

Discipline Policy

List of Certain Actionable Offenses:

1. ***DISRUPTING THE SCHOOL ENVIRONMENT (IN GENERAL, SECTION 1 OFFENSES WILL BE PUNISHED WITH IN-SCHOOL DISCIPLINARY MEASURES (SEE BELOW); SERIOUS OR REPEAT CASES, HOWEVER, MAY RESULT IN LONG-TERM SUSPENSION AND/OR EXPULSION).***
 - 1.1 Arriving Late to School or Class:** Student tardiness disrupts class, inconveniences others, and often results in academic difficulties. Students may not be late to school or class.
 - 1.2 Cutting School, Class, Detention, or Mandatory School Events:** Students are required to attend all classes, assigned detention, and mandatory school events. Students are not permitted to have unexcused absences or to leave the school building without permission. In addition to other disciplinary consequences, these offenses may result in long-term suspension and/or expulsion.
 - 1.3 Violating the Dress Code (see below):** Students must be in dress code.
 - 1.4 Gum, Food, and Beverages:** Students may not chew gum or eat or drink at unauthorized times or places.
 - 1.5 Disrupting Class and Preventing Teaching:** MESA can fulfill its mission only if classrooms are safe and teaching is uninterrupted. Students may not disrupt class. In addition to other disciplinary consequences, this offense may result in long-term suspension and/or expulsion.
 - 1.6 Cheating, Plagiarism, and Copying Other's Work:** Cheating or copying the work of others (or allowing other students to copy work) is unacceptable. In addition to other disciplinary consequences, this offense may result in long-term suspension and/or expulsion.
 - 1.7 Forgery:** Students may not forge a signature.
 - 1.8 Lying to a Staff Member:** Honesty is an essential element of personal character and is needed to build a community based on trust and respect. Students are not permitted to lie or attempt to conceal the truth. "Lying by omission" is included in this offense.
 - 1.9 Being Disrespectful toward a Staff Member:** A school cannot function properly if students are permitted to be disrespectful toward adults. For that reason, students may not be disrespectful toward a staff member or any other adult associated with the school. In addition to other disciplinary consequences, this offense may result in long-term suspension and/or expulsion at the first occurrence.
 - 1.10 Being Disrespectful toward a Student:** If students do not feel physically and emotionally safe in school, teaching and learning are made more difficult. Therefore, students may not be disrespectful toward other students. In addition to other disciplinary consequences, this offense may result in long-term suspension and/or expulsion at the first occurrence.
 - 1.11 Possession of Inappropriate Property, including but not limited to Electronics:** Students cannot possess or use cell-phones, ipods, electronic equipment, games, printed text or lyrics that are vulgar, profane, or sexually explicit, or any other items inappropriate for school. Such items will be confiscated and, in the case of electronics, returned in-

person to a parent at a time appointed by the school. In addition to other disciplinary consequences, this offense may result in long-term suspension and/or expulsion at the first occurrence

1.12 Gambling: Gambling or betting is not tolerated.

1.13 Misbehaving inside or outside of Class: Misbehavior that violates this Disciplinary Policy inside or outside of class is not permitted. In addition to other disciplinary consequences, this offense may result in long-term suspension and/or expulsion at the first occurrence.

1.14 Other behavior detrimental to the school: Notwithstanding the specific provisions of this disciplinary code, other behavior that the Principal, Executive Director, Director of School Culture or Board of Trustees deems “detrimental to the school” is not permitted.

1.15 Failure to Comply with School-Imposed Consequences: Students must comply with school-imposed consequences. In general, a first instance of failure to comply will result in the initial consequence being doubled (for example a student who fails to comply with referral to detention will receive two detentions). A second instance of failure to comply with school-imposed consequences may be met with in-school or out-of-school suspension. Repeated failure to comply with school-imposed consequences may result in expulsion. In addition to other disciplinary consequences, this offense may result in long-term suspension and/or expulsion at the first occurrence.

2. *ASSAULT, BATTERY, BODILY HARM, INAPPROPRIATE TOUCHING, AND/OR THREATS (IN ADDITION TO OTHER DISCIPLINARY CONSEQUENCES, THESE OFFENSES MAY RESULT IN LONG-TERM SUSPENSION AND/OR EXPULSION AT THE FIRST OCCURRENCE).*

2.1 Causing Bodily Harm: Students may not cause physical injury to a student, school employee, or another person. Students are not permitted to harm or attempt to harm a student, school employee, or another person including with a weapon or dangerous object.

2.2 Committing Assault or Assault and Battery: Students may not commit assault, including sexual assault, or assault and battery on a student, school employee, or another person. Assault is an attempt or threat to physically harm another person; assault does not require physical contact. Battery is any unlawful touching of another person.

2.3 Fighting or Unwanted Physical Contact: MESA students may not fight with other students—from MESA or any other school. Harassing, pushing, touching, or any form of unwanted physical contact is not tolerated.

2.4 Play fighting and Threatening: Play fighting and/or the use of threats endanger the safety of the community. Students may not play fight and/or threaten others.

2.5 Setting off a False Alarm or Making a Threat: Students may not intentionally set off a false alarm or make a destructive threat.

2.6 Engaging in Sexual Activity or Inappropriate Touching: A student may not engage in sexual activity of any kind or touch himself/herself or others inappropriately.

3. *POSSESSION OR USE OF FIREARMS, WEAPONS, AND/OR DANGEROUS OBJECTS (IN ADDITION TO OTHER DISCIPLINARY CONSEQUENCES, THESE OFFENSES MAY RESULT IN LONG-TERM SUSPENSION AND/OR EXPULSION AT THE FIRST OCCURRENCE).*

- 3.1 Possession or Use of a Firearm:** Students may not possess or use a firearm. In compliance with Gun Free Schools Act, 20 U.S.C. § 7151, the school will expel from school for a period of not less than 1 year a student who is determined to have brought a firearm to a school, or to have possessed a firearm at school, except that the chief administrative officer of MESA may modify such expulsion requirement for a student on a case-by-case basis if such modification is in writing.
- 3.2 Possession or Use of a Mock Firearm:** Students may not possess or use a mock firearm.
- 3.3 Using or Possessing a Weapon or Dangerous Object:** Students are not allowed to bring a weapon of any sort to school, use any object in a dangerous or threatening manner, or have a weapon on him/her or in his/her property.
- 3.4 Arson:** Students may not set a fire.

4. POSSESSION, USE, OR DISTRIBUTION OF CONTROLLED SUBSTANCES, ALCOHOL, AND TOBACCO (IN ADDITION TO OTHER DISCIPLINARY CONSEQUENCES, THESE OFFENSES MAY RESULT IN LONG-TERM SUSPENSION AND/OR EXPULSION AT THE FIRST OCCURRENCE).

- 4.1 Using or Possessing Drugs or Alcohol:** Students may not use or possess any non-prescribed controlled substance, narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind. Prescribed and over-the-counter drugs must be delivered to the designated MESA staff person by a parent or guardian with a doctor-signed medication authorization form. Students may not be in possession of prescribed or over-the-counter drugs.
- 4.2 SELLING OR TRANSFERRING DRUGS OR ALCOHOL:** Students may not sell, distribute, or possess with intent to sell or distribute a prescribed or non-prescribed controlled substance. Nor should they carry paraphernalia related to drugs or alcohol (ex: pill bottles, etc.)
- 4.3 Using or Possessing Tobacco / Vaping Products:** The use of tobacco and e-cigarettes is banned. Students may not use or possess cigarettes, chewing-tobacco, or other tobacco or vaping products.
- 4.4 Selling or Transferring Tobacco / Vaping Products:** Students may not sell, distribute, or possess with intent to sell or distribute cigarettes, e-cigarettes, chewing-tobacco, or other tobacco or vaping products.

5. HARASSMENT AND VIOLATIONS OF CIVIL RIGHTS (IN ADDITION TO OTHER DISCIPLINARY CONSEQUENCES, THESE OFFENSES MAY RESULT IN LONG-TERM SUSPENSION AND/OR EXPULSION AT THE FIRST OCCURRENCE).

- 5.1 Violating the Civil Rights of Others:** Students may not violate the civil rights of others.
- 5.2 Harassment:** Students may not make unwanted sexual advances toward or commit sexual harassment of any members of the school community. Harassment or intimidation of any members of the school community on the basis of their racial or ethnic background, gender, religion, age, sexual orientation, or disability is not permitted.
- 5.3 Bullying:** Students may not bully other students. This includes conduct on school property or outside of school, as well as any electronic or “cyber” bullying.
- 5.4 Abusive or Profane Language or Treatment:** Students may not use abusive, threatening, vulgar, coarse, or degrading language (including racial epithets or sexist or homophobic remarks).

6. THEFT OR VANDALISM (IN ADDITION TO OTHER DISCIPLINARY CONSEQUENCES, THESE OFFENSES MAY RESULT IN LONG-TERM SUSPENSION AND/OR EXPULSION AT THE FIRST OCCURRENCE).

6.1 Theft, Loss, or Destruction of Personal or School Property: Students may not steal, lose, or damage someone else's property or school property. In addition to facing other consequences for violation of this rule, students are expected to return property to its rightful owner in its original condition or to reimburse the owner and/or the school for lost, damaged, or stolen property.

6.2 Mistreatment or Inappropriate Use of Technology or School Property: Students must treat computers, printers, and other technology with care. MESA does not tolerate attempts to access the school's files or other inappropriate uses of technology or the Internet. Students do not have the right to use school computers to access chat rooms or email or to access web sites or files that contain profanity, sexually explicit language or pictures, excessively violent themes, and/or other material inappropriate for minors. Students must not mistreat other school property.

7. GANG AFFILIATION OR ACTIVITY: Students may not be a member of or participate in any criminal gang or criminal gang-related activity. Students may also not wear or otherwise display criminal gang clothing, signs or symbols.

8. REPEATED VIOLATIONS OF THE CODE OF CONDUCT: Progressively more serious disciplinary consequences shall be imposed upon any student who repeatedly commits one or more disciplinary offenses. Repeated violations of the code of conduct, even for offenses not generally punishable by suspension or expulsion if committed on their own, may be punishable by suspension or expulsion when taken together with other offenses previously committed.

STUDENT DISCIPLINARY ACTIONS

Discipline at MESA will be administered by school personnel utilizing consequences described elsewhere in this Policy. However, in addition to disciplinary actions provided for elsewhere in this Policy, any breaches of state or federal law may be handled in cooperation with the New York City Police Department or other authorities. Where appropriate, MESA officials also will contact law enforcement agencies.

Definitions: For purposes of this Code:

- **"Short-term suspension"** shall refer to the removal of a student from school for disciplinary reasons for a period of ten or fewer days;
- **"Long-term suspension"** shall refer to the removal of a student from school for disciplinary reasons for a period of more than ten days; and
- **"Expulsion"** shall refer to the permanent removal of a student from school for disciplinary reasons.

In-School Disciplinary Measures: In-school disciplinary matters will be referred to and administered by the Director of School Culture. In each case, the Director of School Culture will follow the steps listed below.

- The staff member addresses the conduct (including describing the infraction(s) and hearing the student's version of events) and writes up the infraction for the Director of School Culture.
- If necessary, the student is removed from class.
- The Director of School Culture notifies the parents of the offense and describes the consequence to be administered.
- If appropriate, the school will schedule a meeting with a parent or guardian in order to discuss the infractions and may reduce the penalty based upon mutual understanding reached at the meeting.
- The Director of School Culture may assign one or more of the following In-School Disciplinary measures as a consequence for violating the Code of Conduct:
 - Behavioral Contract
 - Detention (After school)
 - Detention (Lunch)
 - Detention (Saturday)
 - Loss of school privileges
 - Community Service
 - Other consequences as the Director of School Culture shall deem fit, in compliance with all applicable law

Due Process: MESA shall follow due process procedures consistent with *Goss v. Lopez*, 419 U.S. 565 (1975).

Short-Term Suspensions: Short-term Suspension may be imposed by the Principal, Executive Director, or the Board. If a student commits an offense that calls for short-term suspension (10 days or less), the following steps are taken:

- If necessary, the student is immediately removed from class and/or school.
- The student is informed of the charges against him or her.
- The student is entitled to respond to the charges against him or her.
- The parent/guardian is notified of the imposition of short-term suspension by MESA in writing. Written notice shall be provided by e-mail, personal delivery or express mail delivery to the last known address(es) of the parents or guardians. Where possible, notification also shall be provided by telephone. Such notice shall provide a description of the incident(s) for which suspension is proposed and shall inform the parents or guardian of their right to request an immediate informal conference with the Principal. Such notice and informal conference shall be in the dominant language of the mode of communication used by the parents or guardian if known by MESA to be other than English.
- The school will schedule a meeting with a parent or guardian in order to discuss the infractions and may reduce the penalty based upon mutual understanding resulting from the meeting.

The Principal or Executive Director's decision to impose a short-term suspension may be challenged by the parent(s) or guardian in accordance with the charter school's complaint process, pursuant to Education Law § 2855(4).

Long-Term Suspension and Expulsion: The Principal, Executive Director, or Board may seek a long-term suspension. If a student commits an offense that calls for long-term suspension (more than 10 days) or expulsion, the following steps are taken:

- If necessary, the student is immediately removed from class and/or school.
- The student is informed of the charges against him or her and given an opportunity to respond.
- Upon determining that a student's action warrants a possible long-term suspension, the Principal shall verbally inform the student that he or she is being suspended and is being considered for a long-term suspension (or expulsion) and state the reasons for such actions.
- The parent/guardian is notified in writing by MESA. Written notice shall be provided by personal delivery or express mail delivery to the student's last known address. Where possible, notification also shall be provided by telephone if the school has been provided with a contact telephone number for the parent(s) or guardian(s). Such notice shall provide a description of the incident or incidents which resulted in the suspension and shall indicate that a formal hearing will be held on the matter which may result in a long-term suspension (or expulsion). The notification provided shall be in the dominant language used by the parent(s) or guardian(s) if it is known to be other than English. The notice will state that at the formal hearing, the student shall have the right to be represented by counsel, present and question witnesses, and present evidence.
- The school will set a hearing date. The student and/or his/her parent/guardian will be notified in writing of the:
 - charges and a statement of the evidence
 - date, time and place of a hearing
 - notice of the right at the hearing to:
 - be represented by legal counsel (at the student's/parent's own expense)
 - present evidence and question witnesses
- After the Principal, Executive Director, the Board or a hearing officer designated by them hears the case, the Principal, Executive Director or the Board issues a written decision to be sent to the student, the parent/guardian, the school's Board of Trustees, and the student's permanent record.
- If a parent or student wishes to appeal a decision, they may do so by notifying the Chair of the Board of Trustees in writing within 5 school days of the issuance of the written decision.

The decision to impose a long-term suspension/expulsion upon a student may be challenged by the parent(s) or guardian in accordance with the charter school's complaint process, pursuant to Education Law § 2855(4).

Firearm Violations: Federal law requires the expulsion from school for a period of not less than one year of a student who is determined to have brought a firearm to the school, or to have possessed a firearm at school, except that the Principal may modify such expulsion requirement

for a student on a case-by-case basis, if such modification is in writing, in accordance with the Federal Gun-Free Schools Act of 1994 (as amended). "Firearm," as used in this law means a "firearm," as defined by 18 USC §921, and includes firearms and explosives. The Principal shall refer a student under the age of sixteen who has been determined to have brought a weapon or firearm to school to a presentment agency for a juvenile delinquency proceeding consistent with Article 3 of the Family Court Act except a student fourteen or fifteen years of age who qualifies for juvenile offender status under Criminal Procedure Law § 1.20(42). The Principal shall refer any pupil sixteen years of age or older or a student fourteen or fifteen years of age who qualifies for juvenile offender status under Criminal Procedure Law § 1.20(42), who has been determined to have brought a weapon or firearm to school to the appropriate law enforcement officials.

Provision of Services During Removal: MESA will ensure that alternative educational services are provided to a child who has been suspended. For a student who has been suspended or expelled, alternative instruction will be provided to the extent required by law. The school will provide alternative instruction to students as soon as practicable: in general, no later than the day after the suspension is effective. Such instruction will be at a reasonable location and time of the school's choosing.

Alternative instruction for suspended students will be of sufficient duration to enable a student to cover all class material, take all tests and quizzes, keep pace with other students, and progress to the next grade level. Except for the brief time it would take for a student to re-enter another public school, MESA does not have to, but may, provide alternative instruction for expelled students.

Discipline Procedures for Students with Disabilities

In addition to the discipline procedures applicable to all students, the following procedures are applicable to students with disabilities. A student not specifically identified as having a disability but whose school district of residence or charter school, prior to the behavior which is the subject of the disciplinary action, has a basis of knowledge—in accordance with 34 CFR 300.534—that a disability exists may request to be disciplined in accordance with these provisions. MESA shall comply with sections 300.530-300.536 of the Code of Federal Regulations ("CFR") and the following procedures, except that in the event that the following procedures are inconsistent with federal law and regulations, such federal law and regulations shall govern.

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

For infractions that do not constitute a change in placement or that constitute a change in placement for ten days or less (cumulative), students with disabilities shall be subject to the same disciplinary policy as students without disabilities. Suspended students will receive the same

legally required compensatory education as other students, although they are not required to receive their IEP services.

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

In considering the placement of students referred because of disciplinary problems, the CSE of the student's district of residence is expected to follow its ordinary policies with respect to parental notification and involvement. The CSE will be notified in the event of:

- 1) The commission of an infraction by a student with a disability who has previously been suspended for the maximum allowable number of days.
- 2) The commission of any infraction resulting from the student's disability.
- 3) The commission of any infraction by a disabled student, regardless of whether the student has previously been suspended during the school year if, had such infraction been committed by a non-disabled student, the Principal would seek to impose a suspension in excess of ten days.

Also, MESA will ensure that when the suspension or removal of a student with a disability will constitute a disciplinary change of placement, the CSE will be immediately notified so that the CSE can meet its required obligations to: 1) Convene a CSE meeting within 10 school days to make a manifestation determination; 2) Convene a CSE meeting within 10 business days to develop a plan to conduct a functional behavioral assessment or review an existing functional behavioral assessment or behavioral intervention plan; 3) Provide the student's parent with a copy of their procedural due process rights. 4) Work closely with the CSE of the students' district of residence in determining education services or the interim alternative educational setting consistent with the FAPE requirements.

Students with Section 504 Plans

Students with Section 504 plans shall be subject to the same disciplinary policies as students with IEPs, with the exception that in the case of a change of placement totaling more than ten days, the student shall not be referred to the CSE for a manifestation determination hearing. The school will conduct its own manifestation determination hearing, and the hearing officer(s) will be persons knowledgeable about the student, the disability, and the ability to interpret the disability, in accordance with the law.

Provision of Services During Removal: Those students removed for a period of fewer than ten days will receive all classroom assignments and a schedule to complete such assignments during the time of his or her suspension. Provisions will be made to permit a suspended student to make up assignments or tests missed as a result of such suspension. The school also shall provide additional alternative instruction within the ten days and by appropriate means to assist the student, so that the student is given full opportunity to complete assignments and master

curriculum, including additional instructions, phone assistance, computer instruction and/or home visits and one-on-one tutoring.

During any subsequent removal that, combined with previous removals equals ten or more school days during the school year, but does not constitute a change in placement, services must be provided to the extent determined necessary to enable the child to appropriately progress in the general curriculum and in achieving the goals of his or her IEP. In these cases, school personnel, in consultation with the child's special education teacher, shall make the service determination.

During any removal for drug or weapon offenses pursuant to 34 CFR §300.530(g) services will be provided to the extent necessary to enable the child to appropriately progress in the general curriculum and in achieving the goals of his or her IEP. These service determinations will be made by the CSE of the student's district of residence. The school will place students in interim alternative educational settings as appropriate per 34 CFR §300.520(g).

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

Due Process: If discipline which would constitute a change in placement is contemplated for any student with an IEP, the following steps shall be taken: (1) not later than the date on which the decision to take such action is made, the parents of the student with a disability shall be notified by the School of that decision and provided the procedural safeguards notice described in 34 CFR §300.504; and (2) the CSE of the student's district of residence and other qualified personnel shall meet and review the relationship between the child's disability and the behavior subject to the disciplinary action (subject to CSE's availability).

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

Parents may request a hearing to challenge the manifestation determination. Except as provided below, the child will remain in his or her current educational placement pending the determination of the hearing.

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

Safety Procedures

MESA holds regular drills to instruct and train students in emergency and evacuation procedures so that everyone may leave the school building in the shortest time possible and without panic in the event of an actual emergency. On hearing the evacuation signal, all adults and children must exit the building quickly in an orderly manner. This may mean exiting the school without coats, jackets and book bags, but teachers will make every effort to ensure that students are not exposed to cold weather for too long. Visitors must also follow safety procedures.

MESA collaborates with the other schools located in the K291 building to have all safety plans completed. To see the District or Building safety plan, please contact the Executive Director.

MESA maintains appropriate safety plans in compliance with “Project SAVE,” the state’s Safe Schools Against Violence in Education (SAVE) law. These plans outline the operations of the School and its emergency procedures.

Under New York’s Violent or Disruptive Incident Reporting law (“VADIR”), MESA is required to report violent or disruptive incidents that occur on school property, including incidents occurring in, or on, a school bus (as defined in Vehicle and Traffic Law §142), and at school functions. Reports are submitted to the New York State Education Department between June 25, 2018 and July 20, 2018.

Dignity for all Students Act

MESA creates a safe and supportive environment for all community members; we abide by the New York State Dignity for All Students Act (DASA). This law seeks to “provide students with a safe and supportive environment from discrimination, intimidation, taunting, harassment, and bullying (including cyber bullying) on school property, a school bus and/or at a school function.” Discrimination and harassment is prohibited by employees or students based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex. To read the full Dignity for All Students Act, please visit <http://www.p12.nysed.gov/dignityact/>.

School Property & Materials

Textbooks and supplementary course materials are provided by MESA to support and enhance learning. Students are expected to use textbooks and course materials as assigned, to care for them and to return them in good condition. Parents will be billed for the full cost of lost, damaged or destroyed textbooks and course materials. Students who lose, damage, or destroy textbooks or course materials may also be subject to disciplinary consequences. Students who do not return textbooks and course materials will not have

their report cards and/or transcripts issued to them or mailed home. Parents must pay for any lost, damaged, or destroyed materials in full before report cards and/or transcripts will be issued.

Desks and other furniture and equipment in classrooms are for student use and must be used carefully and responsibly. Students may not tape materials to desks unless specifically instructed to do so, and in no circumstances may they write on desks or other furniture. Any photographs or printed matter posted on walls must be approved in advance by a faculty member and be consistent with the school's professional atmosphere.

Any student who intentionally defaces or damages the school building, any property within the building, or the campus around it, or who pulls an unnecessary fire alarm, will be subject to disciplinary consequences which may include but are not limited to suspension.

Searches of Students

In the event of a situation which requires immediate intervention to protect the safety and security of the school community or any individual, if there is a reasonable suspicion that a student is in violation of the law (i.e., rumors of drugs or dangerous weapon, smell of alcohol or marijuana), and/or if it is known that a student has been in recent violation of the school's weapon/drug/alcohol policies, MESA may conduct searches of students and student property. This includes, but is not limited to, backpacks. School desks, lockers and other equipment remain the property of the school and students should have no expectation of privacy in these areas. Prior to any search, students will be given an opportunity to produce any item in his/her possession that should not be in school. Should a student refuse to cooperate with a search request, the school may confiscate the property in question. Law enforcement may also be contacted to assist with a search, as appropriate.

A school search will be justified at its inception if the school officials had reasonable grounds to suspect it would turn up evidence that a student violated or was violating law or school rules. The scope of the search will be permissible if the measures used were related to the objectives of the search, and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

The family of the student who has been searched will be notified of the incident.

Dress Code

As part of its core value of Professionalism, MESA does not require its students to wear a uniform. Our students are young men and young women, and part of being college-ready is understanding how to dress appropriately in different circumstances. Rather, MESA requires that all students and teachers wear "professional attire" at all times, with the exception of "Casual

Fridays,” during which jeans will be permitted, and designated “dress down days.” Students out of dress code will not be permitted to attend class. They may either wait in the office for up to an hour until parents have brought appropriate clothes from home, or they will be sent home. If possible, the school will maintain a few items of dress code-appropriate clothing for students. However, it is not the obligation of MESA to supply alternative appropriate clothes for a student who is out of dress code. If a student wears an outfit that is not specifically covered by this dress code but is nevertheless deemed by the Principal, Executive Director or Director of School Culture to be “unprofessional,” MESA reserves the right to deem the student out of dress code and administer the above consequences.

Boys: Boys must wear shirts with collars or turtlenecks. Shirts must have sleeves and be tucked in, neatly and completely. Boys must wear full-length pants (not denim, sweatpants, or athletic gear) in good repair. Shoes must have backs, closed toes, and be in good repair. Pants must be worn at the waist with a solid colored belt and may not “sag.” Boys may wear sneakers so long as they are primarily solid black, solid grey, solid white, or solid brown in color. Boys’ button-down shirts must have no more than two buttons from the top open. Boys may wear solid sweaters or sweatshirts with no writing on them. Boys may not wear hooded sweatshirts, hats, scarves, or any other head covering except for religious purposes. Students may not carry or wear flags or bandanas. Any jewelry must be modest and not over-sized.

Girls: Girls must wear shirts or dresses with sleeves (no sleeveless items such as spaghetti straps or tank tops) and modest necklines. Girls may wear solid t-shirts, blouses, or polo shirts. Shirts must fall well below the waistline and midriffs may not be exposed. Skirts and dresses must be knee length. All garments must fit properly without being tight. Girls may wear full-length or calf-length pants (not denim, sweatpants, or athletic gear). Pants must be worn at the waist with a solid colored belt and may not “sag.” Any leggings must be worn under a skirt, dress, or pants that comply with MESA’s dress code; they may not be worn on their own. No see-through garments are allowed. Shoes must have low heels, low soles, backs and closed toes. Girls may wear sneakers so long as they are primarily solid black, solid grey, solid white, or solid brown in color. Girls may wear solid sweaters or sweatshirts with no writing on them. Girls may not wear hooded sweatshirts, hats, scarves, or any other head covering except for religious purposes. Students may not carry or wear flags or bandanas. Any jewelry must be modest and not over-sized.

Gym Uniform: Students must wear athletic attire to Gym class.

School Discretionary Clause: Notwithstanding the above language, the Principal and Executive Director may, at their discretion, deem a student out of dress code if he or she is wearing clothing the Principal or Executive Director deem “unprofessional.” In this case, the consequences in the disciplinary code would apply.

Casual Fridays and designated dress-down days: On Fridays and certain designated “dress down days,” students must follow the above dress code with the exception that they will be allowed to wear jeans and sneakers of any color.

Cell Phone Policy

MESA students are permitted to bring phones into the building past the scanners downstairs, but are not permitted to have or use them during the course of the instructional day. Students may check their phones in with the Director of Operations at arrival (see below); they will be secured for the day, and returned to students at the end of last period.

Parents and students should not be in casual contact during the school day, as it is distracting to instruction and makes it very difficult for the teachers to do their job. In the event of an emergency, we ask that you please call the main office, or the cell phone of the Director of Operations. If your child needs to call you, we will send him or her to the main office to call.

If a student elects not to check in a phone, MESA will take that as an indication that a student does not have a phone in his/her possession. Therefore, if that student is later seen or heard in possession of a phone, it is considered a lie of omission, in violation of MESA's core value of Integrity. The phone will be confiscated and held for a week until the parent/guardian comes to pick it up, and additional consequences will be administered.