV for violations involving firearms or destructive devices.
 - A scholar who in any way encourages another scholar to bring weapons to school also endangers the safety of others. No scholar shall knowingly or willfully cause, encourage, or aid any other scholar to possess, handle, or transmit any of the weapons or facsimiles of weapons listed above.
- *Bomb threats*: No scholar shall make or aid and abet anyone in making a false report concerning the existence of a bomb or any other dangerous object on school premises or at the site of school activities. No scholar shall with the intent to perpetrate a hoax conceal, place or display on school property or the site of school activities any device or artifact to cause any person reasonably to believe the same to be a bomb or other destructive device.
- *Controlled substances and drug paraphernalia*: No scholar shall possess, use, transmit, conspire to transmit, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroids or any other controlled substance, or any alcoholic beverage, malt beverage, or fortified wine or other intoxicating liquor, or possess, use or transmit drug paraphernalia or counterfeit drug, or inhale or ingest any chemicals or products to bring about a state of exhilaration or euphoria or of otherwise altering the scholar's mood or behavior.
 - No scholar shall be at school with the odor of alcohol or illicit drugs on or about their person
 - The proper use of a drug authorized by a valid medical prescription from a legally authorized health care provider shall not be considered a violation of this rule when the drug is taken by the person for whom the drug was prescribed and in the manner in which the drug was prescribed.
- *Threats, hoaxes, and other acts of terror*: No scholar shall make a report that he or she knows or should know is false, that any device, substance, or material designed to cause harmful or life-threatening illness or injury to another person, is located on school property or at the site of a school activity.
 - No scholar shall, with the intent to perpetrate a hoax, conceal, place, disseminate, or display on school property or at the site of a school activity any device, machine, instrument, artifact, letter, package, material, or substance, to cause a reasonable person

- to believe the same to be a substance or material capable of causing harmful or life-threatening illness or injury to another person.
 - o No scholar shall threaten to commit an act of terror on school property or at the site of a school activity that is designed to cause or is likely to cause, serious injury or death to another person when the threat is intended to cause, or actually causes, significant disruption to the instructional day or a school-sponsored activity.
 - o No scholar shall make a report that he or she knows or should know is false, that an act of terror designed to cause, or likely to cause, serious injury or death to another person on school property or at the site of a school-sponsored activity is imminent when that report is intended to cause, or actually cause, significant disruption to the instructional day or a school-sponsored activity.
 - o No scholar shall aid, abet, and/or conspire to commit any of the acts described in this section.
- *Gangs and gang activities:* Kestrel Heights School believes that gangs and gang-related activities pose a serious safety threat to scholars and staff members of Kestrel Heights School. Even absent acts of violence, gang-related activities disrupt the educational environment and increase the risks of future violence. In light of these serious concerns, the school will not tolerate any gang-related activities as outlined in this policy.
 - o No scholar shall commit any act which furthers gangs or gang-related activities. A gang is any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts and having a common name or common identifying sign, colors, or symbols. As used herein, the phrase “gang-related” shall mean any conduct engaged in by a scholar (1) on behalf of an identified gang, (2) to perpetuate the existence of any identified gang, or (3) to affect the common purpose and design of any identified gang. Conduct prohibited by this policy includes:
 - Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs, or other items with the intent to convey or promote membership or affiliation in any gang;
 - Communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.), with the intent to convey or promote membership or affiliation in a gang;
 - Tagging, or otherwise defacing school or personal property with symbols or slogans intended to convey or promote membership or affiliation in any gang;
 - Requiring payment of protection, insurance, or otherwise intimidating or threatening any person related to gang activity;
 - Inciting other scholars to intimidate or to act with physical violence upon any other person related to gang activity;
- The Executive Director or his/her designee may consult with law enforcement officials to maintain current examples of gang-related activities, including but not limited to gang names and particularized examples of potential gang indicators including symbols, hand signals, graffiti, clothing/accessories, and behaviors.
- This policy shall be applied in a non-discriminatory manner based on the objective characteristics of the scholar’s conduct in light of the surrounding circumstances.
- Before being suspended for a first offense of wearing gang-related attire, a scholar will receive an individualized warning and will be allowed to immediately change or remove the attire that violates this policy. Unless the scholar has been specifically notified of a prohibited item of attire, a scholar will receive this warning the first time he or she is observed wearing a particular item in violation of this policy.
- In a situation where a scholar has violated this policy or is otherwise suspected of gang affiliation through other circumstantial evidence, the director shall conduct an intervention involving the director/assistant director, the scholar, and the scholar’s parent or legal guardian. The purpose of such intervention is to discuss the school’s observations and concerns and to offer the scholar and the parents information and an opportunity to ask questions or provide other information.

Level IV

Level IV rule violations compromise the safety and welfare of scholars and staff and require a suspension of a specific length under the North Carolina General Statutes and if necessary, law enforcement officials.

Level IV violations include:

- *Firearms/destructive devices:* No scholar shall bring onto school property or possess a firearm or destructive device. A firearm is 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 such weapon, or any firearm muffler or firearm silencer. The definition of a firearm under this rule does not include an inoperable antique firearm, a BB gun, stun gun, air rifle, or air pistol.
- A destructive device is an explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device.
- A scholar shall not be found in violation of this policy if it is determined that the scholar took or received the firearm or destructive device from another person at school or found the firearm or destructive device at school, provided that the scholar delivered or reported the firearm or destructive device as soon as practicable to a law enforcement officer or a school employee and had no intent to use such firearm or destructive device in a harmful or threatening way.
- Violation of this rule will result in a recommendation for a 365-day suspension.

Level V

Level V allows for the expulsion of a scholar, as provided by state statute, for a violation of the Code of Conduct, if the scholar is fourteen (14) years of age or older and the scholar's behavior indicates that his/her continued presence in school constitutes a clear threat to the safety of other scholars or employees. Additionally, any scholar who is a registered sex offender under N.C. General Statutes 14-208 may be expelled consistent with state law.

3.60 Scholar Review Board Process

At Kestrel Heights we believe that teachers, counselors, administrators, parents, and scholars are all invested in the total development of the child. As a result, KHS has a unique process that allows all key stakeholders a voice in making major decisions about scholars. We feel that those who work most closely with the scholar have a better understanding of the needs of the scholar and as a result, we have empowered those individuals to lead the process. The following section details the Scholar Review Board (SRB) process.

Any staff member may call for a scholar review board hearing. The SRB will consist of two (2) teachers who work directly with the scholar and two (2) teachers who do not work with the scholars. The counselor and an EC teacher are highly recommended to be in attendance but are not required. The school director will be in attendance but they are only there to facilitate the process, help with interventions and suggestions, inform the group of written policies and laws, and provide feedback on the availability of resources (human and capital).

The parent and scholars are encouraged to attend so that they can be an active part of the process. The SRB can meet without the parent if two (2) documented attempts were made to invite the parental unit or if the parent elects not to attend.

The SRB is empowered to make a wide range of suggestions as it pertains to the scholar. The parent can follow the grievance policy if they disagree with the decision of the SRB. Since the director is a non-voting member of the SRB, the first step of the grievance would be to the director. Please note that the SRB cannot out of school suspend a scholar, only the director or assistant director can suspend a scholar from school. The SRB can make the recommendation to the director for an out-of-school suspension.

Exclusion:

In rare cases, the SRB may recommend Exclusion from the school if they meet the criteria established in the Exclusion Policy.

Please note that the Executive Director will make the final decision as it pertains to exclusion; the SRB will only make the recommendation to the Executive Director. Parents can appeal the decision of exclusion by following the grievance procedure at the board level since the Executive Director determined the exclusion.

3.63 Grievance Procedure for Parents and Scholars

The intent of this policy is to secure, at the lowest possible level, equitable solutions to problems affecting parents and scholars. These grievance proceedings shall be kept as informal and confidential as possible at all levels of the procedure.

A parents and scholars grievance is defined as the formal written claim by a Kestrel Heights School parent or scholar that there has been a violation, misinterpretation, or misapplication of federal or state law or regulation, or Kestrel Heights School policies.

It is desirable for grievances to be resolved through free and informal communications. A parent and scholar should first attempt to resolve any grievance through discussion with the employee. If a grievance cannot be resolved at this level, the aggrieved parent or scholar may request a grievance conference with the supervisor.

Failure of an employee to comply with the timelines listed below will result in denial of the grievance or appeal. The Board prohibits retaliation against a parent or scholar who files a grievance under this policy. Failure of the school administration to comply with these timelines will result in the automatic right of appeal to the next level.

Step I - Supervisor Conference

A parent or scholar wishing to invoke the grievance procedure shall make a written request for a conference with the supervisor. The request shall describe the grievance and name the specific policy, rule, or law in question. The following additional guidelines shall be observed in Step I:

1. A grievance shall be filed as soon as possible but not longer than thirty (30) calendar days after disclosure of the facts giving rise to the grievance
2. The supervisor shall grant the conference within five (5) workdays following receipt of the request. The supervisor will state in writing his/her position on the question to the parent or scholar within five (5) workdays following the conference
3. The supervisor conference should involve the employee and the parent and/or scholar only unless they both agree to include other participants

Step II - Appeal to the Executive Director

If the grievance is not resolved at Step I, the parent or scholar may appeal the supervisor's decision in writing to the Executive Director.

1. The appeal must be made within five (5) workdays following receipt of the supervisor's written response (see guideline 2 of Step I above)
2. The Executive Director or designee shall review the grievance and conduct an informal hearing within ten (10) workdays following receipt of the appeal
3. A written response shall be made to the parent and/or scholar and the supervisor from the Executive Director or designee within five (5) workdays following the review
4. The aggrieved party may appeal the Executive Director's decision to the Board of Directors. The appeal must be made within five (5) workdays following receipt of the Executive Director's response.

Step III - Appeal to the Board of Directors

A panel of the Board consisting of three (3) members shall hear the grievance. Any appeal to the Board panel shall be on the record unless the panel determines that additional information may be presented. At the appeal hearing, each side shall be allotted 30 minutes to present an oral argument. The aggrieved party will be informed in writing of the panel's decision within five (5) workdays. The Board panel may affirm, disaffirm, or modify the decision of the Executive Director. The Executive Director will develop a grievance form to assist in recording each step of the grievance process. If the Board panel fails to reach a unanimous decision on the grievance, the matter will be reviewed by the full Board for a final decision.

3.64 Equal Employment Opportunity

Kestrel Heights School is committed to the principle of equal opportunity in education and employment. Kestrel Heights prohibits discrimination against and harassment of any student, employee, applicant for employment, third party, or community member because of race; color; national or ethnic origin; age; religion; disability; sex; sexual orientation; gender; gender identity and expression; including a transgender identity; genetics; veteran status; retaliation; and any other characteristic protected under applicable federal or state law, herein called "protected categories." Kestrel Heights expects all employees, students, and community members to join with and uphold this commitment.

3.65 Discrimination, Harassment, and Bullying Policy

Kestrel Heights Charter School, Inc.'s Board of Directors acknowledges the dignity and worth of all scholars and employees and strives to create a safe, orderly, caring, and inviting school environment to facilitate scholar learning and achievement. The board will not tolerate any form of unlawful discrimination, harassment, or bullying in any of its educational or employment activities

Harassment

The Kestrel Heights School Board believes that all staff and scholars are entitled to work and learn in school-related environments that are free of harassment. At KHS, harassment is generally divided into two categories: general harassment and sexual harassment. Harassment of any type will not be tolerated at KHS.

The KHS Board prohibits staff and scholars from participating in any form of harassment. Complaints of harassment should be made to the director or reported directly to the Executive Director. Harassment between scholars is a serious violation of the Code of Conduct and may result in suspension or expulsion of the offender.

Bullying Policy

As defined by North Carolina under *Senate Bill 526* "§ 115C-407.5, bullying and harassing behavior is any pattern of gestures or written, electronic, or verbal communications, or any physical act or any threatening communication, that takes place on school property, at any school-sponsored function, or on a school bus, and that:

- (1) Places a scholar or school employee in actual and reasonable fear of harm to his or her person or damage to his or her property; or
- (2) Creates or is certain to create a hostile environment by substantially interfering with or impairing a scholar's educational performance, opportunities, or benefits. For purposes of this section, "hostile environment" means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying or harassing behavior.

Bullying or harassing behavior includes, but is not limited to, acts reasonably perceived as being motivated by any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance,

sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.

- No scholar or school employee shall be subjected to bullying or harassing behavior by school employees, scholars, parents, or other community members.
- No person shall engage in any act of reprisal or retaliation against a victim, witness, or a person with reliable information about an act of bullying or harassing behavior.
- A school employee who has witnessed or has reliable information that a scholar or school employee has been subject to any act of bullying or harassing behavior shall report the incident to the appropriate school official.
- A scholar or volunteer who has witnessed or has reliable information that a scholar or school employee has been subject to any act of bullying or harassing behavior should report the incident to the appropriate school official.
(http://www.bullypolice.org/NC_law2009.pdf)

At Kestrel Heights this includes the following: a scholar or school employee should not be discriminated against or harassed on the grounds of their real or perceived sexual orientation.

Sexual Harassment

Sexual harassment is defined as “words or actions of a sexual nature that are unwelcome or unwanted.” Sexual harassment is illegal under federal law. Title IX of the 1972 Education Act says that no person in the United States shall, based on gender, be: excluded from participation in, denied the benefits of, or subjected to discrimination under any education program or activity receiving federal financial assistance. As a public school, KHS is covered by this legislation. Title IX allows the U.S. Department of Education to investigate complaints, order remedies, and withhold funding from educational institutions in violation. The Department of Education’s Office of Civil Rights administers Title IX.

Sexual harassment is unwelcome/unwanted words or actions of a sexual nature. Unwelcome means that the staff member or scholar does not request or invite the conduct and views it as offensive and undesirable. Any unwanted sexual behavior can be sexual harassment, even if the behavior has been tolerated in the past due to the victim’s fear of consequences (such as intimidation or retaliation). A scholar may feel that objecting would increase the harassing conduct, or feel too embarrassed, confused, or fearful to complain or resist. It is also possible that a scholar who willingly participates in conduct on one occasion may later decide that the same conduct on a subsequent occasion has become unwelcome. As long as the behavior is unwelcome and creates a hostile environment, it is harassment.

A hostile environment exists when sexual harassment is repeated and/or severe, and when it makes it difficult to learn or participate in schoolwork or school activities. It can affect other people and not just the person targeted. This type of harassment occurs when unwelcome sexually harassing conduct is severe, persistent, or pervasive, creating an environment that is intimidating, abusive, or threatening.

“Quid pro quo” is a legal term that means something for something. This form of sexual harassment involves one person (or persons) asking to trade sexual favors for “something.” In relationship to KHS, that “something” could be a copy of a paper that a scholar plagiarizes or a grade given to a scholar by a staff member, both in trade for sexual favors.

A scholar does not have to report a sexual harassment incident for an investigation to begin if a staff member knows or, in the exercise of reasonable care, should have known about the harassment. Once a sexual harassment claim is made, it will be promptly and thoroughly investigated. The actions taken will be consistent with ending the sexual harassment, eliminating the hostile environment if one is created, and attempting to prevent the harassment from occurring again.

Examples of Sexual Harassment

- Accidentally brushing sexual parts (breasts or buttocks)

- Describing or possessing pornography
- Discussing sexual experiences
- Hooting, lip-smacking, leering
- Inappropriate gifts (i.e. underwear)
- Indecent exposure
- Invading a person's space
- Obscene phone calls
- Pressuring for dates or sexual services
- Public display of affection
- Sexual comments about another's body
- Sexual rumors, jokes, letters, notes, or stories
- Sexually explicit gestures

Creation of a Hostile Environment

Recording or sharing videos of fights/altercations/intrapersonal conflict, making threats via any Internet web sites or social media (including, but not limited to, Snapchat, Facebook, Instagram, TikTok, Twitter, etc.), texting, phone messages, or anything else in this context that creates hostility at school is not acceptable. Scholars who participate in these actions are subject to disciplinary action.

Prohibited Behaviors and Consequences

Scholars, employees, parents, volunteers, and visitors are expected to behave civilly and respectfully. The board expressly prohibits unlawful discrimination, harassment, and bullying.

Scholars are expected to comply with the behavior standards outlined in the Scholar Code of Conduct. Employees are expected to comply with board policy and the Employee Handbook. Parents, volunteers, and visitors on school property or taking part at any time in a school-sponsored event on or off property are also expected to comply with board policy and established school rules and procedures.

Any violation of this policy is serious, and the administration shall promptly take appropriate action. Scholars will be disciplined in accordance with the procedures established in the Scholar Code of Conduct. Based on the nature and severity of the offense and the circumstances surrounding the incident, the scholar will be subject to appropriate consequences and remedial actions ranging from positive behavioral interventions up to and including, expulsion.

Employees who violate this policy will be subject to disciplinary action, up to and including, dismissal. Parents, volunteers, and visitors who violate this policy will be directed to leave and/or remain off school property and/or reported to law enforcement, as appropriate.

When considering if a response beyond the individual level is appropriate, the administration should consider the nature and severity of the misconduct to determine whether a classroom or school-wide response is necessary. Such classroom and school-wide responses may include staff training, harassment and bullying prevention programs, and other measures deemed appropriate by the Executive Director to address the behavior.

Retaliation

The board prohibits reprisal and retaliation against any person for reporting or intending to report violations to this policy, supporting someone for reporting or intending to report a violation of this policy or participating in the investigation of reported violations of this policy.

After consideration of the nature and circumstances of the reprisal or retaliation and in accordance with applicable federal, state, and local laws, policies, and regulations, the Executive Director or designee, or Board shall determine the consequences and remedial action for a person found to have engaged in reprisal and retaliation.

Application of Policy

This policy prohibits unlawful discrimination, harassment, and bullying by scholars, employees, volunteers, and visitors. "Visitors" include parents, persons, agencies, vendors, contractors, and organizations doing business with or performing services for the school.

This policy applies to any behavior that takes place:

1. On school property before, during, or after school hours
2. In any vehicle as part of a school activity
3. During any school-sponsored activity or extracurricular activity
4. At any time or place on or off school property when the individual is subject to the authority of school personnel
5. At any time or place when the behavior has a direct and immediate effect on maintaining order and discipline in the schools

Definitions

For purposes of this policy, the following definitions apply:

Discrimination

Discrimination means any act or failure to act that unreasonably and unfavorably differentiates treatment of others solely based on their membership in a socially distinct group or categories, such as race, ethnicity, sex, pregnancy, religion, age, sexual orientation, or identity, or disability. Discrimination may be intentional or unintentional.

Harassment and Bullying

1. Harassment or bullying behavior is any pattern of gestures or written, electronic or verbal communications, or any physical act or any threatening communication that
 - a. Places a scholar or school employee in actual or reasonable fear of harm to his or her person or damage to his or her property
 - b. Creates or is certain to create a hostile environment by substantially interfering with or impairing a scholar's educational performance opportunities or benefits.

"*Hostile environment*" means that the victim subjectively views the conduct as harassment or bullying and that the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is harassment or bullying. A hostile environment may be created through pervasive or persistent misbehavior or a single incident, if sufficiently severe.

Harassment and bullying include, but are not limited to, the behavior described above that is reasonably perceived as being motivated by any actual or perceived differentiating characteristic or motivated by an individual's association with a person who has or is perceived to have a differentiation characteristic, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, or mental, physical, developmental or sensory disability. Examples of behavior that may constitute bullying or harassment include, but are not limited to, verbal taunts, name-calling, and put-downs, epithets, derogatory comments or slurs, lewd propositions, exclusion from peer groups, extortion of money or possessions, implied or stated threats, assault, impeding or blocking movement, offensive touching or any physical interference with normal work or movement, visual insults, such as derogatory posters or cartoons. Legitimate age-appropriate pedagogical techniques are not considered harassment or bullying.

It is possible for harassment, including sexual or gender-based harassment, to occur in various situations. For example, harassment may occur between fellow scholars or co-workers, between supervisors and subordinates, between employees and scholars, or between non-employees, including visitors, parents,

and employees or scholars. Harassment may occur between members of the opposite sex or members of the same sex.

2. *Sexual harassment* is one type of harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when
 - a. submission to the conduct is made, either explicitly or implicitly, as a term or condition of an individual's employment, academic progress, or completion of a school-related activity
 - b. Submission to or rejection of such conduct is used as the basis for employment decisions affecting the individual, or in the case of a scholar, submission to or rejection of such conduct is used in evaluating the scholar's performance within a course of study or other school-related activity
 - c. Such conduct is sufficiently severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with an employee's work or performance or a scholar's educational performance, limiting a scholar's ability to participate in or benefit from an educational program or environment, or creating an abusive, intimidating, hostile or offensive work or educational environment.

Sexually harassing conduct includes, but is not limited to, deliberate, unwelcome touching that has sexual connotations or is sexual in nature, suggestions or demands for sexual involvement accompanied by implied or overt promises of preferential treatment or threats, pressure for sexual activity, continued or repeated offensive sexual flirtations, advances or propositions, continued or repeated verbal remarks about an individual's body, sexually degrading words used toward an individual or to describe an individual, or the display of sexually suggestive drawings, objects, pictures or written materials. Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex, but not involving sexual activity or language, may be combined with incidents of sexually harassing conduct to determine if the incidents of sexually harassing conduct are sufficiently serious to create a sexually hostile environment.

3. *Gender-based harassment* is also a type of harassment. Gender-based harassment may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender or gender- stereotyping but not involving conduct of a sexual nature.

3.66 Discrimination, Harassment, and Bullying Complaint Process

The School ("Kestrel Heights Charter School") takes seriously all complaints of discrimination, harassment, and bullying. The process provided in this policy is designed for those individuals who believe that they may have been discriminated against unlawfully, bullied, or harassed in violation of the School's Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy. Individuals who have witnessed or have reliable information that another person has been subject to unlawful discrimination, harassment, or bullying also should report such violations in the manner provided in this policy. Reports may be made anonymously. This policy does not apply where an individual seeks to assert allegations regarding or related to the identification, evaluation, educational placement, or free appropriate public education of a student under Section 504 or the IDEA, such allegations may be raised through the procedures governing such matters. This Policy also does not apply to Title IX complaints, or behavior falling within Title IX or Title VII complaints. Please refer to the School's policies for Title IX and VII matters.

Reporting by Employees or Other Third Parties

Mandatory Reporting by School Employees

Any employee who witnessed or who has reliable information or reason to believe that an individual may have been discriminated against, harassed, or bullied in violation of the School Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy must report the offense immediately to an appropriate individual designated in subsection B.1., below. An employee who does not promptly report possible discrimination, harassment, or bullying shall be subject to disciplinary action.

Reporting by Other Third Parties

All members of the school community including students, parents, volunteers, and visitors are also strongly encouraged to report any act that may constitute an incident of discrimination, harassment, or bullying.

Anonymous Reporting

Reports of discrimination, harassment, or bullying may be made anonymously, but formal disciplinary action may not be taken solely based on an anonymous report.

Investigation of Reports

Reports of discrimination, harassment, or bullying under this policy will be investigated sufficiently to determine whether further action under this policy or otherwise is necessary, and school officials shall take such action as appropriate under the circumstances. At the option of the alleged victim, the report may be treated as a complaint by the alleged victim under this policy.

Complaints Brought by Alleged Victims of Discrimination, Harassment, or Bullying

Filing a Complaint

Any individual who believes that he or she has been discriminated against, harassed or bullied in violation of the School's Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy is strongly encouraged to file a complaint orally or in writing to the following individuals as applicable:

1. the school counselor, teacher, dean of students, principal, or assistant principal of the School for any claim of discrimination, harassment, or bullying, including Title VI complaints;
2. the Title IX coordinator for claims of sex discrimination or sexual harassment;
3. the Section 504 coordinator or the ADA coordinator for claims of discrimination based on a disability; or
4. any member of the Board if the alleged perpetrator is the Head of School.

Time Period for Filing a Complaint

A complaint should be filed as soon as possible but no later than 30 days after disclosure or discovery of the facts giving rise to the complaint. Complaints submitted after the 30 day period may be investigated at the discretion of school officials and outside the formal process described in Section C of this policy; however, individuals should recognize that delays in reporting may significantly impair the ability of school officials to investigate and respond to such complaints.

Informal Resolution

The School acknowledges that many complaints may be addressed informally through such methods as conferences or mediation. The School encourages the use of informal procedures such as mediation to the extent possible; however, mediation or other informal procedures will not be used to resolve complaints alleging sexual assault or sexual violence or complaints by a student of sexual harassment perpetrated by an employee. Informal procedures may be used only if the parties involved voluntarily agree. Any informal process should be completed within a reasonable period of time, not to exceed 30 days unless special circumstances necessitate more time.

Process for Addressing Complaints of Alleged Incidents of Discrimination, Harassment, or Bullying

Initiating the Investigation

1. Whoever receives a complaint of discrimination, harassment, or bullying pursuant to subsection B.1. shall immediately notify the Principal who shall designate an individual to conduct an investigation and respond to the complaint, such individual may be a school employee or outside consultant.
2. As applicable, the investigator shall immediately notify the Title IX or other relevant coordinator of the complaint, and, as appropriate, may designate the coordinator to conduct the investigation.
3. The investigator shall explain the process of the investigation to the complainant and the alleged perpetrator.

4. Written documentation of all formal reports and complaints, as well as the school system's response, must be maintained in accordance with the School's Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy.
5. Failure to report, investigate, and/or address claims of discrimination, harassment, or bullying may result in disciplinary action.

Conducting the Investigation

1. The investigator is responsible for determining whether the alleged act(s) constitutes a violation of the Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy. In so doing, the investigator shall impartially, promptly, and thoroughly investigate the complaint. The investigator shall interview (1) the complainant; (2) the alleged perpetrator(s); (3) individuals identified as witnesses by the complainant or alleged perpetrator(s); and (4) any other individuals, including other possible victims, deemed likely to have relevant information. The alleged perpetrator shall be notified of the general nature of the allegations. The investigation will include a review of all evidence presented by the complainant or alleged perpetrator.
 - a. If the investigator, after receipt of the complaint, an interview with the complainant, and consultation with the board attorney, determines that the allegations submitted, even if factual, do not constitute discrimination, harassment, or bullying as defined in School's Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy, the matter will be treated outside the scope of this policy. Information regarding the investigator's determination and the process for addressing the complaint will be provided to the complainant.
2. The complaint and investigation will be kept confidential to the extent possible. Information may be shared only with individuals who need the information to investigate and address the complaint appropriately and those with a legal right to access the information. Any requests by the complainant for further confidentiality will be evaluated within the context of the legal responsibilities of the school system.
3. The investigator shall review the factual information gathered through the investigation to determine whether, based on a preponderance of the evidence, the alleged conduct constitutes discrimination, harassment, or bullying, considering all factual information, the context in which the alleged incidents occurred, the age, and maturity of the complainant and alleged perpetrator(s), and any other relevant circumstances.

Notice to Complainant and Alleged Perpetrator

1. The investigator shall provide written notification to the complainant of the results of the investigation within 15 days of receiving the complaint unless additional time is necessary to conduct an impartial, thorough investigation. The investigator shall specify whether the complaint was substantiated and if so, shall also specify:
 - a. reasonable, timely, age-appropriate, corrective action intended to end the discrimination, harassment, or bullying, and prevent it from recurring;
 - b. as needed, reasonable steps to address the effects of the discrimination, harassment, or bullying on the complainant; and
 - c. as needed, reasonable steps to protect the complainant from retaliation as a result of communicating the complaint.
2. Information regarding specific disciplinary action imposed on the alleged perpetrator(s) will not be given to the complainant unless the information relates directly to the complainant (e.g., an order requiring the perpetrator not to have contact with the complainant).
3. If the investigator determines that the complaint was substantiated, the perpetrator(s) shall be subject to discipline or other corrective steps, as outlined in School policy. If the corrective steps involve actions outside the scope of the investigator's authority, the Head of School or designee will be notified so that responsibility for taking the corrective steps may be delegated to the appropriate individual.

4. The alleged perpetrator will be provided with a written summary of the results of the investigation regarding whether the complaint was substantiated, whether the alleged perpetrator violated relevant law or School policies by his or her actions, and what, if any, disciplinary actions or consequences may be imposed upon the perpetrator in accordance with School policy. The perpetrator may appeal any disciplinary action or consequence in accordance with School policy and law. However, an appeal by the perpetrator of disciplinary action does not preclude school officials from taking appropriate action to address the discrimination, harassment, or bullying

Appeal

1. If the complainant is dissatisfied with the results of the investigation, he or she may appeal the decision to the Head of the School. The appeal must be submitted in writing within ten days of receiving the notice of the results of the investigation. The appeal must state with particularity whether the complainant is appealing (1) the investigator's determination of whether the alleged conduct constitutes discrimination, harassment, or bullying in violation of the School's Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy, or (2) the School's response to any violation, including the appropriateness of any remedial measures taken by the district. If the complainant is appealing pursuant to option (2), he or she must state what additional measures the complainant believes should have been taken by the district.

The Head of School or designee may review the documents, conduct any further investigation necessary, or take any other steps the Head of School or designee determines to be appropriate to respond to the complaint. The Head of School or designee shall provide a written response within 10 days after receiving the appeal unless further investigation is needed. The Head of the School's decision is final.

2. If the alleged perpetrator is the Head of School or the Head of School declines to hear the appeal and refers it to the Board of Directors, the complainant may appeal the decision in writing within ten days of receipt directly to the Board of Directors. The appeal must state with particularity whether the complainant is appealing the Superintendent's decision concerning (1) the investigator's determination of whether the alleged conduct constitutes discrimination, harassment, or bullying in violation of the School's Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy, or (2) the School's response to any violation, including the appropriateness of any remedial measures taken by the School. If the complainant is appealing pursuant to option (2), he or she must state what additional measures the complainant believes the School should have taken.

Upon receipt of the appeal, the Board Chair shall appoint a panel of not less than two members of the Board to hear and decide the appeal. The panel shall make reasonable efforts to meet and consider the appeal within twenty days after the chairperson refers the grievance to the panel. The panel shall review the complaint on the record unless it determines that additional information may be presented. No new evidence, written or verbal, may be presented without the prior knowledge and consent of both parties. At the Board Panel's discretion, they may hold a hearing and ask each party may make a brief oral presentation of no more than twenty minutes to summarize his or her position. The panel has the authority to ask questions, extend time limits, exclude extraneous or duplicative information, and otherwise maintain an efficient and fair appeal hearing. If a hearing is held, it will be recorded and shall be held in a closed session.

The Board panel may affirm, reverse or modify the decision. The Board panel shall use the preponderance of the evidence standard in reaching its decision. The Board panel will provide a final written decision within twenty days after the Board hearing unless the panel determines that additional time is needed for further review. The decision of the Board panel shall be final.

Timeliness of Process

If any school official charged with investigating the complaint or reviewing the investigation fails at any step in the process to communicate a decision within the specified time limit, the complainant will be entitled to appeal the complaint to the next step unless the official has notified the complainant of the delay and the reason for the delay. The school official shall make reasonable efforts to keep the complainant apprised of progress being made during any period of delay. Delays that interfere with the exercise of any legal rights are not permitted.

Failure by the complainant at any step in the process to appeal to the next step within the specified time or to attend a scheduled meeting or hearing under this policy will be considered acceptance of the results of the investigation and the School's response to the complaint unless the complainant provided notice of the delay and the reason for the delay and the district consented in writing to the delay.

General Requirements

1. No reprisals or retaliation of any kind will be taken by the Board or by any School employee against the complainant or other individual on account of his or her filing a complaint or report or participating in an investigation of a complaint or report filed and decided pursuant to this policy. Disciplinary or other action may be taken against the complainant or other individual if the person knew or had reason to believe that the complaint or report was false or knowingly provided false information.
2. All meetings and hearings conducted pursuant to this policy will be private.
3. The complainant may be represented by an advocate, such as an attorney, at any meeting with the School under this policy. Should the complainant choose to be represented by an attorney, an attorney for the School may also be present.
4. Nothing in this policy shall prevent the Head of School or Board from suspending the alleged perpetrator without pay during the investigation or taking any other action deemed appropriate.

Records

Records will be maintained as required by School's Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy.

3.68 Uniform Dress Code

KHS believes that a uniform dress code is an important part of a safe, orderly school environment where the focus is on our scholars learning how to become respectful, responsible young citizens. The policy allows for some scholar choice, yet establishes parameters for acceptable dress. Scholars at KHS should be in the "dress code" from the time they arrive at school until they leave campus for the day.

All scholars are expected to be in dress code, and to adjust their attire to be in dress code when asked by a staff member. If a scholar is unwilling or unable to be in dress code attire, school staff will call the parent/guardian to bring proper dress code attire. If the parent does not provide appropriate clothing (within a responsible time) the scholar will be subject to disciplinary action. For a detailed and up-to-date listing of acceptable uniform components, please see the Scholar Handbook and Code of Conduct.

Culturally Appropriate Attire

Scholars will be banned from wearing attire that could be reasonably expected to intimidate other scholars based on race, religion, or any other classification that is protected by law, regulation, or Board policy to include symbols representative of the Confederate flag, Ku Klux Klan, and Nazi swastika.

3.71 Service Animal Policy

The Board will make reasonable accommodations for qualified persons with disabilities in accordance with state and federal law and applicable board policies. A qualifying individual with a disability is eligible to be accompanied by his or her service animal on school property when required by law, subject to the

conditions of this policy. The Executive Director shall establish any necessary administrative regulations for the use of service animals on school property in accordance with this policy.

Definition of Service Animal

This policy applies to any guide dog, signal dog, or another animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, fetching dropped items, or other tasks that are directly related to the individual's disability or necessary to mitigate a disability. The animal must be a dog or in limited circumstances, a miniature horse. No other type of service animal will be permitted. Animals whose sole function is to provide emotional support, comfort, therapy, companionship, or therapeutic benefits, to promote emotional well-being, or to act as a deterrent to crime are not service animals. An animal must meet this definition to be considered a service animal for purposes of this policy, regardless of whether it has or has not been licensed or certified by a state or local government, or by a private agency.

Use of Service Animals by Visitors on School Grounds or at School-Sponsored Events

The Kestrel Heights Charter School adheres to the Americans with Disabilities Act and state laws permitting the use of service animals by individuals with disabilities. When not readily apparent, school officials may inquire as to whether the animal is required because of a disability and what work or task the animal has been trained to perform. School visitors shall not be asked about the nature or extent of their disability or for proof of a service animal's training.

Procedures/Requirements for Use of a Service Animal by Scholars or Staff

The use of service animals by staff or scholars with a disability is subject to the following procedures and requirements:

Application

1. Applications for the use of service animals on school property during the school day must be in writing and submitted no less than ten business days before the proposed use of the service animal. Applications for use of a service animal by an employee or by a scholar shall be submitted to the school level director. All such applications must state whether the animal is required because of a disability and must identify what work or task the animal is trained to perform that is directly related to the individual's disability. A service animal will not be permitted on school property without the prior approval of the Executive Director, his/her designee, or the director
2. All applications for use of a service animal on school system property will be considered on a case-by-case basis. Approval of the use of a service animal on school property is subject to periodic review, revision, or revocation by the School Administration. At a minimum, requests for the use of a service animal must be renewed annually, before the start of each subsequent school year. In addition, the request must be renewed whenever the scholar changes schools or the employee changes his/her place of assignment, or when the individual accompanied by the service animal desires to use a different service animal
3. Service animals must be housebroken; must wear proper identification; must have received all vaccinations as required by state law; must wear a rabies tag; must be free of parasites and otherwise in good health; must be under the control of their handler; and must be on a harness, leash, or another tether, unless the service animal is required to perform a task that it could not accomplish while on a leash/lead or the handler is otherwise unable to maintain the animal on a leash/lead due to a disability. In such a case, the handler still must be able to maintain control over the animal
4. All costs related to the handling and care of the service animal are the responsibility of the parent/guardian of the scholar or the staff member who uses the service animal

5. Kestrel Heights Charter School is not responsible for the care or supervision of a service animal, including walking the animal or responding to the animal's need to relieve itself. A scholar or employee with a service animal is expected to care for and supervise the animal. In the case of a young child or a scholar with disabilities who is unable to care for or supervise his service animal, the parent is responsible for providing care and supervision to the service animal
6. The use of a service animal on District property by a scholar or employee will be subject to a plan which introduces the service animal to the school environment, any appropriate training for staff and scholars regarding interaction with the service animal, and other activities or conditions deemed necessary by the Kestrel Heights Schools.
7. Service animals may be permitted on school district vehicles if necessary to access educational services and programs and if consistent with safety requirements. Requests for transportation will be considered on an individual basis and may include review by the scholar's IEP team and/or Section 504 team, if appropriate. A representative of the Transportation Department may meet with the animal's owner to determine whether and under what conditions the service animal can be transported safely.

Removal of Service Animal from School Property

Any animal that causes injury to staff or scholars or that behaves aggressively will be immediately isolated and removed from the school premises. In addition, School representatives retain the discretion of removing or excluding a service animal for any of the following reasons:

1. The animal is out of control and/or the animal's handler does not effectively control the animal's behavior
2. The animal is not housebroken
3. The animal's presence or behavior fundamentally interferes with the functions of KHS
4. The animal poses a direct threat to the health or safety of others that cannot be eliminated by reasonable modifications.

Liability

The owner or handler of a service animal may be liable for any damage to school or personal property to the same extent required by other board policies or regulations that impose liability for property damage. The owner or handler of a service animal may also be liable for any physical damage or injuries caused by the service animal. The scholar and parent/guardian of a scholar who uses a service animal on School property will hold the Kestrel Heights Charter School Board of Education harmless and indemnify the Board from any such damages. Decisions regarding the use of service animals may be appealed through the school's grievance process.

3.74 Hospital/Homebound Services

Kestrel Heights School provides instructional support to school-aged scholars actively receiving medical treatment for an injury or illness that prevents school attendance.

What is homebound instruction?

Experienced teachers support scholars academically using assignments/textbooks or online materials provided by classroom teachers. They provide instructional assistance in the home and/or mutually agreed upon location to assist with the delivery of new assignments and the return of completed assignments for grading by classroom teachers.

Who is eligible?

- Scholars enrolled at Kestrel Heights School.
- Scholars whose medical absences will exceed four weeks of school
- Scholars with a medical necessity prohibiting full-time school attendance
 - Confirmation from the current medical provider will be required to verify the reason(s) for school absence and the anticipated date of return to school.

Partial school attendance is encouraged to minimize the social and academic impact of extended school absence.

What is the role of the homebound teacher?

- Obtain assignments/textbooks and provide instructional support for each scholar.
- Return completed work to the school for grading.
- Serve as liaison between families and schools.
- Assist with transitions for scholars returning to school.

What homebound instruction cannot provide?

- Homebound instruction does not replicate classroom instruction.
- Homebound teachers do not assign material or grade completed scholar work.
- Homebound instruction is not designed to support scholars with brief absences of less than 20 consecutive days unless determined by an IEP or 504 plan.

Role of the classroom teacher in the homebound process

- Classroom teachers remain the primary contact for assignments/textbooks and instructional materials.
- Secondary level teachers and scholars are encouraged to remain in contact via email and/or phone during their time of absence as a way to offer continued academic assistance to scholars.

General Education Scholars

Each scholar's base school is encouraged to explore all less restrictive options before considering a referral for Homebound Services. Encouraging scholars to exercise the opportunity to continue school attendance on a modified basis is encouraged. Scholars at home miss valuable instruction and in-class discussion and questions and re-teaching.

Assignments and grading for homebound scholars remain the responsibility of the base school of enrollment. The instruction delivered to scholars at home is determined by factors that include: the scholar's age and grade, the nature of the identified health issues, the scholar's instructional needs by courses, and the number of homebound scholars served at any given time. Some scholars require more instructional support than others. The length of time out of school is also a factor influencing the support the scholar required by scholars.

Computer-based instruction is an option for some scholars if supported by the school. This alternative can be an effective option for scholars whose absences exceed at least one grading period. Computer-based courses and online courses may be effective as an alternative to remaining enrolled in classroom course(s).

Scholars with Disabilities

Scholars with disabilities with temporary medical conditions (distinguished from the scholar's disability) that limit/prevent their school attendance generally have access to the same programs and options for homebound as scholars within the general education program.

In cases when scholars with disabilities are determined to require homebound instruction by the IEP team, the IEP team must determine the amount and nature (frequency, content, etc.) of instruction and special education and related services needed to allow the scholar to make progress on his or her IEP goals and to provide the scholar with a free appropriate public education. This decision may be influenced by factors that include: the scholar's IEP goals, the scholar's age, and other disability-based needs. The actual determination of the amount of weekly instructional hours is determined by the IEP team after due consideration of the above factors. Scholars with disabilities may not experience any change in their IEP goals and objectives when deliverable in the home setting. However, some IEP goals may not be

deliverable in the home and will be addressed upon the scholar's return to the regular school environment.

Similarly, in cases when scholars who qualify under Section 504 are determined to require homebound instruction by the 504 team, the 504 team also determines the amount and nature of instruction needed to provide the scholar with a free appropriate public education.

The IEP/504 team also should establish a schedule for reconvening to review the homebound placement no less than once every thirty (30) days.

Consideration by the IEP team to remove a scholar should only occur when the nature and severity of the medical condition are such that education in the school setting cannot be safely achieved with the use of accommodations, modifications, and/or supplementary aids and services. Every effort must be made to maintain instruction in the school setting before selecting a homebound placement.

Homebound Program/Services

Program Parameters

Kestrel Heights School provides a program of instruction to support school-aged scholars who are unable to attend classes due to injury or illness. To be eligible for homebound support, scholars must be or anticipate being absent for an extended period, substantiated by a licensed physician. Homebound instruction is not designed to support scholars with brief absences of less than 20 consecutive days. The primary purpose is to maintain access to a free and appropriate public education and to ensure access to the curriculum.

Program Description

The homebound program provides tutorial/instructional services so that the scholar can return to school with knowledge and skills to maintain his or her previous level of academic performance. To be eligible for homebound support, scholars must be enrolled in Kestrel Heights' public charter school. Scholars receiving homebound support will remain enrolled in Kestrel Heights School.

Examples of Situations That Could Entitle Scholars to Receive Services

- Accidents
- Surgery
- Extended Illness
- Pregnancy - The attendance status of pregnant scholars shall be determined by the scholar and her physician. Homebound instruction services are made available to pregnant scholars up to two (2) weeks before the due date and up to six (6) weeks after delivery. Exceptions to these timelines will be considered only when the scholar's physician has placed significant restrictions upon the scholar due to associated medical complications
- Other medical concerns, as determined by medical documentation

Referral Procedures

General Education

If a parent/guardian or another person, including but not limited to school personnel that becomes familiar with the scholar's circumstances, anticipates that the scholar will be absent for more than 20 days due to significant illness, they may initiate a Homebound Services referral. The referral forms may be obtained from school counselors and are also available on the Kestrel Heights School website under forms. The referral packet has three sections to fill out and return. Forms need to be submitted to the Homebound Coordinator. Occasionally, additional information regarding the scholar's courses and assignments/testing will be required before the homebound teacher is assigned.

Special Education

Considerations by the IEP/504 team should involve an exceptional children's program specialist.

Amending the IEP for homebound services: upon the receipt of a completed homebound referral packet, Kestrel Heights School will initiate an IEP meeting to amend the IEP to appropriately reflect necessary changes in the setting and delivery of special education services.

The following steps should be used to support the homebound referral process:

1. A parent or other person, including but not limited to school personnel that become familiar with the scholar's circumstances, requests homebound services
2. Kestrel Heights School level designated personnel provide information and share the homebound forms accordingly
3. Forms to be completed:
 - a. Overview for Parent and Scholar
 - b. Referral for Homebound Services: Parent Statement
 - c. Physician's Statement Requesting Homebound Services
 - d. Instructional Plan for Homebound Services
 - e. The four completed pages should be sent to the attention of the Homebound Coordinator at Kestrel Heights School, 4700 S. Alston Avenue, Durham, NC 27713.
4. The Homebound Coordinator approves or denies the request if the scholar is not already identified as an exceptional scholar. If the scholar is identified as an Exceptional scholar, then the IEP/504 team should meet and determine how the IEP/504 plan should be amended to meet the scholar's need to receive a free appropriate public education.
5. The Homebound Coordinator establishes a homebound instructor to provide service and coordinates the start date.

Services

The amount of instruction available for general education scholars eligible for homebound services is determined by factors including the age and grade of the scholar, the nature of the identified health issue(s), and the instructional needs determined by courses in which the scholar is enrolled. Some scholars require more homebound instructional support than others. The homebound teacher works with the scholar and the school to determine what assistance is required and the amount of time needed to help the scholar maintain academic progress. The length of time out of school may also be a factor influencing the support the scholar requires.

Computer-based instruction may be an available option for some scholars. This alternative can be an effective option for scholars whose absences exceed at least one grading period. While out of school, scholars miss classroom instruction as well as in-class discussion and opportunities for questions and re-teaching. Computer-based courses and online courses may be an effective alternative to remaining enrolled in the traditional classroom course. Access to online courses is determined by Kestrel Heights School and must be approved by the Executive Director or his/her designee. The Executive Director or his/her designee shall consider the scholar's current enrollment, course availability, the scholar's physical ability, and the recommendation of the Homebound Coordination Team. The above list of factors to be considered by the Executive Director or his/her designee is not exhaustive and other considerations may be utilized as circumstances require.

Programmatic considerations and options are generally the same for the scholar receiving special education as general education scholars. Considerations include the need for specialized instruction required by the scholar and determined by the individualized education or 504 plan. At the time the change in school attendance and service delivery occurs, the scholar's placement and service delivery will be addressed through an IEP/504 meeting.

When exceptional scholars are determined to require homebound instruction by the IEP team, instructional time is determined by the IEP team and influenced by factors that include: the scholar's IEP goals, the scholar's age, and other disability-based needs. The actual determination of the amount of weekly instructional hours is determined by the IEP team after due consideration of the above factors.

Notwithstanding the foregoing, all recommendations for the provision of online instruction must be approved by the Executive Director or his/her designee.

Classroom Teacher

1. Keeps scholars on the class roster.
2. Develops plans, instructions, and a reasonable amount of work.
3. Grades scholar work, answers questions, and assists scholars.
4. Has assignments ready on the day, time, and place designated by the director, pursuant to the homebound instruction plan.

Homebound Instructor

1. Works up to three (3) hours per week with scholars on an agreed-upon schedule.
2. Explains work, answers questions, and assists scholar.
3. Does not prepare assignments or issue grades.
4. Returns assignments to the Homebound Coordinator upon completion by the scholar, if the assignments are not submitted to the classroom teacher by another approved means, such as electronic mail.
5. Has access to instructional materials and guides.
6. Consults with Homebound Coordinator and classroom teacher.

Procedures for Children Who Do Not Qualify

1. The Director of Exceptional Children or Homebound Coordinator will inform the Director and the Executive Director or his/her designee and provide a reason why homebound services were denied.
2. The director or designee will inform the parent of the disposition.
3. Schools should arrange to send work home for scholars absent for less than four weeks.

3.77 School Closure Policy

The school must be in session for 1025 instructional hours per year or 185 instructional days. The Executive Director will provide scholars and staff a list of make-up days that will be board approved and utilized if the school is closed for weather or other unforeseen reasons

Inclement Weather

In case of inclement weather (snow, sleet, ice, hurricane, or tornado) KHS will follow the response of Durham Public Schools (DPS).

- If DPS announces on the radio, television, or Internet that they have a 2-hour delay of school, then KHS will also have a 2-hour delay.
- If Durham Public Schools cancels school for the day, then KHS will also be canceled for that day.
- If DPS opens school and it is later announced that DPS will close during the day due to inclement weather, then KHS will also cancel school for the remainder of the day.
- Any day that KHS cancels school or closes early will include the cancellation of any KHS-sponsored after-school activities (tutoring, sports, etc.) for that day.

On days that DPS is not in session (i.e. DPS is closed due to a scheduled closure on their school calendar such as a teacher workday), but KHS is scheduled to be open, KHS reserves the right to cancel/delay school to ensure the safety of our scholars.

In case of a tornado or hurricane watch (when conditions are conducive to bad weather forming), KHS personnel will keep classroom teachers advised as the situation develops. In case of a tornado or hurricane "warning" (when a tornado or hurricane is imminent to the area), the staff will move scholars to safe locations in the building, depending on the location of the scholars.

3.80 School Improvement Plan Policy

School Improvement Team

In order to improve scholar performance, Kestrel Heights Charter School shall develop a school improvement plan (SIP) that takes into consideration the annual performance goal for that school that is set by the State Board under G.S. 115C-105.35. The director, instructional personnel, instructional support personnel, teacher assistants, and parents of children enrolled in the school shall constitute the school improvement team (SIT) to develop a school improvement plan to improve scholar performance.

Representatives of the instructional personnel, instructional support personnel, and teacher assistants shall be elected by secret ballot each spring for the upcoming school year. Two parents shall be elected each spring by parents of children enrolled in the school in an election conducted by the administration or designee. Terms shall be two years. The SIP team will attempt to stagger these terms as much as possible. No elected member may serve more than two consecutive terms. If elected positions become vacant at the start of the school year, another election will be held to fill the position within the first 20 days of the school year.

Parents serving on the school improvement team shall reflect the racial and socioeconomic composition of the scholars enrolled in that school and shall not be members of building-level staff. Parental involvement is a critical component of school success and positive scholar achievement; therefore, in order to incorporate active parent involvement in the scholar improvement team, meetings shall be held at a convenient time to assure substantial parent participation.

School Improvement Plan

The strategies for improving scholar performance:

1. Shall include a plan for the use of staff development funds that may be made available for the implementation of the school improvement plan;
2. Shall include a plan for preparing scholars to read, write, and be proficient in the area of math at each grade level.
 - a. Elementary School- The plan shall require kindergarten and first-grade teachers to notify parents/guardians when their child is not at grade level and is at risk of not reading at grade level by the time the child enters second grade. The plan may include the use of assessments to monitor scholars' progress in learning to read, strategies for teachers and parents to implement that will help scholars improve and expand their reading, and provide for the recognition of teachers and strategies that appear to be effective at preparing scholars to read at grade level;
3. Shall include a plan to address school safety and discipline concerns.
4. Shall include a plan that specifies the effective instructional practices and methods to be used to improve the academic performance of scholars identified as at risk of academic failure;
5. Shall attempt to develop a plan to provide a duty-free instructional planning time for every teacher with the goal of providing an average of at least five hours of planning time each week.

Support among the affected staff members is essential to the successful implementation of a school improvement plan to address improved scholar performance. The director shall present the proposed school improvement plan to all of the administration, instructional personnel, instructional support personnel, and teacher assistants for their review and vote. The vote shall be by secret ballot. The director shall submit the school improvement plan to the Executive Director only if the proposed school improvement plan has the approval of a majority of the staff who voted on the plan. The Executive Director will present all three SIP to the Kestrel Heights Charter School Board.

Kestrel Heights Charter School Board shall approve or reject the school improvement plan but shall not make any substantive changes in any school improvement plan approved. If Kestrel Heights Charter School Board rejects the plan, it shall state with specificity its reasons for rejecting the plan; the school

improvement team may then prepare another plan, which will be presented to staff for a vote and re-submit the new plan for Kestrel Heights Charter School Board approval. If no school improvement plan is approved for a school within 60 days after the initial submission, the Executive Director may develop a school improvement plan for board approval. The NC General Assembly urges the local board to utilize the school's proposed school improvement plan to the maximum extent possible when developing such a plan.

The school improvement plan shall remain in effect for no more than three years; however, the school improvement team may amend it as often as is necessary or appropriate. Kestrel Heights Charter School Charter School will review the plan annually and follow established protocol for Kestrel Heights Charter School Board approval.

3.83 Volunteers

Kestrel Heights School welcomes volunteers to assist our scholars in a wide range of activities. We treasure our volunteers and encourage others who have time to work with us. Please take an active role in our school community. Each volunteer needs to complete and return a volunteer form at the beginning of each school year. A criminal background check may be conducted but the school will check the registered sex offender database. Please note that to attend any field trip, KHS requires each adult chaperone to be cleared. If at any time you think you might be volunteering during the year, please fill out the form at the beginning of the year for each parent or family member. All parents/guardians/relatives who want to chaperone field trips, work in the classroom, or in any position where you are working with scholars one-on-one or in small groups MUST complete a volunteer application. Forms may take up to 2 weeks to validate.

Volunteers are bound by the standards of conduct applicable to school employees. The building Director may terminate the services of a volunteer if deemed appropriate.

3.85 Title I Policies

2021-2022 Title I Parent and Family Engagement Policy

The Board of Directors of Kestrel Heights Charter School recognizes the value of family engagement in a child's academic success and believes that the education of children is an ongoing cooperative partnership between the home and the school. Parents, guardians, and other family members are their children's first teachers; therefore, their continued involvement in the educational process is most important in fostering and improving educational achievement. School staff shall strive to support parents, guardians, and family members and provide them with meaningful opportunities to become involved in the Title I Programs offered by the school. The Board encourages parent participation in the design and implementation of the programs and activities in order to increase the effectiveness of the school's Title I program in helping scholars meet state and local achievement standards.

DEFINITION OF PARENT AND FAMILY ENGAGEMENT

For the purposes of this policy, parents and parental are inclusive terms intended to represent both parents and guardians. In addition, the term "parent and family engagement" means the participation of parents, guardians, and other family members in regular, two-way, and meaningful communication involving scholar learning and other school activities, including ensuring the following:

- that parents and family members play an integral role in assisting their child's learning;
- that parents and family members are encouraged to be actively involved in their child's education at school;
- that parents are full partners in their child's education and parents and family members are included, as appropriate, in decision making and on advisory committees to assist in the education of their child; and
- that the school utilizes activities to support parent and family engagement in the Title I programs.

PURPOSE AND OPERATION OF TITLE I PROGRAM

The Title I program is a federally supported program that offers assistance to educationally and economically disadvantaged children to help ensure they receive an equitable, high-quality, well-rounded education and meet the school's challenging academic standards. The school will operate a schoolwide Title I program. The Title I program at Kestrel Heights delivers instructional activities and supportive services to scholars over and above those provided by the regular school program.

ANNUAL MEETING AND PROGRAM EVALUATION

Each year, school officials must invite parents of all scholars to a meeting to explain parental rights, discuss the programs and activities to be provided with Title I funds, and solicit input on the Title I program and this policy. In addition, school officials must provide parents and family members a meaningful opportunity annually to evaluate the content and effectiveness of the Title I programs and the parent and family engagement policies and plans. Information collected from these proceedings will be used to revise Title I programs and parent and family engagement plans.

This meeting will be held at the beginning of the school year and communicated to all families via the school newsletter, SwiftK12 emails and text messages, social media, Class Dojo, and the school website in both English and Spanish.

PARENT AND FAMILY ENGAGEMENT EFFORTS

The involvement of parents, guardians, and family members contribute significantly to the success of their children. The Board believes that the involvement of parents and family members in the design and implementation of the Title I program will increase the effectiveness of the program and contribute significantly to the success of all scholars. School staff shall strive to conduct outreach to parents and family members and involve them in activities throughout the school year.

The Executive Director shall ensure that this school-wide parent and family engagement policy and plan is developed with, agreed upon with, and annually distributed to parents and family members of participating scholars.

In addition to this parent and family engagement policy, the school shall jointly develop and annually distribute to parents and family members a written parent and family engagement plan that describes the means for carrying out the policy, sharing responsibility for scholar academic achievement, building the capacity of school staff and parents for involvement, and increasing accessibility for the participation of all parents and family members of children participating in Title I programs, including parents and family members who have limited English proficiency, who have disabilities, or who are migratory. School-wide plans must involve parents in the planning and improvement of Title I activities and must provide for the distribution to parents of information on expected scholar achievement levels and the school's academic performance.

The Parent and Family Engagement Policy will be annually distributed to parents and family members via the enrollment/back to school packet, the Kestrel Heights Website, and the Kestrel Heights Community Handbook.

In addition, the Executive Director and school personnel shall do the following:

- Involve parents and family members in the joint development of the Title I policies and plans and the process of school review and improvement;
 - Parent and Family Engagement Input sessions to review the Title I policy and plan and provide feedback and input on revisions for the following school year
 - Annual Meeting to review the current policy and plan and ask questions about the school's Title I program
 - Parent and Family Engagement Evaluation sessions to evaluate the Title I program and provide feedback and input on revisions for the following school year

- Schoolwide parent surveys to provide feedback and input on revisions for the following school year
- Provide coordination, technical assistance, and other support to assist in planning and implementing effective parent and family engagement activities that are designed to improve scholar academic achievement and school performance;
 - Assisting parents, family members, and community members in understanding state academic content, state and local assessments, and scholar performance standards
 - Parent Conferences
 - Data Discussion Protocol
 - iReady Data Review
 - Show What You Know (SWYK) Data Review
 - Progress Reports and Report Cards
 - State Reports
 - Website
- Provide materials and training on expected scholar proficiency levels and the school's academic performance, as well as materials and training to help parents work with their children to improve their achievement
 - Open House and Curriculum Nights
 - Data Discussion Protocol
 - EOG and iReady Score Reports
 - Parent Conferences
 - iReady MyPath
 - Website Resources
 - Parent Information Nights
 - School Report Card
- Build the school's and parents/guardians capacity for strong family engagement
 - Coordinate and integrate parent and family engagement strategies in the Title I program to the extent feasible and appropriate with parental engagement strategies established in other federal, state, and local laws and programs
 - Providing opportunities for parents to support their children's learning by:
 - Volunteering in their child's classroom
 - Volunteering in extracurricular activities
 - Volunteering in school activities
 - Attending information sessions on how to support their scholars
- Ensure regular two-way, meaningful communication between family members and school staff, in a language that family members can understand.
 - Scholar Agendas
 - Swift K12 Emails and Phone Calls (translated into home language)
 - Class Dojo posts and messages (translated into home language)
 - Parent Conferences (with translator when needed)
 - Community meetings (with translator)
 - School newsletters (translated into home language)
- With the meaningful involvement of parents, conduct an annual evaluation of the content and effectiveness of the school's parent and family engagement policies and program in improving the academic quality of the school and assisting scholars in meeting the school's academic standards. This evaluation shall identify the following:
 - Barriers to greater participation by parents in activities authorized by this section (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background);
 - The needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers;
 - Strategies to support successful school and family interactions

- Involve parents, family, and community members in an organized, ongoing, and timely way for the improvement of the school and its programs, specifically including critical stakeholders in the planning, review, and evaluation of programs.
- Use findings from stakeholder input sessions and evaluations to design evidence-based strategies for more effective parental involvement, and revise the Parent and Family Engagement policies and plans accordingly.
- Provide, to the extent, practicable, opportunities for the informed participation of parents and family members (including parents and family members who have limited English proficiency, parents and family members with disabilities, and parents and family members of migratory children), in parent and family engagement activities, including providing information and school reports in a required format, and to the extent practicable, in a language parents can understand by providing:
 - Interpreters during meetings and special events
 - Interpreters during conferences
 - Translation of documents and home-school communication
 - Platforms for translated communications and messages (SwiftK12, Class Dojo)
- Design a parent–scholar–school staff compact that sets out respective responsibilities in striving to raise scholar achievement and explains how an effective home/school partnership will be developed and maintained
- With the assistance of parents, ensure that teachers, specialized instructional support personnel, building Directors, and other staff are educated in the value of parents as partners in the educational process and understand how to work with, communicate with, and reach out to parents as equal partners in education
- Strengthen the partnership with agencies, businesses, and programs that operate in the community, especially those with expertise in effectively engaging parents and family members in education;
- Provide such other reasonable support for Title I parental involvement activities as requested by parents

ADOPTION

The Kestrel Heights Charter School Parent and Family Engagement Policy/Procedures have been developed/revised jointly with and agreed upon with parents as evidenced by meeting minutes.

The Parent and Family Engagement Policy/Procedures were developed/revised by Kestrel Heights Charter school and approved by the Board of Directors on 10/11/22 and will be in effect for the period of the school year 2022-2023. The school will distribute these Parent and Family Engagement Policy/Procedures to all parents and make them available to the community on or before the last day of the first academic quarter of the school year.

NOTICE REQUIREMENTS

School system officials and Title I school personnel shall provide adequate notice of the following information as required by law. The notice must be in an understandable and uniform format and, to the extent practicable, in a language the parents can understand.

Program for English Learners

- Each year the building Director or designee shall provide notice of the following to parents of English learners identified for participation in a Title I, Part A or Title III funded language-instruction educational program:
 - the reasons for the child’s identification;
 - the child’s level of English proficiency and how such level was assessed;
 - methods of instruction;
 - how the program will help the child;
 - the exit requirements for the program;

- if the child has a disability, how the language instruction educational program meets the objectives of the child's individualized educational program (IEP);
- any other information necessary to effectively inform the parent of the program and the parental rights regarding enrollment, removal, and selection of a program for English learners; and
- notice of regular meetings for the purpose of formulating and responding to recommendations from parents.

School Report Card

- Each year, school officials shall disseminate to all parents, schools, and the public a school report card containing information about the school, including, but not limited to:
 - the following information both in the aggregate and disaggregated by category: scholar achievement, graduation rates, performance on other school quality and/or scholar success indicators, the progress of scholars toward meeting long-term goals established by the state, scholar performance on measures of school climate and safety, and, as available, the rate of enrollment in post-secondary education;
 - the performance of the school on academic assessments as compared to the state as a whole;
 - the percentage and number of scholars who are: I. Assessed, II. assessed using alternate assessments, III. involved in preschool and accelerated coursework programs, and IV. English learners achieving proficiency;
 - the per-pupil expenditures of federal, state, and local funds as required by law; and
 - teacher qualifications.

Teacher Qualifications

- At the beginning of each year, school staff shall notify parents of scholars who are participating in Title I programs of the right to request certain information on the professional qualifications of the scholar's classroom teachers and paraprofessionals providing services to the child.
- The building Director or designee shall provide a timely notice informing parents that their scholar has been assigned to or has been taught for at least four consecutive weeks by a teacher who does not meet applicable state certification or licensure requirements at the grade level or subject area in which the teacher has been assigned.

Parental Rights and Opportunities for Involvement

- Each year, the building Director or designee shall provide notice to parents of the school's written parent and family engagement policy, parents' right to be involved in the school, and opportunities for parents and family members to be involved in the school.
- Each year, the building Director or designee shall provide notice to parents of their right to request information regarding scholar participation in state-required assessments.

School Website

- Each year, school system officials shall publicize on the school website:
 - the School Report Card
 - information on each assessment required by the state and, where feasible, by the school, organized by grade level. The information must include:
 - the subject matter assessed;
 - the purpose for which the assessment is designed and used;
 - the source of the requirement for the assessment;
 - if available, the amount of time scholars will spend taking the assessments and the schedule of the assessments; and
 - if available, the time and format for distributing results.

The Executive Director shall develop any administrative procedures necessary to implement the requirements of this policy.

3.86 Personal Searches

Whenever a faculty member has reasonable cause to believe a scholar is concealing materials, possession of which is prohibited in policies, rules, or regulations of the school or something that could cause injury to adults or scholars on campus, the Executive Director, director, or designee may search the scholar's person and/or the scholar's personal possessions, including scholar assigned school lockers and car. The basic search may consist of requiring the scholars to empty pockets; reveal the contents of wallets, purses, backpacks, and books; or remove shoes and coats. Any items that violate school policy will be confiscated until further notice; possession of any illegal substances will result in the proper authorities being contacted.

3.89 Registered Sex Offenders Policy

Pursuant to Session Law 2008-117, *The Jessica Lunsford Act for North Carolina* (the "Act"), the General Assembly of North Carolina has recognized that sex offenders often pose a high risk of engaging in sex offenses after being released from incarceration or commitment and that the protection of scholars from sex offenders while on school property and at school-sponsored activities serves an important governmental interest.

Through the adoption of this policy, the Kestrel Heights Charter School Board of Directors desires to implement rules to effectuate the purposes of the Act.

Certain Sex Offenders Banned From All School Property and School Events

In accordance with G.S. 14-208.18, all persons who (1) are required to register under the Sex Offender and Public Protection Program and (2) have been convicted of certain sexually violent offenses or any offense where the victim was under the age of 16 years at the time of the offense ("Prohibited Persons") are expressly forbidden to be present on any property owned or operated by the school system, including school buildings, athletic fields, playgrounds, parking lots, school buses, activity buses or other property of any kind for any reason, including attendance at sporting events or other school-related functions, whether before, during or after school hours. In addition, Prohibited Persons may not attend or be present at any scholar function or field trip on or off of school property which is 1) school-sponsored or 2) otherwise under the official supervision or control of school personnel. This policy applies to all Prohibited Persons regardless of their relationship to, or affiliation with, a scholar in the school system (i.e. stepparents, aunts, uncles, grandparents, etc).

Prohibited Persons

The Executive Director (ED) or designee shall ensure that the administration is familiar with the criminal offenses that qualify an individual as a Prohibited Person under this policy. The ED will also subscribe to the electronic notification of Registered Sex Offenders and access the state database as needed.

No Special Permission

There shall be no "special permission" given for Prohibited Persons to be on schools grounds or attend events or activities in violation of this policy.

Possible Exceptions for Scholars

Scholars who meet the definition of a Prohibited Person may be on school property only in accordance with state law.

Limited Exception for Prohibited Persons Who are Parents/Legal Guardians of a Scholar

A Prohibited Person who is the Parent/Legal Guardian of a scholar may be on school property only for the following reason:

1. To attend a previously scheduled school conference with school personnel to discuss their child's academic or social progress; or

2. At the request of the Executive Director/designee, for any other reason relating to the welfare or transportation of their child.
 - a. The procedure for making a request is as follows:
 - i. For each visit authorized by subsection (a)(1) above, the Parent/Legal Guardian must provide the Executive Director/designee with prior written notice of their registration on the Sex Offender Registry
 - ii. A request for presence at the school must be submitted to the ED/designee in writing, minimally 72 hours in advance
 - iii. The request must include the nature and specific times of the requested
 - iv. The ED or designee will respond within 48 hours either authorizing or denying the request
 - v. The decision of the ED or designee is final
 - vi. The ED may notify the Board of any such requests and the decision.
 - b. For each visit authorized by subsection (c) above, the Parent/Legal Guardian must check in at the front office upon arrival and departure. In addition, during every visit, the Parent/Legal Guardian must be under the direct supervision of school personnel at all times. If personnel are not available to supervise the Parent/Legal Guardian during any visit then they shall not be permitted on the school property.
 - c. For each visit authorized by subsection (c) above, the Parent/Legal Guardian shall comply with all reasonable rules and restrictions placed upon them by the Executive Director/designee, including any restrictions on the date, time, location, and length of meetings.

Enforcement

Any suspected violation of this policy shall be reported by a school administrator to the ED and to law enforcement for immediate investigation. All school personnel should report the presence or suspected presence of a Prohibited Person to a school administrator and take appropriate action. Executive Directors shall immediately notify the Kestrel Heights Charter School Board Chair of any known or suspected Prohibited Person who is a scholar, or a parent or legal guardian of a scholar, at their school.

Applicability

This policy shall supersede any conflicting provisions in all other Kestrel Heights Charter School Board policies regarding school safety, parental involvement, school field trips, school visitors, school volunteers, and scholar transportation.

3.92 School Facility Rental Policies

Kestrel Heights School shall provide guidelines for allowable use of the facility to Partners, Non-Profit Organizations, For-Profit Organizations, and individuals. Rental rates, services, and application information are available upon request. Kestrel Heights Charter School Charter School will not discriminate on the basis of sex, race, color, religion, national origin, disability, or age.

Process for Rental

1. You must submit an application in person or by fax to reserve a facility. Telephone inquiries will not be considered confirmed reservations. Reservations for a specific date are accepted on a first-come, first-served basis.
2. If the event exceeds the terms of the rental contract, the renter will be charged the hourly rental rate and staff overtime charges. Set up/preparation and takedown/cleaning must be done during the allotted rental time.
3. The KHS staff reserves the right to book additional events before and after confirmed reservations.
4. Payments for reservations must be made at least 5 days in advance and need to be in the form of a certified check, money order, or cash. Keys and access to facilities will not be granted until full payment is made to the business department.

- a. Please Note: Kestrel Heights does not accept personal checks.
5. Classroom rental gives those renting the responsibility to keep the room in the same order as they found it and not to use the equipment or supplies in the classroom. Those renting the classroom(s) are responsible for replacing any item(s) lost, damaged, or stolen.
6. All equipment used during the facility rental must be removed from the facility during the time allotted in the rental contract. KHS is not responsible for damage or theft of items left by the rental party or services contracted by the rental party.
7. If you wish to speak with a staff member regarding your confirmed event plans, please schedule an appointment by calling the Director of Operations at 919-484-1300.
8. Subleasing to another individual or party is strictly prohibited.
9. Alcohol is not permitted on school property or any common areas of any of the facility. Kestrel Heights School is also a nonsmoking facility.
10. Storage will not be provided either before or after an event. You may provide your own locked storage as long as we have space available.
11. Barbecuing is strictly prohibited.
12. KHS reserves the right to cancel a scheduled event. If a renter does not meet contractual terms, the renter's event can be canceled without a refund.
13. Security may be required for events held at KHS. The rental party will be notified of security charges upon contract signing. Events exceeding 200 spectators and participants will require uniformed law enforcement officers from the Durham Sheriff's office or Durham Police Department. Law enforcement must be paid for by the group renting the school facility.
14. The facility will not be opened before the times indicated on the rental contract.
15. Tables and chairs are not to be taken outside or moved from classrooms by the rental party.
16. Long-term rental fees must be received by KHS no later than the close of business on the first business day of each month during the rental.

Rental Conditions & Information

Key / Security Deposit

A \$7 key fee per key and a \$250.00 Security Deposit are required for all KHS classroom rentals. The deposit amount is collected in the form of a cashier's check or money order.

If an event causes the need for:

- a. Cleaning procedures that are beyond the scope of normal maintenance
- b. Repairs or replacements due to structural or equipment damage
- c. The event exceeds the terms of the contract, the security deposit may be used, in part or in total, to pay for these services

The renter will be charged \$250.00 in the event that:

- a. Keys are not returned
- b. The above a, b, or c are violated.

A facility inspection will be conducted immediately following the event by the KHS staff to determine the condition of the facility. If all cleaning requirements were met, no damage occurred, and the rental did not exceed the terms of the contract, the KHS representative will authorize no fees to be paid or, the release of the security deposit.

Failure to return the KHS operating key within two days of the rental closure will result in the Key return fee or forfeiture of the entire security deposit without refund.

Cleaning Fee

A non-refundable cleaning fee per day will be charged for all rentals. This fee is based on the costs of utilities, supplies, maintenance, and custodial services that the school will inherit from the rental.

Cancellations

Cancellations need to be reported to the director immediately. Rebooking an event is possible depending on the next available date open on the facility calendar.

Services not Provided

- A KHS attendant will not be available to serve, decorate, or be involved with the event
- The event coordinator is responsible for making sure the facility is left exactly as it was when arriving
- Any changes to the setup will be the renter's responsibility and is subject to fines if not approved by a KHS attendant

Decorations

1. Candles, open flame, or pyrotechnics of any kind, tacks, screws, scotch tape, staples, pins, etc, are not permitted. Decorations and any type of wire or cord may not be hung, tied, or draped on any light fixture inside or outside the facility
2. No tape is to be used on the floor or walls at any time
3. All decorations must be taken down and removed from the facility immediately after an event
4. Balloons must be secured and weighted when used and must be removed by the rental party. Balloons may not be released outside the facility
5. The use of glitter, confetti, rose petals, straw, hay, silly string, window frosting, fog machines, bubbles, and sand are not permitted
6. All decorations must be approved by the Facility Supervisor or representative at least two weeks before the event
7. The renter is responsible for all setup and clean-up.

Security

Building security cameras are on-site to ensure damage does not occur at the facility. If building security is compromised KHS reserves the right to review all cameras to see if the reason was caused by the rental party, the renter will be responsible for the cost of any security issues.

Private security may be required by KHS for some events based on event size; this will be determined by the Executive Director/designee.

Non Profit Requirements

If the applicant is seeking a discount as a nonprofit, they must present government-issued documentation of nonprofit Tax Exempt status (i.e., State letter).

Insurance

The Renter must comply with insurance regulations by providing a Certificate of Insurance from their provider.

1. The Certificate of Insurance must be in the name of the person or organization who signs the rental agreement. Policy dates and liability limits must be clearly shown on the Certificate to be valid.
2. The following statement MUST appear on the Certificate: "Additional Insured: Endorsement names the Kestrel Heights School, its directors, agents, and/or employees to be included as additional insured."
3. The Certificate must state COMPREHENSIVE GENERAL or COMPREHENSIVE PERSONAL liability coverage for a minimum of \$2,000,000.

Permits

Health Permits are required when food and beverages are sold to the public. Contact the Department of Health, Durham, NC. Permits must be on file at Kestrel Heights no later than ten days before the event.

Rental fees are due after the agreement is approved by the administrator. Payments not received by his deadline will result in the cancellation of the rental and forfeiture of the deposit.

3.95 Electronic Media Policy

Acceptable Use Policy (AUP) for Technology and Network Access

The Internet is an extremely valuable tool that makes many resources from all over the world available to scholars and teachers. It brings information, data, images, and computer software into the classroom from places that may be otherwise unavailable. Access to these resources and curriculum materials can support individual and group projects and allow scholars to exchange information with peers and mentors throughout the world. Kestrel Heights School believes that it is important to develop clear policies and guidelines for scholars' use of the technology. Because technology and related network activities are a part of a scholar's daily routine, the school's Code of Conduct applies to all technology-related activities, and the Technology Use Policy below should be considered as an extension of the school's policies.

Technology Use Policy

Our policy for using technology is intended to make the network more reliable and secure for the users who depend on it daily. These rules are intended, among other purposes, to keep our scholars and faculty safe and to minimize the time spent administering the network so that more time is available for educational purposes. Any attempt to manipulate security provisions will be considered a violation of the acceptable use policy.

The acceptable use of technology requires that users:

- Log in using only their username/password
- Only run software that is supplied by the school
- Only use the scanner, printer, or other devices attached to the network with permission and under the supervision of KHS faculty
- Do not access or transmit, either internally or externally, any materials that may be considered pornographic or sexual, demeaning or libelous, copyrighted, in violation of either Federal law or the KHS code of Conduct
- Do not engage in online bullying, harassment, or any other behavior deemed as such by the administration
- Do not access any site that is not used for educational purposes
- Understand that system administrators have the right to access, view, or delete any files from the network including email, documents, and internet logs
- May not maliciously use the network to develop programs that harass others, infiltrate a computer or computer system, and/or damage the software components of the computers or computer system
- Do not vandalize, violate or attempt to violate, the security and operation of school computers and/or equipment

Inappropriate use of the school's network system may result in termination of the scholar's user privileges, liability for damages, and/or further disciplinary action as deemed appropriate by the school's administration.

Personal Electronic Devices (Including Cell Phones)

Scholars will **NOT** be allowed to possess electronic devices (including cell phones) that are considered inappropriate to the educational environment during the school day. If any staff members see or hear an electronic device in a scholar's possession during the school day, it will be confiscated and returned to the scholar's parent/guardian at a later time. If a scholar's device is consistently confiscated further disciplinary consequences may be assigned, including suspension.

Electronic devices include, but are not limited to, radios, iPod-type devices, hand-held video games, pagers, cameras, video cameras, computers, Kindles (and other reading type devices), and phones.

Cell phones are permitted in the building, but they must be turned off during the school day (7:20 am-3:00 pm) and kept in the scholar's locker.

Cell phones and other electronic devices may not be used during lunch, or in the bathroom. Cell phones cannot be worn on the belt or pants or in pockets of pants. Scholars may not wear headphones or earbuds during the school day. These items must be secured in a scholar's locker or bag.

Parents wishing to contact their children need to call the office and have a message relayed through this procedure. Parents trying to contact scholars via cell phone disrupt the learning environment.

Devices may **NOT** be used to photograph or record (audio or video) any scholar or staff member on school premises at any time. Exceptions can be made at the teacher's discretion for educational purposes only and with the consent of the recorded party.

Devices are the sole responsibility of the person bringing the device. The school assumes no liability should the device be lost, stolen, damaged, or otherwise misplaced.

Cell Phone Use During Standardized Testing

Cell phones must be collected and held during standardized testing. It is strongly encouraged that scholars do not bring any type of electronic device during this time.