



FAMILY HANDBOOK

2025-26 SCHOOL YEAR

Mountain Discovery Charter School
Crim Bassett, Billie Clemens, and Tracy Wharton Co-Directors
Contact the Co-Directors at admin@mountaindiscovery.org
Tracy Wharton - Director of Finance
890 Jenkins Branch Rd., N.
Bryson City, NC 28713
828-488-1222 phone, 828-488-0526 fax

TABLE OF CONTENTS

Staff	3
Welcome	4
MDCS Mission Statement	4
The MDCS Board of Directors	5
Frequently Asked Questions	6
Academics	6
Immunization	7
Parent/Guardian Involvement	8
Daily Drop-Off and Pick-Up Procedures	10
School Schedule	11
Before and After School Options	11
School Closure and Inclement Weather	11
Attendance	12
Student Dress Code	14
Students Receiving Medication	15
School Communications	15
Lunch Program	15
Special Events	16
Student Conduct	16
Cell Phone Policy	19
Technology	20
Bus Service	20
School Records/Report Cards	20
Protection of Pupil Rights Agreement	22
Title I	23
AHERA Notification	26
Appendices	
A: Notice of Nondiscrimination	27
B: Grievance Policy	28
C: Internet Acceptable Use Policy	29
D: Information on Section 504 & Grievance Procedures	33
E: McKinney-Vento Homeless Assistance Act	35
F: Procedures for Disciplinary Process, Short-Term Suspensions, Long Term Suspension, Exclusion, and Expulsion	40
G: Discipline of Student with Disabilities	44

MDCS STAFF 2024-2025

Director of Human Relations and Operations: Crim Bassett	MS Science: David Doughty	Assistant: Steve Augustine
Director of Teaching and Learning: Billie Clemens	MS Math: Jacqui Tarver	Transportation, Technology and EC Assistant: Micheal Crew
Director of Finance and Accountability: Tracy Wharton	MS ELA: Zuzana Montagne	Main Bus Drivers: Micheal Crew, Christie Brooks, Lendy Ayers, Steve Augustine
Administrative Assistant: Lisa Monnat	MS SS: Matthew Shirey	Morning Care: Amy Jo Harvey
EC Coordinator/Teacher: Lendy Ayers	PE Teacher K-8: Brook Stillman	After School Care: Micheal Crew, Amy Jo Harvey, Kestrel Welch, Jacqui Tarver
Kindergarten Teacher: Krista Skrede	EC Teacher: Tammy Powers	
Kindergarten Assistant: Sarah Miller	EC Teacher: Alexandra Nichols	
Kindergarten Teacher: Christie Brooks	EC Teacher: Alana Powers	
Kindergarten Assistant: Brittany Morgan	EC Self-Contained Assistant: Jessica Rich	Mountain Discovery Board of Directors:
1st Teacher: Jennifer Thomas	Art Teacher: Luke Webb	Jen Pearson - Chair
1st Teacher: Kestrel Welch	Cherokee Language/Culture: Sarah Songbird Burkey	Dan Mackey
2nd Teacher: Jennifer Cutler	Music Teacher: Alexandra Nichols	Alison Joseph
3rd Teacher: Makayla Deel	Behavior Specialist: Amy Jo Harvey	Tim Black
3rd Teacher: Londa Bohl	Reading Specialist: Betty MacAvoy	Glenda Hensley
4th Teacher: Chloe Plesset	STEAM Teacher: Grace Knapp	Betsy Aspinwall
5th Teacher: Rebecca Robertson	EC Assistant: Nadallee Beasley	Alex Cardinal

Welcome

Welcome, Mountain Discovery Charter School Families!

We're happy you have made a commitment to our school. With your active involvement and support, MDCS will continue to be an exceptional school.

To better participate in the MDCS community, it is important that you fully understand the school, its mission, its philosophy, and policies. This handbook is designed for that purpose. After reading this document, please feel free to contact the school with any questions. Your input is greatly appreciated.

INTRODUCTION

MDCS begins with the assumption that every child has not only the natural ability to learn, but also the desire to learn. Our primary responsibility is to recognize the ways in which students learn, and in turn, provide instruction tailored to their learning styles. It is our belief that in a school where different learning styles are addressed, children will readily achieve academically ambitious expectations.

MDCS MISSION STATEMENT

Vision

All students are actively engaged in learning that has value and consequence beyond the classroom.

Mission

To inspire students to enjoy and lead their own learning

Guiding Principles

- **We value experiential learning and believe that adventure and the unexpected promote personal growth through perseverance, fitness, craftsmanship, imagination, self-discipline, and teamwork; students acquire not only knowledge but deep experience.**
- **We value the outdoors and believe that fostering a curiosity of the natural world encourages a sustainable relationship between people and the environment.**
- **We value creativity and believe that individual and collective growth is sparked by innovative problem-solving.**
- **We value high personal and academic expectations, encourage accountability, and empower students and staff to follow their own interests and passions.**
- **We value a sense of belonging and purpose within a community that honors multiple perspectives, fosters mutual trust, and ensures emotional and physical safety.**

MDCS EDUCATIONAL FOCUS

MDCS will create an educational environment where students are inspired to academic discovery and excellence through an emphasis on experiential learning designed to honor individuality and diversity, nurture respect for self, others, and the environment, and to foster a lifelong love of learning.

MDCS COMMON ANCHORS (With clarifying language from the charter application)

A Committed Circle of Educators

We expect our teachers to commit every day to serving and challenging the whole child, emotionally, mentally, socially, and physically.

Academic Excellence

We expect students to develop a core body of shared knowledge providing a solid, coherent foundation of learning, while allowing flexibility to meet the varying needs of each individual. Parents, who we acknowledge as a child's first and foremost teachers, will be expected to contribute life experience, knowledge, and talents.

Experiential Learning

Our instructional approach provides real-life applications for newly-presented material, and places skills in context. Children acquire not only knowledge, but also a deep experience related to the world around them.

Maximize Use of Our Geographic Location.

The neighboring Great Smoky Mountains National Park, Nantahala National Forest and Qualla Boundary of the Cherokee Indian Nation offer unparalleled opportunities for learning experiences that integrate our comprehensive curriculum. At MDCS we make full use of our natural history, southern Appalachian heritage, and multi-cultural resources.

Service Learning

Through our curriculum and instructional approach we offer many opportunities for our school community to contribute to the welfare of the larger community. We want MDCS to add value not only to our students' lives but also to the lives of others.

Foster a Sense of Pride in Accomplishment. If children are to become productive, active citizens, they need the confidence and the capacity to take risks and meet the increasingly difficult challenges of our world. Our instructional approach is designed to meet this goal.

Let us know if you'd like to read the entire MDCS Charter Application.

The MDCS Board of Directors

By law, Mountain Discovery Charter School operates independently of Swain County Schools. The MDCS Board of Directors is **the** governing body of the school. Its primary role and responsibility is to ensure the financial and legal stability of MDCS. The board employs the co-directors to manage school operations. Board members serve on a volunteer basis. New board members are voted onto the board at its annual meeting in September of each year. Officers are also elected at this time.

Meetings are open to the public and are announced in the weekly "Trailblazer Happenings" newsletter, posted in the school lobby, and on our website. Board Meeting minutes are available upon request.

Parents or other members of the school community wishing to place an item on a board meeting agenda should provide a written email request to the Board at least 10 days before the date of the meeting. The board chair will make the final decision regarding agenda items. Parents with questions about board policies and procedures should contact the co-directors or the board chair. Current Board Chair is Jen Pearson

FREQUENTLY ASKED QUESTIONS

To whom does MDCS answer?

MDCS operates independently of the local Board of Education. The MDCS Board of Directors is the school's governing body. This board, in turn, is accountable to the North Carolina State Board of Education.

Do MDCS students take the End of Grade (EOG) tests?

All North Carolina public schools participate in EOG testing, as required by the state. However, we are not a test-driven school. The MDCS philosophy is that effective teaching will naturally result in high test scores. For a detailed discussion of our excellent test results, visit our NC EOG Results page on our website.

Does MDCS charge a tuition fee?

No, MDCS is a public school - **there is no tuition.**

Does MDCS offer extra-curricular sports?

Yes. Currently, students have the opportunity to participate in Cross Country, Basketball, and Archery.

ACADEMICS

What is the MDCS Curriculum and Philosophical Approach to Learning?

Experiential Learning

We use experiential learning as our instructional approach.

Experiential learning:

- promotes hands on learning,
- includes high-level, critical thinking skills,
- promotes local and global community service,
- embraces thematic and integrated instruction,
- integrates the Arts into all areas of curriculum,
- includes curriculum-related field expeditions on a regular basis.

Curricular Aspects:

MDCS follows the North Carolina Standard Course of Study (NCSCOS). Our teachers are given the freedom to choose and create materials that will best serve the needs of their students. Most teachers have extensive libraries in their classrooms.

All K-2 teachers explicitly teach phonics using the University of Florida Literacy Initiative (UFLI) program. This program is based on the Science of Reading research. K-5 teachers use the Reveal Math series by McGraw Hill.

The MDCS Middle School emphasizes a holistic approach to teaching and learning. While there is a robust academic program that integrates reading and writing across the core content subjects, there is also attention given to helping students develop social and emotional skills that will enable them to be valued citizens in their communities. Additionally, students have the opportunity to earn two high school credits: Math I and Earth and Environmental Science.

How Can I Find Out What My Child Is Learning?

All teachers send out Learning Goals each week. This information is sent via email and/or Class Dojo. These Learning Goals empower families to support student learning through conversations on given topics, and helping students prepare for upcoming tests and projects. Students at all grade levels should be encouraged to read. Daily reading is one of the best strategies to achieve academic growth.

Does MDCS offer Exceptional Children's Services?

Yes: EC Teachers/ EC assistants, and a Behavioral Specialist serve EC students in both resource and inclusion settings. **See Appendix D** for further information

Concerns About Curriculum Materials

If you have a concern about a specific resource that is being used, please first contact the teacher. We find that a conversation often alleviates many concerns. If you still have concerns, then we (the teacher, administration, and you), will work together to find a solution.

Grade Level Retention

Deciding to retain a student is not taken lightly. If a teacher has concerns about the progress of a student, the student will be referred to the MTSS (Multi-tiered System of Support) team. This team is composed of regular education and EC teachers, and behavior specialists. The team will discuss the concerns and create an intervention plan. Parents will be notified of the plan and the plan monitored and adjusted as needed throughout the year. The decision to retain a child in a grade is a consensus decision by a committee consisting of the classroom teacher, a director, a MTSS representative, and possibly other support staff. The decision to retain a child is based on a number of factors but not limited to the following: academic performance, social/emotional/behavioral factors, attendance and MAP/EOG scores. Final decisions are usually made by late spring. Any child with 10 or more unexcused absences may be retained in his/her current grade level. A committee composed of the classroom teachers, co-directors, and parents/guardians will consult on this decision. The final decision is made by the Co-Directors.

Pursuant to state law, third graders who fail to achieve reading proficiency may not be promoted unless a statutory exception applies. Parents of impacted students will be informed of the law's application. Any parent who wishes to learn more about this law and its application should contact the Co-Directors.

IMMUNIZATION

What is the policy concerning immunization?

North Carolina law requires all children in the state to receive certain immunizations. Records are checked when children enter school or child care. Please see the following website for more information including: immunization requirements and exemptions.

[**NC Immunization Requirements**](#)

PARENT/GUARDIAN INVOLVEMENT

Mountain Discovery Charter School's School-Parent Compact

Teachers agree:

- To prepare quality lessons that address NC State Standards at the appropriate rigor and complexity outlined within the standards.
- To create a climate in the classroom conducive for learning.
- To conduct Curriculum Night with Pre K – 5th grade parents to share curriculum, assessments, classroom procedures and expectations.
- To provide links to family friendly websites.
- Provide ongoing opportunities for parents to meet and share experiences and decisions relating to the education of their children.
- Explain curriculum and assessment forms, share and interpret performance results, and what the results mean in relation to where the student should be.
- Work to collaboratively contribute to making our working environment an enjoyable, challenging, and fulfilling workplace.

Parents agree:

- To read and use question stems while reading.
- To attend family nights in order to learn more strategies to help my child learn at home and increase science, social studies, technology, reading and math skills.
- To check out the school website and social media posts.
- To review the reading log with my child.
- To assist with homework daily including reading each night.
- To review and sign agendas daily.
- To attend parent training.
- To ensure that my child attends school every day, is dressed for success, arrives on time ready to learn, and follows all school-wide rules and procedures.
- To ensure my child gets a full night of sleep and has a healthy breakfast at home or at school.
- To share positive thoughts in the morning and to talk to my child daily about their day.

Students agree:

- Respect – use appropriate language, raise a quiet hand, be kind.
- Ownership – admit mistakes, apologize, ignore others' bad choices.
- Attitude – work hard, don't give up, be ready to learn.
- Responsibility – be on time, complete assignments, keep school neat and clean.
- Safety – follow adults' directions, keep hands and feet to myself, be where I belong.

Parent/Teacher Conferences

Conferences should be scheduled at any time the need arises. Please don't hesitate to contact your child's teacher if you feel the need to meet with them for any reason.

Parent/Guardian/Student Concerns

Anyone who has a concern regarding the school in general should contact the Co-Directors to set up a meeting in order to resolve the problem. If the concern involves an individual staff member or specific class, the staff member(s) or the classroom teacher should be contacted directly. If after this meeting, the grievant does not consider the issue resolved, the involved parties should bring it to the attention of the Co-Directors. In the event that the grievant is still unsatisfied, he/she can follow the MDCS grievance policy as outlined in the MDCS Policy and Procedure Manual, located in the front office.

Re-Growing Our Parent Volunteer Network

Covid disrupted our robust tradition of parent/grandparents volunteering but it is time to bring back this essential component of successful schools. This year we are asking for two parents to volunteer to be “Room Parents”. We would like two per grade because everyone is busy and having a partner will make the task easier.

Throughout the school year volunteers will be needed for various activities including but not limited to chaperoning field trips, helping during classroom parties, reading to small groups, running a station during an activity, etc. Room parents will contact parents/guardians on behalf of the classroom teacher by email and/or phone call to help organize volunteers. The goal is that every family participates in at least one activity per year. We ask that during the month that a class is in charge of Community Circle, that the parents of those students choose one day during that month and provide breakfast, lunch, or special treats for the staff.

Suggestions for Meeting the Parent Volunteer Commitment:

- Offer clerical assistance
- Participate in family workdays
- Help maintain grounds
- Bring special talents to the classroom (music, arts, sports, foreign language, etc.)
- Assist with transportation & field trips
- Help with Pizza Day Fundraisers
- Serve as parental involvement coordinator
- Serve as community volunteer coordinator
- Tutor students
- Coordinate/support fundraising efforts
- Volunteer in the classroom
- Support your child’s community service efforts

Parent/Guardian Volunteers/Visitors in the Classroom

We greatly appreciate assistance in the classrooms. The following procedures exist to ensure that all volunteers understand our guidelines for helping in the classrooms. To ensure a safe environment, all parents, guardians, or guests who visit our campus must wear a “visitor/volunteer” badge at all times. To obtain a badge, please check in at the office.

Volunteers/Visitors will:

- **Schedule volunteer and teacher conference time in advance for the teacher to plan accordingly.**
- Sign in at the office prior to going to a classroom.
- Wear a “volunteer” badge at all times when at school.
- Become acquainted with classroom rules, expectations, and consequences.
- Adhere to MDCS dress code and conduct policies.
- **Refrain from having parent/teacher conferences during volunteer time.**
- Record volunteer hours in the log kept in the office.

Parent/Guardian Volunteers on Field Trips

Due to the fact that MDCS staff are ultimately responsible for the safety of our students at all times, parents are requested to follow the direction of the classroom teacher when volunteering on field trips.

In addition to the volunteer guidelines listed above, we ask that you:

- Abide by state law regarding children riding in vehicles.
- If you are a volunteer driver, submit a copy of your driver's license, insurance card, and registration to the office.
- Stay with the class as directed by the classroom teacher. You may be asked to look after a small group of students.
- Refrain from consuming any alcohol or illegal drugs prior to or during the volunteer activity.
- Refrain from smoking **anything** around our students. (This includes vaping.)
- Refrain from leaving any child unattended.
- Wear a blue MDCS t-shirt (can be purchased in the school office).

DAILY DROP-OFF and PICK-UP PROCEDURES:

Morning Drop-Off Procedure (7:50 – 8:10 a.m.)

MDCS drop-off and pick-up procedures are intended to ensure the safety of our students and prevent traffic congestion. We greatly appreciate your cooperation regarding these procedures.

When dropping off your child in the morning, please follow this procedure:

- Stop at the cones and form a line as far over to the left to allow the buses to pass. Wait to move forward until the buses pass and a staff member removes the cones.
- Pull up to the farthest spot, next to the ramp, and as close to the car in front as is safe.
- Your child should be ready to exit the car as soon as you stop. This means your good byes and hugs have occurred already and the student has all of their belongings ready to exit the car. When students take a long time to get out of the vehicles, it causes parents to be late for work and students in the back of the line to be late. Please be considerate of others in the community.
- Please only allow your child to exit your vehicle once you are at one of our drop-off stations. It is difficult for cars and buses to see the students on the hill, which presents a safety issue.
- **Do not attempt to pass other cars** or the busses
- You may accompany your child to the classroom if:
 - They are in kindergarten and only during the first quarter of school. Please note that walking your child to class is intended to be a limited event.
 - They are new to the school, and it is their first day.
 - It is their birthday, or special occasion, and you are helping them carry items to the classroom. In these cases, please park in the designated visitor parking. Please stop at the office and obtain a visitor pass.
 - You are chaperoning a field trip.

Students arriving after 8:10 a.m. will be considered tardy and must report to the office. Parents must wait to ensure their child has been met by office personnel.

Failure to comply with these procedures may result in consequences such as:

- Verbal Warning
- Meeting with a Co-Director

Dismissal Procedure (3:10 – 3:15 p.m.)

Students will remain in their classrooms with their teacher while awaiting dismissal. If there is someone whom you do not wish to pick up your child, you must inform the school office, **in writing**. Any changes in your child's after school plan for the day must be communicated **directly** to the school office **prior to 2:00 pm**. Do not text your child and assume that the change will be made. A lot of confusion is caused by late changes in dismissal instructions. **We will forward our phones to voicemail some time after 2:30 to eliminate this confusion.** Please help us ensure a safe, smooth and quick dismissal by following the dismissal procedures listed below.

When picking up your child at the end of the day:

- Remain in a single line of traffic as you approach the school entrance. **Do not pass other cars.**
- Do not pull up to the school entrance if the buses are still in the parking lot.
- Once adjacent to the school entrance, please stay in your car. An MDCS employee will bring your child to you.

School Schedule (Fridays are shortened days, dismissed at 1:30 pm.)

Standard school hours are as follows:

Monday- Thursday

- 7:50 am to 8:05 am Student arrival time
- 8:10 am School begins
- 3:10 pm to 3:20 pm School dismissal

Fridays

- 7:50am to 8:05 am Student arrival time
- 8:10 am School begins
- 1:30 pm to 1:45 pm School dismissal

The School Calendar is posted on the website

BEFORE AND AFTER SCHOOL CARE

Morning and After School Care is offered for a nominal fee to cover the cost of staff supervision. Please pay your bill monthly.

Morning Care begins at 7:20, unless notified, morning care is at the gym.

MDCS offers after school care Monday-Friday until 5:30. This can be at the main school or in the gym.

INCLEMENT WEATHER SCHOOL CLOSURE ANNOUNCEMENTS AND PROCEDURES

Students come to Mountain Discovery from an area with a radius of forty miles and an elevation range of 2000 to 3500 feet above sea level. The Co-Directors make decisions regarding closings or delayed openings due to inclement weather based on input from several reliable sources. However, there is no way to know exactly what the conditions are in your personal mountain microclimate. If you have **any** concerns about your ability to get your child to and from school safely, please keep your child home, even if school is open. If weather should set in during the school day and you have the same concerns,

please pick your children up from school. **All tardies and absences due to inclement weather are excused if you send in a written excuse.**

VERY IMPORTANT: *Please note that MDCS does not follow Jackson, Graham, Swain, Haywood, or Macon Counties' decisions regarding school closings.*

MDCS Inclement Weather Process

Early Morning Decisions: All decisions regarding school closing or delayed opening are phoned and emailed to you via our automated notification service. Every attempt is made to communicate the decision before 6:30 a.m.

Decisions regarding the school schedule will be one of the following:

- School will open on a regular schedule (**no announcement made**).
- School will be closed (announced by Infinite Campus Messenger).
- School will be open on a delayed schedule (announced by Infinite Campus Messenger).

Early Dismissal: If a decision is made to dismiss early, the office will notify parent/guardian by automated phone messaging when closing.

Please wait to receive your phone call; do not call the school.

When an early dismissal happens, all parents and guardians must be reachable. We must have a reliable phone number or other means of contacting you. Remember, if your information changes during the school year, you are required to notify the office.

Inclement Weather Make-Up Days

In the event of a significant number of closures, we will add days to the end of the school calendar. If make-up days are deemed necessary, notice will be given well in advance via the "Trailblazer Happenings" newsletter. Make-up days are considered school days and do affect your child's attendance record.

ATTENDANCE

Student Attendance

Students must attend school in order to receive an education. Chronic absences and tardiness are undeniably linked to poor academic performance. NC Compulsory Attendance Law (115C-378) requires that we notify all parties potentially responsible for a child's attendance at 3, 6, and 10 unexcused absences. **Students will be allowed no more than 10 unexcused absences per academic year. Any days over this limit may result in a report to the district attorney**

Student Absences

Definitions of excused absences **and** tardies are listed below.

Excused absences are defined as:

- Illnesses or injuries
- Quarantine
- Death of immediate family member
- Inclement weather
- Medical or dental appointments - **please obtain a note for all appointments**

- Court or administrative proceedings
- Religious holidays or observances
- Valid educational opportunities with co-directors' **prior** approval (Please follow the procedure outlined below.)

In order to obtain an excused absence for up to 10 days for your child, please send a note **in writing or email** the teacher AND aharvey@mountaindiscovery explaining the reason for absence. Please do this by the **first** day the student returns to school, but no later than 3 days after your child returns to school. **Absences will be recorded as unexcused if you do not send a note. For record keeping purposes, we ask that the note be in writing either email or paper.** The demands placed on office staff by state attendance reporting requirements dictate that we make no exceptions to this policy.

If a student misses more than **15** days in a given school year, doctor's notes will be required for any future absences in order to be excused. If your student misses part of a day or a full day for medical appointments, please get a note from the medical provider.

If a student accumulates more than ten unexcused absences, a meeting with a Co-Director, the Attendance Officer, and parents will be required.

Any student with 20 or more absences in any class in a school year is subject to failure of that course or grade level. If the Co-Directors determine that retention or failure of a course is necessary based on attendance, the parent/guardian and student will be notified in writing.

Additionally, a child who accumulates more than 20 days may be subject to loss of a spot in the following school year.

Educational Absences

Travel that has educational value can sometimes be counted as an excused absence. The Co-Directors must pre-approve all educational absences.

To qualify:

- Parents need to make a written request to the classroom teacher for an excused **absence three weeks** in advance of the trip. Request forms are available online and in the school office.
- The teacher will discuss expectations of the student while gone, i.e. journaling, reading, trip report, or other assignments the teacher deems appropriate.
- Final approval from the Co-Directors must be **received two weeks prior** to the first day of the absence.

Student Tardies

Students are expected to be **in their classroom by 8:05 am**. Allow time for your child to get to class when planning your arrival time. **Students are considered tardy at 8:10.** Students who are tardy must be signed in at the office.

If you are dropping your child off, please arrive early enough so the child will not be late. Traffic is not an excuse for the tardies.

Tardies for reasons other than those listed for excused absences will be unexcused.

A student will be marked tardy if s/he arrives at the classroom after 8:10. Should tardiness be a continued problem, Mountain Discovery Charter School will require parent/guardian(s) and the student for a Tardiness Mediation Session in order to resolve the problem. Scheduled conferences will be required once a **student has 10 unexcused tardies**.

Early Leave Procedures

When checking a child out of school early, the parent or guardian **must come into the office** and sign the student out. Just as multiple tardies negatively affect the school's learning environment, so do continuous incidents of checking students out of school prior to dismissal. Students checked out before 11:30 will be counted absent for the day.

STUDENT DRESS CODE

Students are expected to wear clothing that is modest, clean and appropriate. The nature of our school requires our students to be outside on a regular basis. Please dress children accordingly and ensure that they wear shoes suitable for outdoor activities.

Expectations:

Tennis Shoes are required for daily PE - you may leave a pair at school

The hem of shorts and skirts should not be shorter than the student's fingertips when her/his arms are **hanging naturally** at his/her side. Parents will be called to bring in appropriate clothing in the event that their child attends school wearing clothing that is too short.

On field trips, all students are REQUIRED to wear a blue MDCS shirt, available for purchase at the school office. The price of the shirt is \$15. Teachers will communicate additional clothing requirements for specific trips if needed.

Inappropriate Attire

- Shoes with wheels, high heels, or flip flops
- Midriff, tube, or halter tops
- Tank tops
- Clothing with inappropriate messages on them (including but not limited to: drug or alcohol messages, messages or pictures that promote violence, messages or pictures with sexual connotations)
- Any other clothing deemed immodest or inappropriate by MDCS staff.

Students who do not adhere to the dress code will be required to wear an MDCS shirt over his/her inappropriate clothing or parents may be called to bring appropriate clothing for their child.

Cold Weather Recess and PE

K-8 students have the opportunity to be outside everyday. K-5 students have recess every day and this is often outside. Cold weather just means making sure your child has appropriate warm weather clothing (please label). Please send your child dressed in layers on cold days. They will need to shed layers as the exercise warms them up.

Please label all coats/jackets with your child's name. Mornings are often cool and by the afternoon students shed their jackets. Believe it not, students will leave these items around the school. At the end of each semester, we donate unclaimed items to a local charity organization.

STUDENTS RECEIVING MEDICATION

When your child needs to receive medication during the school day, you must have your physician complete a **Request for Medication Form, (please obtain form in the front office)**. We cannot give your child medication without your physician's signature on this form. For over the counter medications, parents complete a consent form or verbal approval. All medications must be distributed by the office. Students are not allowed to be in charge of any medication, including over the counter medications.

COMMUNICATION

Parents/Guardians should expect to receive information from the School in the following ways:

Written Form:

- Weekly: "*Trailblazer Happenings*" are posted to the website, www.mountaindiscovery.org on Monday afternoons. **This is the single most important communication from the school.** Email and text notifications with a link to the newsletter are sent to parents who have provided the school with an email address. You'll miss something important if you fail to read "*Trailblazer Happenings*." If you consistently need a paper copy of *Trailblazer Happenings*, please contact the office and one will be given to your child within one day of the publication of *Happenings*.
- Classroom teachers will send home newsletters and/or assignment sheets via email, folders, class dojo or post them to their Google Classroom.
- If you email a teacher, the teacher will reply within 2 business days. Please understand that teachers are busy during the day and often will not be able to check their email until after dismissal.

By Phone Regarding:

- Inclement weather school closings or delays once school is in session
- Certain upcoming events
- Individual or group meetings
- We do not make phone calls about everything. You must read "*Happenings*" to be fully informed.

IMPORTANT NOTE: We must have a reliable phone number and email address for our parents. Remember, if your information changes during the school year, you are required to notify the office. We cannot communicate with you if you do not provide us with current contact information.

LUNCH AND SNACKS

MDCS does not offer a lunch program. Parents/Guardians are responsible for providing a packed lunch and snack each day for their children. Lunch should be nutritious and well balanced. This means a protein and/or fruits or vegetables. Parents are encouraged to pack fruits and vegetables rather than fried or sugary products. Please do not send soda, energy drinks, or other drinks with caffeine. Please do not send full size packages of candy. .

All students will be given the opportunity to have a mid-morning snack. This break is often about 15 minutes so please send something that the student can easily consume in that time. Again, fruit, cheese, crackers or vegetables are encouraged.

Due to time constraints, students **will not be allowed to use microwaves** during lunch. Please use a thermos to send hot food. Students will not have access to refrigerators so please use ice packs to keep perishable foods safe.

SPECIAL EVENTS

Exhibition and Production Nights

Our Exhibition and Production Nights are an opportunity for parents and the general public to experience what students have learned. All students are expected to participate in these activities, so please plan to attend these important events. We hope to have the opportunity to host these special events this year.

Camping Trips

Camping Trips may begin as early as the 4th grade. Camping trips are a vital part of the educational experience. Students learn valuable skills such as: team-work, problem solving, outdoor awareness, independence, and confidence. Middle School camping trips have academic components that are essential to the curriculum. **Camping Trips are required** unless a documented medical condition exists that prohibits the student from participating on the camping trip. A Wilderness First Aid Responder accompanies all camping trips.

STUDENT CONDUCT

Philosophy

The MDCS Student Conduct Policy requires students to show respect for self, others, and the environment. In this context, “environment” first and foremost refers to the classroom and school learning communities in which all MDCS students participate. In order to provide an optimal learning environment for everyone, all students are required to follow classroom and school-wide rules. We want to educate students about proper behavior and conduct, and this involves discussions about appropriate reactions to situations and how one’s behavior impacts, positively or negatively, the whole group.

Therefore, in many instances (barring safety concerns), our first response is to allow the student the opportunity to take a moment and step away from the situation - to have a time out and/or a discussion with the student about the situation.

Students who violate these rules are subject to consequences determined by the teacher, co-directors, or the co-directors designee

Mountain Discovery Charter utilizes exclusion as a disciplinary consequence under its code of conduct and abides by the due process (Appendix F) required under N.C.G.S. § 115C-218.60 and its Charter Agreement. Procedures by which students can be excluded from the charter school are outlined in the school’s discipline policies and code of conduct.

Cell Phones, Tobacco/Vaping, and Technology have their own unique consequences and are spelled out later in this document

Infractions are placed in three broad tiers. The following infractions represent examples, but not limited to, for each category. This is not a comprehensive list of infractions.

Tier I	
Infractions in this tier may result in a discussion/conference with the teacher, behavior specialist, co-directors or their designee.	Examples: • Dress Code violation • Being in possession of any item that distracts from the learning environment • Minor incident of horse-play, • Lying to school personnel, inappropriate displays of affection • Distracting behaviors that impact the learning environment negatively
Tier II	
Infractions in this tier may result in silent lunch, loss of free time privileges, internal school suspension (ISS) for up to three days, and/or a call home	Examples: • Repeated violations of Tier I • Cheating or plagiarizing school assignments including using AI inappropriately • Stealing • Using obscene or offensive derogatory language to students or staff • Fighting or physical altercations with another student • Defacing School property • Communicating threats that are unrealistic or vague • Disrespect of a staff member such as but not limited to: failure to comply with directives, cursing, swearing, yelling, exhibiting unsafe behavior to self or others
Tier III	
Infractions in this tier may result in internal school suspension (ISS), Out of school suspensions (OSS), loss of privileges, report of the offense to the SRO or law enforcement, expulsion, or	• Repeated violations of Tier II • Possession of alcohol, or illegal substances including CBD products • Communicating threats in a direct way with forethought and can be carried out • Sexual Harrassement

exclusion from MDCS. Parents/Guardians will always be notified of infractions in this category. Definition of Exclusion: This consequence prohibits a student from continuing to attend the School, although the student may attend another school Definition of Expulsion: This is the permanent termination of the student-school relationship. This applies only to students 14 years of age or older whose continued presence constitutes a clear threat to the safety of other students or school staff. Students considered for expulsion are entitled to a hearing before the school's Board of Directors as set forth in North Carolina statutes.	• Bullying/Cyber bullying • Possession of a weapon • Distribution alcohol, controlled or illegal substances • Threatening or assaulting a staff member
***Repeated ISS and or OSS may result in loss of privileged field trips or dances. If a student is pulled from the field trip for discipline reasons, the student will remain at home and have an unexcused absence for each day.	

Tobacco/Vaping

Possessing or using Tobacco/Vaping products is prohibited. These items will be confiscated and parents/guardians called.

1st Offense: Up to two days ISS

2nd Offense: Up to four days ISS and a required in person meeting with parents/guardians, the student, and Administration (a co-director and a member of the MTSS team). A plan will be established to support the student in adhering to policy.

3rd Offense: Up to two days OSS and a required in person meeting with parents/guardians, the student, and Administration.

CELL PHONES

Mountain Discovery has a Cell Phone free policy. Our goal is for students to be fully engaged in school activities. Text messages and social media are distractions that inhibit quality engagement and learning. Middle School students will be required to place their personal devices such as, but not limited to, phones in a locked container upon arriving at school. At the end of the day, students will retrieve their devices. If a student leaves school early, they will retrieve their devices from their homeroom teacher. If a student needs to contact their parent or guardian, they may, with permission, use the phones in classrooms or the office. Parents may call the office and a message will be delivered to the student, or if necessary, the student will be provided the opportunity to call home.

Enforcement:

1st offense. If a student fails to turn over their device(s), a written warning will be sent home. The student will return the warning with a parent/guardian signature within two days.

2nd offense. If a student is caught a second time with a phone, the device will be sent to the office and parents must come in person to retrieve the phone at a time designated by the Administration. This will usually be between 3:30 and 4:00.

3rd offense. In addition to the procedures for the 2nd offense, students will receive 1 day ISS (In School Suspension) and will be required to do research on healthy phone/device habits.

If a student has more than three offenses, an in person meeting with the student, parent/guardian, and administration will be required. Additionally, the student will receive 1 day of ISS.

This policy may be expanded to Smart Watches if the watch is being used to circumvent the cell phone policy. Repeated violations of cell phone policy will result in multiple days of ISS, OSS, and/or loss of free time privileges.

Devices on the Bus

Use on the bus is up to the discretion of the bus driver. If use of the device is causing disruption, it becomes a safety issue and the device will be confiscated and may result in suspension from the bus.

Please see Appendix F (pg. 40) for Procedures for Disciplinary Process: Short-Term Suspensions, Long-Term Suspensions, Exclusions, and Expulsions

Please see Appendix G (pg. 44) for Discipline of Students with Disabilities

MDCS discipline policies and procedures will adhere to the North Carolina School Discipline and Regulations

TECHNOLOGY

Internet Acceptable Use

Technology, the quintessential double-edged sword.

Used with integrity, it increases productivity and affords wonderful learning opportunities. Abused, it can bring individual, and even organizational, productivity to a grinding halt. We are asking all MDCS families to sign our Acceptable Use Policy (Appendix C).

Student “digital misconduct” may result in temporary loss of network access and zeros on related assignments. Qualifying infractions include, but are not limited to:

- Tampering with another user’s files.
- Using proxy servers to bypass the internet filter.
- Changing permissions on folders.
- Tampering with any other user account. This includes attempting to login on any other account.
- Excessive time off task (gaming, random searches, music management, etc.).
- Sharing or loaning their assigned computer to another students without teacher permission

Multiple infractions will result in permanent loss of network access privilege which will seriously compromise a student’s ability to satisfy the academic requirements for grade advancement. Please take the time to read the entire policy before signing and returning the signature page to the school office.

Families with multiple children attending MDCS need to send a separate signature page for each student older than second grade. We will not allow a student to access the network until we have a signature page on file.

BUS SERVICE

MDCS is pleased to offer bus service in Swain and Jackson counties, as well as the Qualla Boundary. We have designated bus stops and it is vital that parents/guardians follow the procedures MDCS establishes for safe drop- off and pick-up. **Bus riding is a privilege and our priority is the safety of all students.** Suspension from the bus may result from student misbehavior or parents not following the safety protocols at the bus stop. Please see the following link for Bus Rules [Updated Bus Rules/Regs.](#) Please see the website for the bus schedule for the current year.

SCHOOL RECORDS

Report Cards

Report Cards will go home at the end of the first three quarters. The 4th and final report card will be mailed to the home. **Parent conferences may be scheduled at any point in the school year.** Please do not hesitate to contact us about any concern you might have. Parents are asked to notify the teacher in order to schedule a time that is convenient for both parties.

Student Records

MDCS will adhere to all federal laws relating to maintaining student files. The following information regarding the Family Educational Rights and Privacy Act (FERPA) comes from the U.S. Department of Education website at <https://studentprivacy.ed.gov/ferpa>.

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when the student reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

Parents and eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

Parents or eligible students have the right to request that a school correct records they believe to be inaccurate or misleading. If the School decides not to amend the record, the parent or eligible student has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

Generally, the School must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows the School to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

The Protection of Pupil Rights Amendment

The Protection of Pupil Rights Amendment (PPRA) affords parents certain rights concerning student privacy, parental access to information, and administration of physical examinations to minors. These include the right to:

- Consent before students are required to submit to a survey, which is funded in part or in whole by a program of the U.S. Department of Education, that concerns one or more of the following protected areas (“protected information survey”):
 1. Political affiliations or beliefs of the student or the student’s parent;
 2. Mental or psychological problems of the student or the student’s family;
 3. Sexual behavior or attitudes;
 4. Anti-social, demeaning, illegal, or self-incriminating behavior;
 5. Critical appraisals of others with whom respondents have close familial relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious affiliations, beliefs, or practices of the student or student’s parent; or
 8. Income, other than as required by law, to determine program eligibility.
- Receive notice and an opportunity to opt a student out of the following:
 1. Any other protected information survey, regardless of funding.
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the School or its agent, and not necessary to protect the immediate health and safety of the students (except for hearing, vision, scoliosis, or any other physical exam or screening permitted or required under state law).
 3. Any activity involving the collection, disclosure, or use of personal information or the marketing, selling, or distributing of such information to others.
- Inspect the following, upon request and before administration or use:
 1. Surveys created by a third party before their distribution by a School to its students.
 2. Instruments used to collect personal information from students for marketing, sales, or other distribution purposes.
 3. Instructional material used as part of the educational curriculum.

The School has developed and adopted policies regarding these rights, as well as arrangements to protect students’ privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The School will directly notify parents of these policies at the beginning of each School year and after any substantive changes. The School will also directly notify parents through the U.S. Mail, e-mail, parent meetings, or the Parent and Student Handbook at the start of each school year of the specific or approximate dates (if such events are planned and/or scheduled) of the above activities and provide an opportunity to opt a student out of participating in them. Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office; U.S. Department of Education
400 Maryland Avenue SW
Washington, D.C. 20202-5920

TITLE I Program

MDCS recognizes the value of family engagement in a child's academic success and believes children's education is an ongoing cooperative partnership between the home and the school. School officials shall strive to support parents and provide parents and family members with meaningful opportunities to become involved in the programs offered by the Title I schools.

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 Title I program provides instructional activities and supportive services to eligible students over and above those provided by the regular school program.

Qualified Title I schools will operate as school-wide programs or targeted assistance programs based on federal eligibility criteria. School-wide programs will provide comprehensive support to offer improved opportunities for all students to meet the School's academic standards.

Annual Meeting and Program Evaluation

Each year, school officials must invite parents of students participating in Title I programs 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 annual opportunity 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.

Parent and Family Engagement Efforts

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

The Administration shall ensure that this School-level parent and family engagement plan is developed, agreed upon, and annually distributed to parents and family members of participating students. In addition to the School-level parent and family engagement plan, each school participating in the Title I program shall jointly develop and annually distribute to parents and family members a school-level written parent and family engagement plan that describes the means for carrying out school-level policy, sharing responsibility for student academic achievement, building the capacity of school staff and parents for involvement, and increasing accessibility for 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-level plans must involve parents in the planning and improvement of Title I activities. They must provide for the distribution to parents of information on expected student achievement levels and the school's academic performance. School officials shall invite appropriate school personnel from private schools to consult on the design and development of their programs to provide equitable services to students enrolled in private schools. The Co-Directors or designee shall establish any additional procedures necessary to achieve timely and meaningful consultation with private school officials in accordance with federal law.

In addition, School officials and Title I school personnel shall do the following:

1. Involve parents and family members in the joint development of the Title I program and school support and improvement plan, and the process of school review and improvement by including parents on the school advisory committee and any committees that review the Title I program;
2. Provide coordination, technical assistance, and other support from various central office departments necessary to assist and build the capacity of all participating schools in planning and implementing effective parent and family engagement activities that are designed to improve student academic achievement and school performance;
3. 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;
4. With the meaningful involvement of parents, conduct an annual evaluation of the content and effectiveness of the School parent and family engagement policies and program in improving the academic quality of the school and assisting students to meet the Schools academic standards;
5. Strive to eliminate barriers to parental participation by assisting parents who have disabilities and parents who are economically disadvantaged, have limited English proficiency, are migratory, or have other backgrounds or characteristics that may affect participation;
6. Provide outreach and assistance to parents and family members of children who are participating in Title I programs in understanding the state's testing standards, the assessments used, Title I requirements, and all national, state, and local standards and expectations through such efforts as community-based meetings, posting information on school websites, sending information home, newsletters, workshops, and newspaper articles;
7. Design a parent–student–school staff compact that sets out respective responsibilities in striving to raise student achievement and explains how an effective home/school partnership will be developed and maintained;
8. With the assistance of parents, ensure that teachers, specialized instructional support personnel, principals, 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;
9. Distribute to parents information on expected student proficiency levels for their child and the school's academic performance, and provide materials and training to help parents monitor their child's progress and work with educators to improve achievement through such methods as literacy training or using technology, which may include education about the harms of copyright piracy;
10. Coordinate and integrate, to the extent feasible and appropriate, parental involvement programs and activities with federal, state, and local programs, including public preschool programs, and conduct other activities in the community that encourage and support parents to more fully participate in the education of their child;

11. 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;
12. Ensure that parents are involved in the school's Title I activities; and
13. Provide other reasonable support for Title I parental involvement activities as requested.

Notice Requirements

School 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 principal 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:

1. The reasons for the child's identification;
2. The child's level of English proficiency and how such level was assessed;
3. Methods of instruction;
4. How the program will help the child;
5. The exit requirements for the program;
6. If the child has a disability, how does the language instruction educational program meet the objectives of the child's individualized educational program (IEP);
7. 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
8. 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 and each school, including, but not limited to:

- Information, both in the aggregate and disaggregated by category, about:
 - Student achievement,
 - Graduation rates,
 - Performance on other school quality and/or student success indicators,
 - Progress of students toward meeting long-term goals established by the state,
 - Student performance on measures of school climate and safety, and, as available,
 - Rate of enrollment in post-secondary education;
- Performance of the School on academic assessments as compared to the state as a whole, and the performance of each school on academic assessments as compared to the state and the School as a whole;
- Percentage and number of students who are:
 - Assessed, or Assessed using alternate assessments,
 - Involved in preschool and accelerated coursework programs, and;
 - English learners achieving proficiency;
- Per-pupil expenditures of federal, state, and local funds; and
- Teacher qualifications.

Teacher Qualifications

At the beginning of each year, School officials shall notify parents of students who are participating in Title I programs of (1) the right to request public information regarding the professional qualifications of the student's classroom teachers and paraprofessionals providing services to the child and (2) that such information will be provided in a timely manner.

The principal or designee of a Title I school shall provide timely notice informing parents that their student 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.

Student's Academic Growth and Achievement

School officials shall provide information on the student's level of achievement and academic growth, if applicable and available, on each of the state's academic assessments to each parent of a student participating in a Title I program.

Parental Rights and Opportunities for Involvement

Each year, the principal or designee of a Title I school shall provide notice to parents of the school's written parent and family engagement policy, parents' right to be involved in their child's school, and opportunities for parents and family members to be involved in the school.

At the beginning of each school year, the principal or designee of a Title I school shall provide notice to parents of (1) their right to request information regarding student participation in state-required assessments and (2) that such information will be provided in a timely manner.

Website Distribution of Information

Each year, School officials shall publicize on the School website and, where practicable, on the website of each school:

1. The School Report Card, as described above; and
2. Information on each assessment required by the state and, where feasible, by the School, organized by grade level. The information must include:
 - a. the subject matter assessed;
 - b. the purpose for which the assessment is designed and used;
 - c. the source of the requirement for the assessment;
 - d. if available, the amount of time students will spend taking the assessments and the schedule of the assessments; and
 - e. if available, the time and format for distributing results.

The Co-Directors shall develop any administrative procedures necessary to implement the this policy.

AHERA Notification

The US Environmental Protection Agency's (EPA) Asbestos Hazard Emergency Response Act (AHERA) requires all schools to inspect building materials for the presence of asbestos. AHERA excludes schools from the inspection requirement if the school was constructed after October 12, 1988, and has a signed statement from the architect or project engineer responsible for construction the school stating that no asbestos-containing building materials were specified for use in the construction of the school. **Our school has been provided such a statement, and is, therefore, exempt from the requirement to conduct an asbestos inspection.**

Appendix A

A. Equal Opportunity/Nondiscrimination

Mountain Discovery does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the School's nondiscrimination policies:

Tracy Wharton, Co-Director
890 Jenkins Branch Rd, N.
828-488-1222

MDCS prohibits and will not tolerate any such discrimination or harassment by any member of its community.

B. Definitions of Harassment

Harassment or ridicule on the basis of any protected characteristic is construed as bullying and is strictly prohibited. Such harassment can be defined as conduct that shows hostility or aversion toward an individual because of his or her protected characteristic and that has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, offensive, or uncomfortable environment.

C. Consequences

Infractions will result in the following series of consequences*:

First infraction will result in one day Internal Suspension (ISS). Second infractions will result in two days of ISS.

Third infractions will result in two days of OSS.

Fourth infractions will result in five days of OSS and possible expulsion.

*Infraction count is cumulative across school years.

Approved by the Board of Directors, 10/27/11

Amended by the Board of Directors, 08/25/16

Amended by the Board of Directors, 07/18/24

Appendix B

NON-EMPLOYEE GRIEVANCE PROCEDURES

At MDCS, we expect all members of the community to model the Code of Conduct we ask our students to follow, including taking responsibility for our behavior and performance, acting with compassion, and being honest. We recognize that disagreements and conflict will occur, but we aim to resolve problems and grievances promptly and as close to the source as possible. We also understand that there are times when resolution may require further discussion and action at levels outside the immediate parties to the conflict. The grievance procedure provides a graduated process for resolution. The following principles guide the procedure:

- Individuals should seek to resolve questions and problems informally and directly whenever possible by having a face-to-face conversation with the person whom they have a grievance against
- Complaints must be fully and clearly described by the grievant
- Individuals should be provided with full details of any allegations against them, and must be given the opportunity to provide their side prior to resolution
- The resolution procedure will be conducted promptly, honestly, fairly, and without bias.

Generally, individuals are encouraged to seek resolution directly. The individual contacts the person against whom the grievance is held. This contact should be made personally or by phone. Arrange for a mutually convenient time to discuss the concern. If individuals are unable to resolve the issue informally, or in cases where an individual is uncomfortable handling the issue personally, the complaint proceeds through the following three-level procedure:

1. The grievant notifies the supervisor of the person against whom the grievance is filed. Notice may be made in writing or verbally. This level is still considered informal, but either party may request written statements and agreements. The supervisor arranges a meeting with both the complainant and the grievant to discuss concerns. This level should be handled promptly, generally within one week, and all parties should be informed of the resolution. If the matter cannot be resolved, it moves to Step 2.
2. This step is a Formal Conference. The grievant should submit the grievance in writing. A copy must be provided to the person against whom the grievance is filed and that person's supervisor. The meeting and any and all previous informal steps taken to resolve the issue are documented on the Grievance Process Form. A copy of the form is filed in the personnel files of involved staff members. An appointment for the Formal Conference is made at a mutually convenient time and place. Attendees are determined prior to the conference and should include the supervisor of the person against whom the grievance is filed. If the matter is not resolved it moves to Step 3.
3. This step is Third Party Mediation. If one or more formal conferences fail to resolve the issue, the supervisor will initiate the formal mediation process utilizing a certified mediator (Note: one source of free mediation is The Mediation Center in Asheville). If the issue cannot be resolved at this level, the grievant has a right to appeal to the Executive Committee of the Board of

Directors. See the “Grievances to be Reviewed” section for an explanation of what the Executive Committee will and may not hear.

Executive Committee REVIEW

The grievant must notify the Board Chair or designee in writing with a request for review and provide a copy of the written request to the Executive Director.

The Executive Committee will review all prior documentation and schedule a timely meeting(s) with the grievant, the person against whom the grievance is filed, the supervisor(s), and parties involved.

In all appeals to the Executive Committee, the Committee shall provide proper notice to all parties concerned and keep a record of any hearing conducted. In the case of hearings required by right, such hearings shall be conducted with all parties having the right to appear before the board, to be represented by counsel, to submit documentation, and to examine and cross examine witnesses.

The Executive Committee will bring a recommendation to the Board of Directors at the next regularly scheduled Board meeting after the review and meetings are complete.

The Board will vote to accept, accept with modification, or reject the recommendation. The board’s vote on the committee recommendation will be based only on the evidence presented to the committee.

The Chair of the Executive Committee is responsible for communicating the decision to the grievant.

GRIEVANCES TO BE REVIEWED

Mandatory Reviews

The Executive Committee will review the grievance if the grievance is not resolved through mediation and is an appeal of any final administrative decision affecting a constitutional interest or an interest of the type listed below:

- Expulsion or suspension of a student for more than 10 days;
- An alleged violation of a specified binding federal law, State law, State Board of Education policy or other state rule, or local board policy;
- The loss or reduction of salary of a school employee under a specific term contract who is not employed at will; and
- Any other decision that by law provides for a right of appeal to the school board and for which there is not other statutory appeal procedure.

Discretionary Reviews

If the grievance is not resolved through mediation, but it is not an alleged violation of a specified binding federal or state law, federal or state regulation, binding State Board of Education policy or procedure or local board policy or procedure, the grievant may submit a grievance to the Executive Committee. The Committee has the discretion to respond or not to the grievance.

Issues related to employee performance are addressed in the Grievance process in the Formal Conference stage in which complaints are addressed by the person’s immediate supervisor.

School staff and the Executive Committee of the Board will consider requests to hear grievances from a group of grievants, but staff and the Board have the discretion to respond to individual grievants.

Approved by the board January 23, 2019

Appendix C

INTERNET Acceptable Use Policy for Students

Purpose

MDCS recognizes the value of computer and other electronic resources to improve student learning and enhance the administration and operation of the school. To this end, MDCS encourages the responsible use of computers, computer networks, including the Internet, and other electronic resources in support of educational excellence. Employees and students are encouraged to develop the skills necessary to effectively utilize this data.

Because the Internet is an unregulated, worldwide vehicle for communication, information available to staff and students is impossible to control. Therefore, this policy delineates acceptable use of the Internet by MDCS employees and students while using this equipment, facilities, Internet addresses, or domain names registered to the Dept. of the Interior or to MDCS.

MDCS Rights and Responsibilities

It is the policy of MDCS to maintain an environment that promotes ethical and responsible conduct in all online network activities by staff and students. No employee, student, or other individual should engage in any activity that does not conform to the established purpose and general rules and policies of the network. Within this general policy, MDCS recognizes its legal and ethical obligation to protect the well-being of students in its charge. To this end, MDCS retains the following rights and recognizes the following obligations:

- To log network use and to monitor fileserver space utilization by all users.
- To remove a user account on the network.
- To monitor the use of online activities. This may include real-time monitoring of network activity and/or maintaining a log of Internet activity for later review.
- To provide internal and external controls as appropriate and feasible. Such controls shall include the right to determine who will have access to MDCS-owned equipment and, specifically, to exclude those who do not abide by MDCS's acceptable use policy or other policies governing the use of school facilities, equipment, and materials. MDCS reserves the right to restrict online destinations through software or other means. To provide guidelines and make reasonable efforts to train staff and students in acceptable use and policies governing online communications.

MDCS assumes no responsibility or liability for files deleted due to violation of fileserver space allotments.

Staff Responsibilities

Staff is to:

- Ensure that students do not use the Internet or any MDCS electronic equipment without adult supervision.
- Make reasonable efforts to monitor student network use to assure that it conforms to this policy and the goals of MDCS.

- Make reasonable efforts to become familiar with the Internet and its use so that effective monitoring, instruction, and assistance may be achieved.

When questions arise, it is the responsibility of the co-directors in cooperation with the classroom teacher to make the determination as to the appropriateness of the student's use of the Internet and other electronic resources while using MDCS equipment.

User Responsibilities

Use of the electronic media provided by MDCS is a privilege that offers a wealth of information and resources for research. Where it is available, this resource is offered to staff and students at no cost. In order to maintain the privilege, users agree to learn and comply with all of the provisions of this policy.

Acceptable Use

- **All use of the Internet must be in support of educational and research objectives consistent with the mission and objectives of MDCS.**
- Network accounts are only for the authorized account owner's use for the authorized purpose.

From time to time, MDCS will make determinations on whether specific uses of the network are consistent with the acceptable use practice.

Unacceptable Use

Unacceptable use includes but is not limited to:

- Sharing passwords. Passwords are personal and should not be shared with anyone.
- Seeking information on, obtaining copies of, or modifying files, other data, or passwords belonging to other users.
- Use of the network to disrupt network use by others.
- Hardware and/or software shall not be destroyed, modified, or abused in any way.
- Use of the network to develop programs that harass other users or infiltrate a computer or computing system and/or damage the software components of a computer or computing system.
- Distribution of hate mail, chain letters, discriminatory remarks, and other antisocial behaviors.
- The unauthorized installation of any software, including shareware and freeware, for use on MDCS computers.
- Use of the network to access or process pornographic material, inappropriate text files (as determined by the system administrator or building administrator), or files dangerous to the integrity of the local area network.
- Use of the network for any unlawful purpose.
- Use of profanity, obscenity, racist terms, or other language that may be offensive to another user.
- Playing games unless specifically authorized by a teacher for instructional purposes.

Disclaimer

- MDCS cannot be held accountable for the information that is retrieved via the network.
- MDCS reserves the right to change its policies and rules at any time.

User Agreement (to be signed by all adult users and student users above grade 2)

I have read, understand, and will abide by the MDCS Acceptable Use Policy when using computer and other electronic resources owned or operated by MDCS. Furthermore, I understand that any violation of the regulations above is unethical and may constitute a criminal offense. **Should I commit any violation, my access privileges may be revoked, school disciplinary action may be taken, and/or appropriate legal action may be initiated.**

Student Name (printed)

Student Signature

(date)

Parent Agreement

As parent or guardian of _____, I have read the Acceptable Use Policy. I understand that MDCS network access exists for educational purposes. MDCS has taken reasonable steps to control access to the Internet, but cannot guarantee that all controversial information will be inaccessible to student users. I agree that I will not hold MDCS responsible for materials acquired on the network. Furthermore, I accept full responsibility for supervision if and when my child's use is not in a school setting. I hereby give permission for my child to use network resources, including the Internet, that are available through MDCS. I understand that this permission is effective until my child is withdrawn from MDCS.

Parent/Guardian Name (printed)

Parent/Guardian Signature

(date)

Appendix D

Information on Section 504

If you have a child who may be struggling in school as the result of a disability, your child may qualify for a plan under Section 504 of the Rehabilitation Act of 1973; one of the federal civil rights laws that prohibits discrimination against public school students with disabilities. Section 504 coverage includes students with learning-related disabilities and those with serious medical disabilities, for example, diabetes, life-threatening food allergies, cerebral palsy and clinical depression.

Much like an Individualized Education Program (IEP), a Section 504 plan can help students with disabilities learn and participate in the School's general education curriculum and School activities. A Section 504 plan outlines how a child's specific needs are met with accommodations, modifications and other services and aids. The School's provision of services to students with disabilities is also subject to North Carolina's " [Policies Governing Services for Children with Disabilities](#)

We have initiated 504 plans where appropriate since we opened our doors in 2002 and will continue to approach parents when we think it might be best for a child to have a 504. However, if you believe your child may be in need of a Section 504 Plan*, please contact:

Lendy Ayers, Coordinator of EC Services
(828) 488-1222

*Students with current IEP's do not require a 504 plan. We can address any concerns you might have with amendments to the IEP.

Section 504/ADA Grievance Procedures

If any person believes that Mountain Discovery has violated the regulations of Section 504 of the Rehabilitation Act of 1973 (Section 504) or the Americans with Disabilities Act (ADA), he or she may submit a grievance with Mountain Discovery's Section 504/ADA Coordinator.

Grievances involving students who attend Mountain Discovery may be submitted to:

Lendy Ayers
layers@mountaindiscovery.org
890 Jenkins Branch Rd, N.
Bryson City, NC 28713

Grievances involving employees of Mountain Discovery or third parties may be submitted to:

Tracy Wharton
twharton@mountaindiscovery.org
890 Jenkins Branch Rd., N.
Bryson City, NC 28713

The grievance procedures outlined below establish how grievances will be investigated and resolved. These grievance procedures are intended to provide for a prompt and equitable resolution of grievances. Mountain Discovery prohibits retaliation against individuals who file a grievance or participate in a grievance investigation.

Any person who believes they have been discriminated against based on disability, retaliated against for filing or participating in the investigation of a grievance, or otherwise wishes to contest Mountain Discovery's application of Section 504 or ADA may file a grievance by taking the following the steps.

Step 1

A grievance form must be completed and signed by the grievant and submitted to the Section 504/ADA Coordinator within thirty calendar days of the date that the discrimination or retaliation is believed to have occurred. A grievance form can be obtained from either of the individuals listed above, although that form is included at the end of these grievance procedures. The Coordinator will conduct an adequate, reliable and impartial investigation of the matters presented in the grievance, which will include an opportunity to present witnesses and other evidence, and will issue a written decision to the grievant within twenty business days of the submission of the grievance.

Step 2

If the grievant wishes to appeal the decision of the Section 504/ADA Coordinator, the grievant may submit a signed statement of appeal to the Director within ten business days after receipt of the Coordinator's response. The Director will review the grievance and all evidence obtained in connection with the grievance and issue a written decision to the grievant within fifteen business days of the submission of the appeal.

Step 3

The grievant may file a complaint with the U.S. Department of Education's Office for Civil Rights (OCR) at any time before or after the grievance. The OCR regional office that has jurisdiction over schools in North Carolina is located at the following address: U.S. Department of Education, Office for Civil Rights, District of Columbia Office, 400 Maryland Avenue, SW, Washington, DC 20202-1475 and can be reached at (202) 453-6020 (ph), (202) 453-6021 (fax) or by email at OCR.DC@ed.gov. The web addresses for OCR are <http://www2.ed.gov/about/offices/list/ocr> (the Office) and <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html> (to file a complaint).

Approved by the Board, 8-25-2016

Approved Update by the Board 7-17-2025

Appendix E

McKinney-Vento Dispute Resolution Policy

The McKinney-Vento Homeless Assistance Act (also referred to as the McKinney-Vento Act) acknowledges that disputes may arise between Public School Units (PSUs) students and their parents, or unaccompanied youth, regarding eligibility, school selection or enrollment decisions. The McKinney-Vento Act includes dispute resolution among the required duties of the PSU homeless liaison. Below is the McKinney-Vento Dispute Resolution Policy and Process for [[School]].

PSUs should bear in mind that disputes related to eligibility, school selection or enrollment should be initiated at the request of the parent, legal guardian, or unaccompanied youth and not at the request or convenience of the PSU. Additionally, issues related to the definition of homelessness, the responsibilities of the PSU to serve homeless children and youth, and/or the explicit rights of homeless children and youth are addressed in the McKinney-Vento Act. Disputes related to eligibility, school selection, or enrollment shall be resolved within the parameters of the federal McKinney-Vento Act.

The following procedures are specified in the McKinney-Vento Act:

Enrollment: If a dispute arises over eligibility, school selection, or enrollment, the child shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute. In the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute.

Written Explanation: The PSU must provide a written explanation of the eligibility, school selection, or enrollment decision to the parent, legal guardian, or, in the case of an unaccompanied youth, to the unaccompanied youth. (The written explanation must include a description of the parent's, legal guardian's, or unaccompanied youth's right to appeal the decision.)

Homeless Liaison: The designated PSU homeless liaison is assigned to carry out the dispute resolution process in an expeditious manner, such that the local process is completed in **no more than 15 school business days or 30 calendar days, whichever is less.**

Responsibility: The PSU homeless liaison is responsible for informing the parent, legal guardian, or the unaccompanied youth of the dispute resolution process. Amy Jo Harvey, Homeless Liaison for Mountain Discovery, 828-488-1222; aharvey@mountaindiscovery.org

OVERVIEW

When a dispute occurs regarding eligibility, school selection, or enrollment, the following process must be used:

Level I: The PSU's homeless liaison makes the initial dispute request.

Level II: If unresolved, the dispute moves to the PSU head administrator (Level II).

Level III: If unresolved, the dispute moves to the local governing Board (Level III) for review and final decision on behalf of the charter school.

Level IV: If the dispute remains unresolved, the final appeal (Level IV) is to the NC State Coordinator for the Education of Homeless Children and Youth (EHCY). Every effort must be made to resolve the dispute at the local level before it is brought to the NC State Coordinator for the Education of Homeless Children and Youth.

INITIATION OF THE DISPUTE RESOLUTION PROCESS

When a dispute occurs regarding eligibility, school selection, or enrollment the parent, legal guardian, or unaccompanied youth shall be informed in writing of the PSU's decision including reasons for the decision within one (1) school business day in a language and format understandable to the parent, legal guardian or unaccompanied youth of their right to appeal the decision made by the charter school and be provided the following:

1. Written contact information for the PSU homeless liaison and State Coordinator, with a brief description of their roles.
2. A simple form that parents, legal guardians, or unaccompanied youth can complete and turn in to the school to initiate the dispute process (the school should copy the form and return the copy to the parent, legal guardian, or youth for their records when it is submitted.)
3. A written step-by-step description of how to dispute the PSU's decision.
4. Written notice of the right to enroll immediately in the school of choice pending resolution of the dispute.
5. Written notice of the right to appeal to the State Coordinator for the Education of Homeless Children and Youth if the district-level resolution is not satisfactory.
6. Written timelines for resolving district- and state-level appeals.
7. A copy of the NC Dispute Resolution Policy (hard copy or online link).

Level I: PSU Homeless Liaison Communication

If a parent, legal guardian, or unaccompanied youth wishes to appeal the PSU's decision related to eligibility, school selection, or enrollment:

1. The parent, legal guardian, or unaccompanied youth must file a request for dispute resolution with the PSU's homeless liaison (or to his/her office) either verbally or by submitting a form that initiates the dispute resolution process. The request for dispute resolution must be submitted by the parent, legal guardian, or the unaccompanied youth to the homeless liaison **within two (2) school business days** of receiving the initial homeless liaison decision on enrollment, school selection, or enrollment. The parent, legal guardian, or unaccompanied youth may initiate the request directly with the homeless liaison, or they may initiate the request to the school where the dispute occurs. If the request is submitted to the school where the dispute occurs, the school shall immediately forward the request to the PSU's homeless liaison. If the PSU's homeless liaison is unavailable, a PSU designee may receive

the parent's, legal guardian's, or unaccompanied youth's request to initiate the dispute resolution process.

2. The homeless liaison must log their receipt of the dispute, including the date and time, with a written description of the situation and the reason for the dispute, and a copy of the dispute must be forwarded to the homeless liaison's immediate supervisor and the charter school's head administrator.
3. **Within one (1) school business day** of receipt of the complaint, the homeless liaison must decide on the dispute and inform the parent, legal guardian, or unaccompanied youth in writing of the result. The PSU is responsible for verifying the parent's, legal guardian's, or unaccompanied youth's receipt of the written notification regarding the homeless liaison's Level I decision.
4. If the parent, legal guardian, or unaccompanied youth disagrees with the decision made at Level I and wishes to move the dispute resolution process forward to Level II, the parent, legal guardian, or unaccompanied youth shall notify the PSU's homeless liaison of their intent to proceed to Level II **within one (1) school business day** of receipt of notification of the Level I decision.
5. If the parent, legal guardian, or unaccompanied youth wishes to appeal the homeless liaison's Level I decision, the PSU's homeless liaison shall provide the parent, legal guardian, or unaccompanied youth with an appeals package containing:
 - a. A copy of the parent's, legal guardian's, or unaccompanied youth's dispute, which was filed with the PSU's homeless liaison at Level I;
 - b. The decision rendered at Level I by the PSU homeless liaison; and
 - c. Any additional information from the parent, legal guardian, unaccompanied youth, and/or the homeless liaison.

Level II: PSU Superintendent Communication

(If the dispute remains unresolved after a Level I appeal)

1. If there is a disagreement with the decision rendered by the LEA's/PSU's homeless liaison at Level I, the parent, legal guardian, or unaccompanied youth may appeal the decision to the charter school's head administrator, or the head administrator designee, (the designee shall be someone other than the PSU's homeless liaison) using the appeals package provided at Level I.
2. The charter school's head administrator, or his/her designee, shall meet (verbally, virtually or face-to-face) with the parent, legal guardian, or unaccompanied youth. The meeting shall be held within two (2) school business days of the parent's, legal guardian's, or unaccompanied youth's notification to the PSU of their intent to proceed to Level II of the dispute resolution process.
3. The charter school's head administrator, or his/her designee, shall provide a decision in writing to the parent, legal guardian, or unaccompanied youth with supporting evidence and reasons, within two (2) school business days of the charter school's head administrator, or his/her designee's, meeting with the parent, legal guardian, or unaccompanied youth. The PSU is responsible for verifying the parent,

legal guardian, or unaccompanied youth's receipt of the written notification regarding the charter school's head administrator, Level II decision.

4. A copy of the dispute package and the written decision made at Level II is to be shared with the PSU's homeless liaison.
5. If the parent, legal guardian, or unaccompanied youth disagrees with the decision made at Level II and wishes to move the dispute resolution process forward to Level III, the parent, legal guardian, or unaccompanied youth shall notify the PSU's homeless liaison of their intent to proceed to Level III within two (2) school business days of receipt of notification of the Level II decision.
6. If the dispute remains unresolved, the process moves to Level III.

Level III: Local Governing Board Review

(If the dispute remains unresolved after a Level II appeal)

1. The charter school's head administrator, with assistance from the homeless liaison, shall forward all written documentation and related paperwork to the local governing Board for review within two (2) school business days of notifying the parent, legal guardian, or unaccompanied youth of the decision rendered at Level II.
2. The entire dispute package, including all documentation and related paperwork, is to be submitted to the governing Board in one consolidated and complete package. It is the responsibility of the PSU to ensure that the dispute package is complete and ready for review at the time of submission to the governing Board.
3. The local governing Board, or a panel of at least two Board members, shall schedule a conference with the parent, legal guardian, or unaccompanied youth to render a final decision on behalf of the Board. The Board or Board panel shall provide a written decision within two (2) school business days. The Board's or Board panel's decision shall be considered the final decision of the charter school to appeal to the State Coordinator for the Education of Homeless Children and Youth. The written notification shall be provided to the parent, legal guardian, or unaccompanied youth, the head administrator, and the homeless liaison. Also, the notification shall contain the name and contact information for the State Coordinator for the Education of Homeless Children and Youth, along with details on appeal rights of the parent, legal guardian, or unaccompanied youth.
4. The parent, legal guardian, or unaccompanied youth has the option of filing an oral or written dispute with the State Coordinator for the Education of Homeless Children and Youth within three (3) school business days of receiving the Board's or Board panel's decision. The local homeless liaison shall provide the complete dispute record within three school business days following the request of the State Coordinator for the Education of Homeless Children and Youth. The State Coordinator shall issue a final written decision to the parent, legal guardian, or unaccompanied youth and the PSU within ten school business days following receipt of a complete dispute package.

Dispute Resolution Terms

1. The terms “homeless,” “homeless child,” and “homeless student” shall mean the same as the term “homeless children and youth” as defined by 42 U.S.C. § 11434a(2). These terms shall also be deemed to include the term “unaccompanied youth.”
2. The term “unaccompanied youth” shall mean the same as defined by 42 U.S.C. § 11434a(6).
3. The term “public school unit (PSU)” includes local school administrative units, charter schools, lab schools, regional schools, Innovative School District schools, and Innovations Zone schools, and was formerly known as local educational agency (LEA).
4. The term “PSU dispute resolution process” shall refer to the PSU’s policy on resolving complaints from parents, legal guardians, or unaccompanied youth regarding students experiencing homelessness. The term shall refer to appeals processes within the PSU, prior to any appeal by the parent, legal guardian, or unaccompanied youth to the State Coordinator.
5. The term “local homeless liaison” shall refer to the official at each PSU, who ensures the PSU dispute resolution process for homeless children and youth is mediated in accordance with local, state, and federal policy as required by 42 U.S.C. § 11432(g)(6)(A)(vii).
6. The term “school business day” means days on which students are scheduled to be in attendance at school, according to the academic calendar adopted by the PSU.
7. The term “State Coordinator” shall refer to the staff person who carries out federally mandated duties regarding students experiencing homelessness as required by 42 U.S.C. § 11432(d)(3).
8. The term “State appeal process” shall refer to the policies the State Coordinator, PSUs, parents, legal guardians, and unaccompanied youth must follow when a parent, legal guardian, or unaccompanied youth seeks to appeal a dispute to the State Coordinator.

Appendix F

Procedures for Disciplinary Process, Short-Term Suspensions, Long Term Suspension, Exclusion, and Expulsion

Upon receiving a report of a potential occurrence of any of the above violations, school administration will conduct an investigation. An investigation may include interviewing witnesses, reviewing camera footage, speaking with staff members, and searching a student, a student's locker, or a student's belongings. Refusal to permit the search will result in the assignment of consequences commensurate with the suspected violation.

Upon completion of the investigation, school administration will determine if the preponderance of the evidence weighs in favor of the violation occurring. This means that it is more likely than not that the student committed the violation. If that is the conclusion, the student will be notified of the consequences of the violation, as long as notification of the student does not pose a risk to the safety and security of other individuals on campus. If the violation is an offense that requires a report to law enforcement, the appropriate agency will be notified. The school administrator will make a reasonable attempt to contact the student's parent or guardian by telephone to communicate the results of the investigation and the assigned consequences.

Due Process Procedures for Short-Term Suspensions (1-10 days)

A student accused of misconduct, which in the opinion of the Co-Directors (including the Directors' designee) would require a short-term suspension from school, shall be afforded the procedures below. A student must be given an opportunity to complete assignments, take textbooks home, and take major tests or exams missed during the period of suspension.

Step 1: The student must be told by the principal/designee why suspension is being considered.

Step 2: The student must be given the opportunity to have an informal hearing with the Co-Director/designee, present his/her version of the events, and identify witnesses to the incident. The informal hearing will typically occur immediately after the student is informed of the charges, but may be delayed if the student's continued presence on campus is a safety concern.

Step 3: The Co-Director/designee shall make a determination as to whether or not a student is guilty of the misconduct, and if so, what disciplinary response will be imposed. Initial notices to impose suspension may be communicated orally to the parent; written notification must follow.

Step 4: A Co-DirectorThe principal/designee shall report each suspension in writing to the student's parent/guardian by fax, email, or any other reasonable method to give actual notice. Reasonable effort shall be made to contact parents/guardians prior to the start of the suspension. If parents/guardians cannot be reached prior to the start of the suspension, the principal/designee may start the suspension

without contacting them. In this event, a Co-Director or designee must continue efforts to reach the parent/guardian.

Step 5: At the discretion of a Co-Director the principal, a written behavior contract may be required upon the student's return to school.

Step 6: There is no appeal of an out-of-school suspension of 10 days or less. Students are not entitled to appeal a principal's (or their designee's) decision to impose a short-term suspension to the school's Board of Directors.

If a student is determined to have committed a violation for which the possible consequence is long-term suspension, exclusion, or expulsion, the school principal will follow the procedures outlined in the section below.

Due Process Procedures for Long-Term Suspension, Exclusion, and Expulsion

A student accused of a willful violation of the Code of Student Conduct, which, in the opinion of the principal/designee, may require a 365-day suspension, long-term suspension, or exclusion from the school, shall be afforded the procedural safeguard described below. The procedures for a short-term suspension must be employed, as well as the following additional steps, prior to the imposition of a 365-day suspension, long-term suspension, or exclusion. The Co-DirectorsDean/Assistant Principal/Principal, or the Head of School, may recommend a 365-day suspension, long-term suspension, exclusion, and/or participation in a Behavioral Contract. Where exclusion, long-term suspension, or a 365-day suspension is recommended, the parent(s)/guardian(s) will be notified in writing within two school days or as soon as possible.

The notification of the recommendation for long-term suspension or exclusion shall be consistent with NC General Statute § 115C-390.8 and include the following:

1. The conduct that violated the School's Code of Conduct;
2. The relevant provision in the School's Code of Conduct that was violated;
3. A deadline for the parents or guardians to request a hearing;
4. A deadline for the parent to notify the school as to whether they are bringing an advocate and the role of such advocate;
5. The right to review and obtain copies of your child's educational records before the hearing;
6. The time frame or date when the hearing will be held, if one is requested;
7. The right to question the witnesses who appear at the hearing;
8. The right to present evidence on your child's behalf, which can include written or oral statements relating to the incident leading to the suspension and any of the factors listed in N.C. General Statute § 115C-390.2(g);
9. The right to have a record made of the hearing. We will record the hearing and make a copy available at your request. You also have the right to make your audio recording of the hearing;

10. Notice that the School follows the procedures set forth in N.C. General Statute § 115C-402 with regard to the expungement of discipline records; and
11. The right to a written decision, based on substantial evidence presented at the hearing, that upholds, modifies, or rejects the principal's recommendation of suspension and/or exclusion and that contains at least the following information:
 - a. The basis for the decision, including a reference to any policy or rule that the student is determined to have violated;
 - b. Notice of what information will be included in the student's official record pursuant to N.C. General Statute § 115C-402; and
 - c. The student's right to appeal the decision and notice of the procedures for such appeal.

The School will follow one of the following processes for Exclusion, Long-Term Suspension, and 365-Day Suspension:

Option 1

If a Co-DirectorDean/Assistant Principal/Principal determines that an infraction falls into the category for which a long-term suspension and/or exclusion or a 365-day suspension is appropriate, they will notify the Board of Directors of a recommendation for long-term suspension or exclusion. If the parent(s)/guardian(s) request a hearing, it will be before the Co-Directors Head of School or a hearing officer. At the conclusion of the hearing, the Board of Directors will determine if the Co-Directors Dean's recommendation for long-term suspension or exclusion should be upheld, modified, or overturned.

If the student is assigned exclusion or a long-term suspension or a 365-day suspension by the Co-DirectorsHead of School or a hearing officer, the parent or guardian has two school days to appeal the decision to a panel of the board of directors. This request must be submitted in writing to the Co-DirectorsHead of School. The board panel will review the appeal based on the record and make a decision. A hearing before the board panel is at the discretion of the board and is not required. The board panel decision is final, and there is no appeal to the full board. The school will follow the requirements set forth in North Carolina's General Statutes for any such appeal and hearing.

If the parent or guardian either refuses the hearing or fails to attend the hearing, the Co-DirectorsHead of School will make the determination on whether to uphold the recommendation of a 365-day suspension, long-term suspension, or exclusion. Such a decision shall be final.

Option 2

For any offense where a Long Term Suspension, Exclusion, or a 365-Day Suspension is recommended, the Co-Directors (and their designees) may recommend a 365-day suspension, long-term suspension, or exclusion. Where: (1) the school does not employ the process set forth in Option 1, (2) the Head of School is involved in the investigation of the disciplinary incident or the recommendation for long-term suspension, or (3) the Head of School wishes to have a board panel hear any appeal, then any hearing

shall be conducted by a panel of three board members appointed by the board chair or their designee. Decisions of the Board Panel shall be final, and there will be no further appeal to the full Board of Directors. The school will follow the requirements set forth in North Carolina's General Statutes for any such appeal and hearing.

If the parent or guardian either does not request a hearing or fails to attend the hearing, the Head of School will make the determination on whether to uphold the recommendation of a 365-day suspension, a long-term suspension, or exclusion. Such a decision shall be final.

If a Co-DirectorDean determines that an infraction falls into the category for which a long-term suspension and/or exclusion or a 365-day suspension is appropriate, they will notify the Board of Directors. A hearing before the board panel is at the discretion of the board and is not required. The board panel decision is final. The school will follow the requirements set forth in North Carolina's General Statutes for any such appeal and hearing.

If the parent or guardian either refuses the hearing or fails to attend the hearing, the Co-DirectorsHead of School will make the determination on whether to uphold the recommendation of a 365-day suspension, long-term suspension, or exclusion. Such a decision shall be final.

Procedures for Expulsion

N.C.G.S. § 115C-390.11 gives the School's Board of Directors authority to expel any student over 14 years of age whose behavior indicates that the student's continued presence in the school constitutes a clear threat to the safety of other students or employees or who is subject to the Jessica Lundsford Act (which applies to certain registered sex offenders). The school will follow legally required procedures for Expulsion. Details of the procedures to be followed for expulsion are provided in North Carolina General Statutes, § 115C-390.11.

Appendix F: Discipline of Students with Disabilities

Discipline of Students with Disabilities

The obligation and the responsibility to attend school regularly and to comply with the school's code of conduct apply to all students. When appropriate, a Co-Director or designee may discipline a student with a disability who has not complied with the school's code of conduct. Exceptional Children's education services will be provided to a student with a disability if the student has been removed from school for more than ten school days. If a student with a disability is removed for less than ten cumulative days, educational services will be provided only if such services are provided to students without disabilities who have been similarly removed. The school will follow all applicable state and federal laws when disciplining students with disabilities.

SPECIAL EDUCATION SERVICES

SCHOOL employs certified Special Education Resource and Inclusion Teachers to provide consultation services to classroom teachers who serve special education students, as needed. SCHOOL shall comply with federal and state law to ensure that all students with disabilities will be provided with a free appropriate education (FAPE).

Students with special needs have safeguards and rights under federal and state laws and cannot be excluded from their educational programs without following federally mandated procedures. The School recognizes the importance of working with students early to prevent misbehavior and to provide appropriate behavioral intervention plans and goals through the IEP process.

Students with special needs cannot be suspended from school for more than 10 cumulative days in a school year without following specific procedures. Services must be provided starting on day 11, and the IEP team must meet to determine if a manifestation determination has occurred.

The school will first try to intervene with student behavior in the school setting. Repeated problematic behavior will be addressed early through the IEP process; teams will analyze the behavior through a Functional Behavior Analysis (FBA) and then develop a Behavior Intervention Plan (BIP) and/or behavioral goals.

When Exclusion Is Required

If a student's behavior is so severe that the student needs to be removed from school, the school may exercise the following options:

- School Administrators may suspend a special needs student for up to 10 school days in a school year, just like any student. Suspension day 11 will trigger a Manifestation Determination meeting.
- Students considered for long-term suspensions, exclusion, expulsion, or for whom a pattern is determined must have a Manifestation Determination.

- If the behavior is unrelated to the disability, the student may receive standard disciplinary action (suspension, exclusion, expulsion). However, the student must continue with special education services when required by law.
- If the behavior is related to the disability, the student may NOT be suspended, excluded, or expelled.
- At all stages, the IEP team may meet to determine an alternative placement. The new placement would then not be considered as a removal or suspension. When or if a change is warranted, the team will need to meet again to change placement back to the original school setting.

All disciplinary removals are counted as suspensions unless the IEP team meets for that situation and changes the student's special education placement.

Change of Placement

A Change in Placement for Disciplinary Reasons Occurs if:

- The removal is for more than 10 consecutive school days; **or**
- The student has been subjected to a series of removals that constitute a pattern (students sent home early) that totals more than 10 school days per school year.

On the date of the decision to remove a student, which is a change of placement for disciplinary reasons, the school must notify parents of that decision and provide due process. A manifestation determination must be completed within 10 school days. An FBA and BIP must be completed or reviewed if already completed. *Changes in special education placements are NOT suspensions.*

Any change in special education placement must be documented on:

1. IEP: either by addendum or a new IEP (Re-evaluation); and
2. Prior Written Notice

When a special education placement changes through the IEP process (for example, to modified day or homebound), the new placement does not count as a school removal or a suspension. If a student has a change in placement, the IEP team is required to meet every 30 days to ensure the placement is still appropriate.

The student will need the same process (IEP addendum and Prior Written Notice) to return to the original placement when or if appropriate.

Examples of changes that might be considered by the IEP team based on behavior:

- Separate to modified day;
- Regular to homebound services;
- Homebound services to regular; or
- Separate to regular (when students are placed from max-resource to inclusion support).

Manifestation Determination

The Manifestation Determination is to be completed by the student's IEP Team and must occur within 10 school days of removal when there has been a change of placement.

After reviewing all relevant information in the student's file (IEP, observations, parent information), the team must decide if the behavior was a manifestation of the disability by determining:

1. If the child's disability caused the conduct, and
2. If the conduct resulted from the School's failure to implement the IEP, then the School must take immediate steps to remedy those deficiencies.

Day 11 Requirements

Starting with the 11th day of removal, the school must:

1. Provide services. **No exceptions.** Which services are provided and who determines appropriate services depend upon IEP contents, whether there has been a change of placement for disciplinary reasons, and the results of any manifestation determination.
2. Determine if a change of placement is for disciplinary reasons.

If the change in placement is due to disciplinary reasons:

1. On the day of the incident, the School must follow the Student Discipline Policy set forth above.
2. Conduct a Manifestation Determination.

If the behavior is not a manifestation of the disability based on the Manifestation Determination:

The student may be suspended, excluded, expelled, similar to a general education student.

If the behavior is a manifestation of the disability based on the Manifestation Determination:

1. The student must be returned to the placement from which the student was removed unless the parent and school agree to a change of placement.
2. Conduct a Functional Behavioral Assessment (FBA) unless it is completed (current IEP and current school year). If completed, review as needed.
3. Develop a Behavior Intervention Plan (BIP) designed to address the behavior violation. If the BIP has already been developed, review it and modify it to address the behavior.

Weapons/Drugs/Serious Bodily Injury:

If the offense involves weapons, drugs, or serious bodily injury, proceed using the 11-day requirements. These violations are clearly defined; the standard for serious bodily injury is very high. The only difference in procedure is that if the manifestation determination shows the relationship between the behavior and the disability, the Head of School or their designee may remove the student to an alternative setting for up to 45 school days. If the behavior is not related, the student may be removed

similar to a regular student. In both cases, Manifestation Determination, FBA, BIP, and services defined by IEP are required.

Functional Behavioral Assessment (FBA)

Functional Behavior Assessments are to be completed on all students with special needs with behavior difficulties. This is required if a change of placement is for disciplinary reasons. If an FBA has already been developed, review and modify it as necessary to address the behavior.

The School will be proactive and perform an FBA before the student accumulates the 10th day of removal. If there is a disciplinary change of placement and an FBA has already been completed, a new FBA is not required for each removal; however, the FBA needs to be reviewed regularly.

Behavioral Intervention Plans (BIP)

Behavior Intervention Plans are to be completed for all students with special needs with behavior difficulties. This is required if a change of placement is for disciplinary reasons. If a BIP has already been developed, review and modify it as necessary to address the behavior.

The most practical way to deal with repetitive, inappropriate behavior is to develop a behavioral intervention plan as part of the IEP. Behavioral plans are recommended for any student with special needs who has problems with behavior, even if the behavior is not judged to be related to the disability.