



Discipline and Due Process

All learners enrolled in Commonwealth Charter Academy are expected to conduct themselves in accordance with the rules of the school, and parents are expected to cooperate with the school staff in helping learners to maintain this conduct. Learner codes of conduct are set forth in this handbook. Learners are also guaranteed due process of law as required by the 14th Amendment to the Constitution.

Discipline Measures

There are three levels of formal disciplinary measures utilized by the school: **1) Warning, 2) Suspension and 3) Expulsion.** Each level and its corresponding disciplinary actions are identified below.

1. Warning

Learners who receive warnings from the school will have a conference (via phone or in person) with their parent/guardian(s) and the school administrator(s), and the incident will be formally documented in writing and will become part of the learner's permanent record. The learner will not have a disruption in schooling and will continue to have access to CCA's learning management system and programs.

Warnings are issued when a learner demonstrates a breach of expected conduct, but not as serious as those listed under the suspension and/or expulsion categories in this policy.

2. Suspension

When a learner is suspended, access to CCA's learning management system and programs are temporarily blocked and he/she is not permitted to attend school-sponsored programs or activities. The length of a suspension is determined by the school administrator (up to 10 days at a time). A suspension will be documented in writing and will become part of a learner's permanent record.

During a period of suspension as defined by the school principal, a learner's permission to use parts of CCA's learning management system and programs is restricted. Learner access to webmail, the message boards and online clubs/activities may be revoked. In such cases where the learner's access is completely revoked, the learning coach is responsible for obtaining the learner's assignments, responding to webmail and recording assessment responses for the learner. The learner should continue with his or her schoolwork during a suspension.

Violations that may lead to suspension include, but are not limited to, the following breaches of conduct:

- Cheating on tests or daily work: A learner who knowingly participates in copying, using another's work and representing it as his or her own (for example, learners transmitting their work electronically for another learner's use), or who provides other learners with test answers, answer keys or otherwise uses unauthorized materials in an assignment or assessment situation.
- Plagiarism: A learner's use of another person's words, products or ideas without proper acknowledgement of the original work with the intention of passing it off as his or her own. Plagiarism may occur deliberately (with the intention to deceive) or accidentally (due to poor referencing). It includes copying material from a book, copying and pasting information from the internet, and getting family or friends to help with coursework.
- Unexcused absences: A pattern of unexcused absences is the absence of a learner due to truancy, illegal employment or parental neglect.
- Illegal absence: Illegal absences are unexcused absences by a learner who is under the age of 17 who is absent from school due to avoidable absences, parental neglect, illegal employment, unapproved family vacations and truancy.

- Abusive conduct: A learner who uses abusive language or engages in abusive conduct in the presence of others either in person or electronically/virtually.
- Bullying: A learner who repeatedly engages in negative actions against another learner in an attempt to exercise control over him or her.
- Harassment: A learner who demonstrates verbal, written, graphic or physical conduct relating to an individual's sex, race, color, national origin, age, religious beliefs, ethnic background or disability that is sufficiently severe, pervasive or persistent so as to interfere with or limit the ability of an individual to participate in or benefit from the school's programs that: 1) has the purpose or effect of creating an intimidating or hostile environment, 2) unreasonably interferes with an individual's educational performance, or 3) otherwise adversely affects an individual's educational opportunities.
- Vandalism: A learner who intentionally damages or destroys school property or records (physical or electronic). In these instances, CCA reserves the right to contact the proper law enforcement agency(ies).
- Theft and robbery: A learner who takes money or other property (physical or electronic) with the intent to deprive another person or the school of that property. The threat or the use of force or violence is considered a serious breach of conduct. In these instances, the school reserves the right to contact the proper law enforcement agency
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- Sexual harassment: A learner who subjects another to any unwelcome sexual advances, including verbal harassment, unwelcome or inappropriate touching or suggestions, requests or demands for sexual favors.
- Violation of Acceptable Use Policy: Learners who violate the Acceptable Use Policy in one form or another are open to disciplinary action including suspension. This would include signing on as parents.
- Repeated violation of any disciplinary policies or codes of conduct.

3. Expulsion

When a learner is expelled, he or she is separated from the school for an extended period of time, or permanently, for disciplinary reasons. An expulsion will be documented in writing and will become part of a learner's permanent record.

Violations that may lead to expulsion include, but are not limited to, any behavior that indicates that a learner is a serious threat to the safety of others: e.g., possession of firearms, dangerous weapons, bombs or explosives, criminal behavior, arson, under the influence of or possession of, or sale of controlled substances or paraphernalia. Suspensions or expulsions for children designated as exceptional follow all appropriate state and federal policies, regulations and laws.

Due Process for Learners

The following actions will be conducted by the school, per each of the disciplinary measures as outlined below:

Suspension (no more than 10 days)

An informal hearing will be convened with the learner, parent, school principal and other staff members as appropriate. At this hearing, the learner will be provided all due process as required by law. The school principal will inform the learner and parent of the charges. If the learner does not admit to the charges, he or she will be provided an explanation of the evidence. The learner will be provided with an opportunity to present his or her version of the occurrence. If the school principal determines that the occurrence justifies suspension, written notice will be sent to the learner and parent.

Suspension of an additional 10 days, or an expulsion

If a principal believes that a learner has committed an offense that might require expulsion, the principal may suspend the learner for more than 10 days, pending a board hearing. During this time, the principal will request a board hearing to discuss the possible expulsion of the learner. The parent(s) will be notified of due process rights, including the right to appear at the board hearing and to present the learner's side of the case. The parent(s) will be notified of the date, time and place of the hearing at least five days prior to the hearing.