STUDENT DISCIPLINE POLICY
All Regions

Safety, order, and student discipline are fundamental to learning at Rocketship. Rocketship expects all students to behave in a way that fosters a safe and welcoming environment for other students, Rocketship staff, and community members.

Students will be subject to disciplinary action if they engage in prohibited conduct while on school property, when attending any school-sponsored activity, or while in transit going to or coming from a Rocketship campus. Students may also be subject to disciplinary action for off-campus behavior if it creates a substantial disruption to the school environment or interferes with another student’s ability to participate in the school program.

Some disciplinary infractions are so serious that they may subject a student to suspension and/or expulsion. A list of these infractions can be found in Rocketship’s Suspension and Expulsion Policy, along with the procedures that Rocketship will take when considering suspension or expulsion of a student. This Policy outlines the Rocketeer Code of Conduct that we expect students to follow; expectations for students; examples of prohibited conduct that will subject a student to in-school disciplinary action; and disciplinary actions that Rocketship may take in response to behavioral infractions, including In-School Suspension.

I. Rocketeer Code of Conduct

The Rocketship Code of Conduct includes the following non-negotiable expectations for our Rocketeers:

- Adherence to the Rocketship Commitment to Excellence.
- Adherence to the Rocketship Core Values: Respect, Responsibility, Persistence, Empathy, and the fifth campus-specific Value chosen by each school.
- Adherence to the Rocketship Creed:

  I am a Rocketship Rocketeer at home, at school, and in my community
  I show respect to myself, my neighbors, and the environment
  I take responsibility for my learning and actions
  I have empathy, supporting others in need
  I show initiative by solving the problems I see
  And I am persistent in attaining excellence.
  Together, we are all Rocketship Rocketeers.

II. Prohibited Conduct

The following conduct is prohibited by Rocketship and may subject a student to in-class disciplinary action in accordance with this policy.
• Engaging in acts of discrimination, harassment, intimidation or bullying as defined by Rocketship’s bullying prevention policies.
• Insubordination (including, but not limited to, refusing to follow directions, refusing to identify oneself to a staff member, running away from a staff member, talking back to a staff member).
• Fighting or engaging in behaviors that threaten the safety of oneself or others.
• Disrupting school activities.
• Playing in the hallways or bathroom.
• Dishonesty/lying to staff members.
• Theft of property.
• Academic dishonesty, including plagiarism or cheating.
• Inciting or attempting to incite others to violence or disruption.
• Aiding or abetting the infliction or attempted infliction of violence on another.
• Committing an obscene act or engaging in habitual profanity or vulgarity.
• Recording or photographing students or staff members without their prior knowledge and consent.
• Using computers for non-school related activities, including viewing or accessing prohibited sites.
• Using cell phones or other personal electronic communication devices on school property, during school hours or during school functions, except when under express permission and supervision of a staff member.
• Trespassing (including being on school grounds while school is not in session, being in unauthorized areas of the building, and use of the bathroom without permission).
• Leaving the classroom, school building, school property, or school activity without permission.
• Intentionally altering, falsifying, destroying, or fabricating any official document (including 9-1-1 phone calls and setting off fire alarms).
• Repeatedly violating Rocketship’s Student Dress Code.
• Violating Rocketship Education’s Code of Conduct, as described above.

III. In-school Disciplinary Actions

Rocketship relies on proactive, preventive supports to promote positive behavior at school. Rocketship has implemented a Positive Behavior Interventions and Supports (PBIS) framework in all schools. The fundamental purpose of PBIS is to create learning environments that are more consistent, predictable, positive and safe. Key PBIS practices include clearly defined behavioral expectations and consequences, systems for recognizing and reinforcing positive behaviors, data-based decision making, multi-tiered systems of support, and the implementation of core social-emotional learning curricula.

Rocketship classrooms also use a variety of management systems to address behavioral issues. These may include color-coded card chart systems and other tiered consequences.

In the event that Rocketship’s PBIS infrastructure and classroom management systems are insufficient to prevent disciplinary infraction, or a disciplinary infraction is serious enough to immediately warrant additional discipline, Rocketship may take alternative in-school disciplinary action. These actions depend on the circumstances of the offense and may include, but are not limited to, the following:

• Sending the student to the Principal’s office.
Excluding the student from classroom activities or privileges through a “time out” or temporary placement in another classroom.

- Calling or writing/emailing the student’s parent/guardian.
- Arranging a conference with the student, parent, teacher and/or administrator.
- Implementing an individualized behavior plan for the student.
- Implementing counseling sessions with a designated staff member.
- Sending the student to a peer mediation.
- Requiring that the student complete a reflective essay or assignment.
- Requiring that the student take actions to counteract/ameliorate a problem (i.e. fixing something the student broke).
- Referring the student to a Student Support Team.
- Restricting the student’s participation in after-school/extra-curricular activities or field trips.
- Holding the student for detention or additional instructional time during lunch or before/after school.
- Confiscating inappropriate items related to the disciplinary infraction.

Corporal punishment shall not be used as a disciplinary measure against any student. “Corporal punishment” includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, “corporal punishment” does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property. (See also Rocketship’s Seclusion and Restraint Policy.)

As described above, severe infractions that threaten the safety or heath of students, staff or others, may be cause for suspension or expulsion, as outlined in Rocketship’s Suspension and Expulsion Policy.

IV. In-School Suspension

In-school suspension (“ISS”) provides an alternative to out-of-school suspension. ISS allows students to be counted present and provides an in-school opportunity for them to complete and receive credit for class assignments. During ISS, students will complete school work in a location separate from their class. ISS is not intended to be an alternative to or long-term replacement of the student’s regularly scheduled class.

ISS may be used in the event that a student is engaging in prohibited conduct that is making the classroom environment physically or emotionally unsafe for other students or that severely disrupts a class or school-sponsored activity;

Only the Principal or Assistant Principal, with prior approval from his/her supervisor, shall assign a student to ISS. Students assigned to ISS must have written notification of the date and duration of the ISS assignment. Assignment to ISS and the scheduling of the days assigned are at the Principal’s discretion.

Principals should place the student in ISS as soon as possible after the infraction is reported. The principal will ensure that:

- Students assigned to ISS are provided a safe, positive environment
- Students assigned to ISS are properly supervised; and
• Students assigned to ISS are allowed to complete class work assigned during his/her placement in ISS.
• All class work for students is obtained, academic assistance is provided as necessary, and completed work is returned to the student’s classroom teacher.
• Activities of academic value are provided for the student when the classroom teacher’s work is not provided or is insufficient for ISS time assigned.

Additionally, classroom teachers will:

• Provide classwork commensurate to the work missed for a student in ISS.
• Record a student in ISS as present. There will be no attendance-related penalty for assignment to ISS.
• Evaluate the student’s work completed in ISS and give credit for work completed in ISS.
• Ensure that students in ISS receive credit for attendance and full credit for work completed.

The student’s parent/guardian must be notified of a student’s assignment to ISS at the time that the ISS placement is scheduled. The Principal should contact a parent/guardian by phone or in-person meeting. If the parent/guardian cannot be reached in this manner, the Principal or his/her designee may make contact through e-mail.
This policy is adopted by the Board of Directors of Rocketship Education, Inc.

Date: 5/19/10              Signed Frederick Ferrer

Frederick Ferrer, Board President
Rocketship Education
This policy is adopted by the Rocketship Education D.C., Public Charter School, Inc. Board of Trustees.

Date: 5/25/14  
Signed: Jolene Slater, President, Board of Trustees
This policy is adopted by the Board of Directors of Rocketship Education Wisconsin, Inc.

Date: 10.11.16

Signed Ralph Weber

Ralph Weber, Board President
Rocketship Education Wisconsin
Suspension and Expulsion Policy
Region(s): CA

When disciplinary infractions occur on campus, our Principals are expected to respond in accordance with our Student Discipline Policy, which encourages positive behavioral interventions and supports and outlines available in-school disciplinary actions. Suspension should only be considered in cases of egregious behavioral infractions – and, even then, should be viewed as a last resort—as we believe that our students are best served when they are present at school every day. Recommendations for expulsion should not be pursued except in the most extreme cases, as our policy is to do whatever it takes to serve every student who enrolls in a Rocketship school.

If a situation does arise where a Principal feels that the student should be suspended or recommended for expulsion, this policy was written to guide the process. The policy has been written in accordance with relevant federal and state laws and regulations. It addresses grounds for suspension and expulsion; suspension and expulsion procedures; the maintenance of disciplinary records; student appeal rights; rehabilitation and readmission; and special procedures for the consideration of suspension and expulsion of students with disabilities.

Note that no student shall be involuntarily removed by a Rocketship school for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student’s parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student’s educational rights holder, and shall inform him or her of the right to initiate the procedures specified below for suspensions, before the effective date of the action. If the student’s parent, guardian, or educational rights holder initiates the procedures specified below for suspensions, the student shall remain enrolled and shall not be removed until the School issues a final decision. As used herein, “involuntarily removed” includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to the suspension and expulsion procedures described below.

I. Grounds for Suspension and Expulsion
A student may be disciplined, suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at a Rocketship school or at any other school or a school-sponsored event at any time including but not limited to: while on school grounds; while going to or coming from school; during the lunch period, whether on or off the school campus; and during, going to, or coming from a school-sponsored activity. Students may also be subject to disciplinary action for off-campus behavior if it creates a substantial disruption to the school environment or interferes with another student’s ability to participate in the school program.

In California, in accordance with EC §48900, a student may be suspended or expelled for any of the following acts when it is determined that the student:

a. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force of violence upon the person of another, except self-defense.
b. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Principal/Administrator or designee’s concurrence.

c. Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code §§ 11053-11058, alcoholic beverage, or intoxicant of any kind.

d. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code §§ 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.

e. Committed or attempted to commit robbery or extortion.

f. Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.

g. Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.

h. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packs and betel.

i. Committed an obscene act or engaged in habitual profanity or vulgarity.

j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code § 11014.5.

k. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. Under Education Code § 48900(k), students in grades K-3 may not be suspended for disruption or willful defiance. No student in grades K-5 may be expelled for willful defiance.

l. Knowingly received stolen school property or private property.

m. Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

n. Committed or attempted to commit a sexual assault as defined in Penal Code §§ 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code §243.4.

o. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.

p. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

q. Engaged in or attempted to engage in hazing of another. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
r. Engaged in an act of bullying. For the purpose of this subdivision, the following terms have the following meanings:

- (1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
  - Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.
  - Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
  - Causing a reasonable pupil to experience substantial interference with his or her academic performance.
  - Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

- (2)(A) “Electronic act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to:
  - A message, text, sound, video, or image.
  - A post on a social network Internet Web site, including, but not limited to: Posting to or creating a burn page. “Burn page” means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1); Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated; Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
  - An act of cyber sexual bullying. For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (A) to (D), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act. For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious
literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

- (2) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- (3) “Reasonable pupil” means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

Pursuant to Ed Code 48900(v), for a pupil subject to discipline under this section, a principal may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil’s specific misbehavior.

In accordance with Ed Code 48900(w), alternatives to suspension or expulsion will first be attempted with students who are truant, tardy, or otherwise absent from assigned school activities.

II. Suspension Procedures

A suspension is a temporary dismissal of a student from the regular school program and school-sponsored events for the allotted time assigned by a school administrator. Suspensions can range from one to five school days, depending on the seriousness of the violation. Students are expected to complete all work assigned while they serve their suspension.

Suspensions at Rocketship will adhere to the following procedures:

Conference

In accordance with Ed Code 47605(b)(5)(J)(i), suspensions of less than 10 days will be preceded by a conference conducted by the Principal or designee with the student and his/her parent and, whenever practical, the teacher, supervisor, or school employee who referred the student to the Principal. The conference may be omitted if the Principal or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If a student is suspended without this conference in an emergency situation, both the parent/guardian and student shall be given the opportunity to conference within two school days.

At the conference, the student shall be informed of the reason for the disciplinary action and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in his/her defense.

Absent an emergency situation, the conference must occur before the student is sent home on suspension.

No penalties may be imposed on a student for failure of the student’s parent/guardian to attend a conference with school officials. Reinstatement of the suspended student shall not be contingent upon attendance by the student’s parent or guardian at the conference.
Notice to Parents/Guardians
At the time that the decision is made to suspend a student, the Principal or designee shall make a reasonable effort to contact the student’s parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall also be notified in writing of the suspension, the reason for the suspension, the length of the suspension, the student’s right to return to school at the end of the suspension, and any conditions for that return (i.e. a return conference with the parent/guardian) and the date of return following suspension. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

A copy of this notice will also be filed in the student’s cumulative folder in the school.

Suspension Time Limits/Recommendation for Expulsion
Suspensions, when not including a recommendation for expulsion, shall not exceed five consecutive school days per suspension. In calculating days of suspension, days served will not include days when school is not in session for students, including but not limited to school closure days, school holidays, spring break, and summer break. If the student leaves school on the day that the suspension was imposed, this day will be counted as part of the suspension if the student was denied class participation prior to 12 noon of that day. The suspension shall terminate at midnight on the day listed as the last day of the suspension.

Upon a recommendation of expulsion by the Principal or Principal’s designee, the student and the student’s parent/guardian or representative will be invited to a second conference to determine if the suspension for the student should be extended pending an expulsion hearing. This determination will be made by the Principal or designee upon either of the following determinations: (1) the student’s presence will be disruptive to the education process; or (2) the student poses a threat or danger to others. Upon either determination, the student’s suspension will be extended pending the results of an expulsion hearing.

Students who are suspended shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension.

III. Authority to Expel
An expulsion is the permanent dismissal of a student from the Rocketship program, subject to any rehabilitation plan as further described below. If an expulsion is approved, the parent/guardian has the responsibility to place the student in another school.

In accordance with Ed Code 47605(b)(5)(J)(iii), no student will be involuntarily disenrolled, dismissed, or transferred by the charter school for any reason, unless the parent or guardian has been provided written notice at least five school days before the effective date of the removal. For all involuntary removals, including expulsions and dismissals for non-disciplinary reasons, parents must be informed of their right
to a hearing before the effective date of the removal. If the student's parent or guardian initiates the
hearing procedures, the student must remain enrolled until the charter school issues a final decision.

The full authority of the Rocketship governing Board of Directors ("the Board") to hear and conduct
expulsions shall be granted to the Academic Affairs Committee, a committee of the Board. The Academic
Affairs Committee shall consist of three board members. The Academic Affairs Committee may expel any
student found to have committed an expellable offense as listed in Section II above.

Instead of conducting the hearing itself, the Academic Affairs Committee may appoint an impartial
administrative panel, as described below. The Academic Affairs Committee will pre-appoint a panel of at
least five certificated Rocketship staff members, each from different Rocketship school sites. Should any
of the persons appointed to the panel be employed by the staff of the school in which the student is
enrolled, he/she will recuse him/herself from the proceedings.

IV. Expulsion Procedures
In accordance with Ed Code 47605(b)(5)(J)(ii), for expulsions and suspensions in excess of 10 days, the
Charter School shall provide timely written notice of the charges against the student and an explanation
of the student's basic rights.

Hearing
In accordance with Ed Code 47605(b)(5)(J)(ii), students recommended for expulsion are entitled to a
hearing to determine whether the student should be expelled. The hearing shall be held within 20 school
days after the Principal or designee determines that the student has committed an expellable offense,
unless the student requests, in writing, that the hearing be postponed.

In the event an administrative panel hears the case, it will, within 10 days of the hearing, make a
recommendation to the Academic Affairs Committee for a final decision whether or not to expel. The
hearing shall be held in closed session unless the student makes a written request for a public hearing
three days prior to the hearing.

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian before
the date of the hearing. Upon mailing the notice, it shall be deemed served upon the student. The notice
shall include:

- The date and place of the expulsion hearing;
- A statement of the specific facts, charges and offenses upon which the proposed expulsion is
  based, along with a summary of the evidence against the student;
- A copy of Rocketship’s disciplinary rules which relate to the alleged violation;
- Notification of the student’s or parent/guardian’s obligation to provide information about the
  student’s status at the school to any other school district or school to which the student seeks
  enrollment;
- The opportunity for the student or the student’s parent/guardian to appear in person or to employ
  and be represented by counsel or a non-attorney advisor;
- The right to inspect and obtain copies of all documents to be used at the hearing;
• The opportunity to confront and question all witnesses who testify at the hearing;
• the opportunity to question all evidence presented and to present oral and documentary evidence on the student’s behalf including witnesses.

Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses
Rocketship may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of a statement from the victim or witness, which shall be examined only by Rocketship or the hearing officer. Copies of these statements, edited to delete the name and identity of the witness, shall be made available to the student.

Presentation of Evidence
While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel and decision by the Board to expel must be supported by a preponderance of the evidence that the student committed an expellable offense.

Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay and written declarations may be admitted as testimony from witnesses of whom the Board, Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

The decision of the Administrative Panel shall be in the form of written findings of fact and shall be made within three school days following the conclusion of the hearing.

If the expulsion hearing panel decides not to recommend expulsion, the student shall be returned to his/her educational program or become subject to discipline or suspension in accordance with this policy.

Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses
Rocketship may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by the Charter School or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.

3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.

4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.

5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.

6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the Administrative Panel or the Academic Affairs Committee from removing a support person whom the presiding person finds is disrupting the hearing. The Administrative Panel or the Academic Affairs Committee conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.

7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the room during that testimony.

9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination
regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

Record of Hearing
A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made.

Presentation of Evidence
While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel or Academic Affairs Committee to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Academic Affairs Committee or Administrative Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the expelled student, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

The decision of the Administrative Panel shall be in the form of written findings of fact and a written recommendation to the Academic Affairs Committee, which will make a final determination regarding the expulsion. The final decision by the Academic Affairs Committee shall be made within ten (10) school days following the conclusion of the hearing.

If the Administrative Panel decides not to recommend expulsion, the student shall immediately be returned to his/her educational program.

V. Written Notice to Expel
The Principal or designee, following a decision of the Board to expel, shall send written notice of the decision to expel, including the Board’s adopted findings of fact, to the student or parent/guardian. This notice shall also include the following:
- notice of the specific offense committed by the student and
- notice of the student’s or parent/guardian’s obligation to inform any new district in which the student seeks to enroll of the student’s status with Rocketship.
VI. Right to Appeal
The student/family shall have the right to appeal the decision to expel the student from Rocketship directly to the Academic Affairs Committee. If the Academic Affairs Committee made the final decision on the expulsion, the appeal shall go directly to the Executive Committee of the Board. The request to appeal must be made in writing and shall be submitted to the Academic Affairs Committee or Executive Committee within five business days of being made aware of the decision to expel the student. The appeal shall be heard by the Academic Affairs Committee or Executive Committee within 15 days of receipt of the appeal. Any decision made on appeal shall be final.

VII. Expelled Students/Alternative Education
With the exception of students with disabilities under IDEA, students who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within their school district of residence. The Charter School shall work cooperatively with parents/guardians to assist with locating alternative placements during expulsion.

VIII. Rehabilitation and Readmission
At the time of the expulsion order, students who are expelled shall be given a rehabilitation plan, to be developed by the Academic Affairs Committee in conjunction with Rocketship staff, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one year from the date of expulsion when the student may be reviewed for readmission to a Rocketship school.

The decision to readmit a pupil who has been expelled from a Rocketship school shall be in the sole discretion of the Board following a meeting with the Principal and the pupil and guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Principal shall make a recommendation to the Board following the meeting regarding his or her determination. The pupil's readmission is also contingent upon RSPS's capacity at the time the student seeks readmission.

The decision to admit a pupil who has previously been expelled from another school, school district or charter school shall be in the discretion of the Principal following a meeting with the pupil and guardian or representative to determine whether the pupil poses a threat to others or will be disruptive to the school environment. Where applicable, the Principal may also consider whether the pupil has completed any rehabilitation plan or other improvement measures prescribed by the pupil's previous school. The Principal shall make a recommendation following the meeting regarding his or her determination. The pupil's admission is also contingent upon RSPS's capacity at the time the student seeks admission.
IX. Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities

Services During Suspension
Students with disabilities pursuant to the Individuals with Disabilities Act ("IDEA") suspended for more than ten school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; and receive, as appropriate, a functional behavioral assessment or functional analysis, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

Procedural Safeguards/Manifestation Determination
Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, a manifestation determination shall take place. "Change of Placement" includes a recommendation for expulsion, consecutive removal of more than ten school days, or a cumulative removal of more than ten school days in a school year. Rocketship, the parent, and relevant members of the IEP Team shall review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine: (1) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or (2) the conduct in question was the direct result of the local educational agency's failure to implement the IEP.

If Rocketship, the parent, and relevant members of the IEP Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.

If Rocketship, the parent, and relevant members of the IEP Team make the determination that the conduct was a manifestation of the child's disability, the IEP Team shall:

1) Conduct a functional behavioral assessment or a functional analysis assessment, and implement a behavioral intervention plan for such child, provided that the school had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
2) If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
3) Return the child to the placement from which the child was removed, unless the parent and the school agree to a change of placement as part of the modification of the behavioral intervention plan.

If the school, the parent, and relevant members of the IEP team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of the failure to implement the IEP, then the school may apply the relevant disciplinary procedures to children with
disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

Due Process Appeals
If the parent of a child with a disability disagrees with any decision regarding a disciplinary change in placement, or the manifestation determination, or the school believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, the parent or school may request an expedited administrative hearing through the regional administrative hearing office.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the school, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the 45-day time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and the school agree otherwise. Rocketship shall comply with 20 U.S.C. Section 1415(k)(2), which states that interim alternative educational setting shall be determined by the IEP team.

Special Circumstances
Rocketship personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability who violates a code of student conduct. The Principal or designee may remove a student to an interim alternative educational setting for not more than 45 days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

- Carries or possesses a weapon, as defined in 18 USC § 930, to or at school, on school premises, or to or at a school function;
- Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
- Has inflicted serious bodily injury upon a person while at school, on school premises, or at a school function.

Interim Alternative Educational Setting
The student’s interim alternative educational setting shall be determined by the student’s IEP team.

Procedures for Students Not Yet Eligible for Special Education Services
A student who has not been identified as an individual with disabilities pursuant to IDEA and who has violated the Rocketship’s behavioral policies may assert the procedural safeguards granted under this administrative regulation only if Rocketship had knowledge that the student was disabled before the behavior occurred.

Rocketship shall be deemed to have knowledge that the student had a disability if one of the following conditions exists prior to the behavior at issue:
● The parent of the child expressed concern in writing to supervisory or administrative personnel of Rocketship, or a teacher of the child, that the child is in need of special education and related services;
● The parent of the child requested an evaluation of the child pursuant to §§ 300.300 through 300.311; or
● The teacher of the child, or other Rocketship personnel, expressed specific concerns about a pattern of behavior demonstrated by the child directly to the director of special education of the agency or to other supervisory personnel of the agency.

If the school knew or should have known the student had a disability under any of the three circumstances described above, the student may assert any of the disciplinary protections available to IDEA-eligible children with disabilities. If the school had no basis for knowledge of the student’s disability, it shall proceed with the proposed discipline. The school shall conduct an expedited evaluation if requested by the parents; however the student shall remain in the education placement determined by Rocketship pending the results of the evaluation.

Rocketship shall not be deemed to have knowledge of that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

Revised 12/11/17
Revised 7/1/18
Revised 3/15/19