



# LEARNING FIRST CHARTER PUBLIC SCHOOL

WORCESTER, MA



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## Student & Family Handbook

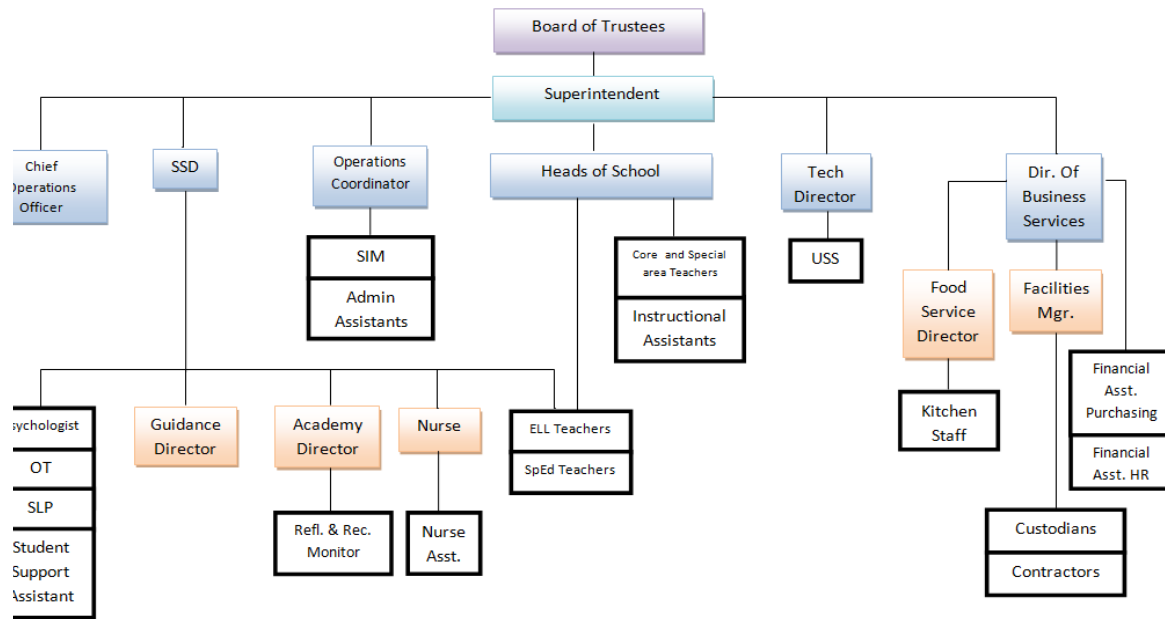
### Overview

Learning First is structured into two academies. The Lower Academy consists of kindergarten through third grade, with Head of School Brianne Padden. The Upper Academy is grades four through eight with Head of School Tina Devito. In kindergarten through fourth grade, there is a teacher and instructional assistant in each classroom. In grades five through eight, each teacher and instructional assistant is subject specific and rotates between the three grade level classes. In each grade there is also a special education teacher and ESL/MSA teacher. There are five special area teachers which include drama, health, music, physical education, and art.

\*\* COVID-19 information: For our school reopening plan, please refer to the link below. Some schedules and school procedures may be different than what is listed in this handbook due to changes needed to adhere to COVID-19 guidelines and protocols.

<https://learningfirstcharter.org/full-in-person-re-opening-plan/>

Learning First Charter Public School Organizational Chart



## Translation Services

### Translation Services

Language surveys are given when a parent registers their child at Learning First, which then is used to determine whether a parent requires oral and/or written communication in a language other than English. Learning First communicates information to parents in the language dictated by the language survey about any program, service or activity that is called to the attention of parents who are not proficient in English.

### Servicios de Traducción

Learning First comunica información a los padres en un idioma que pueden comprender sobre cualquier programa, servicio o actividad que necesite la atención de los padres que no dominan el inglés. Learning First utiliza una encuesta del idioma del hogar para averiguar si un padre requiere comunicación oral y / o escrita en un idioma que no sea el inglés. Estas encuestas se dan cuando un padre registra a su hijo en Learning First.

### Dịch Vụ Dịch Thuật

Learning First truyền đạt thông tin cho phụ huynh bằng ngôn ngữ mà họ có thể hiểu được về bất kỳ chương trình, dịch vụ hoặc hoạt động nào được các phụ huynh không thành thạo tiếng Anh chú ý. Learning First sử dụng một cuộc khảo sát về ngôn ngữ sử dụng ở nhà, để hỏi xem phụ huynh có yêu cầu giao tiếp bằng miệng và/hoặc viết bằng một ngôn ngữ không phải tiếng Anh hay không. Các cuộc khảo sát này được đưa ra khi phụ huynh đăng ký cho con họ tham gia Learning First.

### خدمات الترجمة

تقوم Learning First بإبلاغ المعلومات إلى أولياء الأمور بلغة يمكنهم فهمها حول أي برنامج أو خدمة أو نشاط يستدعي انتباه أولياء الأمور الذين لا يجيدون اللغة الإنجليزية. تستخدم Learning First استبياناً للغة الأم، للاستعلام عما إذا كان أحد الوالدين يتطلب اتصالاً شفهيًا و/أو كتابيًا بلغة أخرى غير الإنجليزية. يتم تقديم هذه الاستبيانات عندما يسجل أحد الوالدين طفله في Learning First.

### **Non- Discrimination Statement**

Learning First Charter Public School does not discriminate on the basis of race, color, national origin, religion, gender, gender identity, ethnicity, sexual orientation, age, ancestry, athletic performance, disability status, housing status, proficiency in the English language or a foreign language, or prior academic achievement.

### **Declaración de No Discriminación**

Learning First Charter Public School no discrimina por motivos de raza, color, nacionalidad, religión, género, identidad de género, etnia, orientación sexual, edad, ascendencia, desempeño atlético, estado de discapacidad, estado de vivienda, dominio del idioma inglés o un idioma extranjero, o logros académicos previos.

### **Tuyên Bố Không Phân Biệt Đối Xử**

Trường Bán Công Learning First không phân biệt đối xử dựa trên chủng tộc, màu da, nguồn gốc quốc gia, tôn giáo, giới tính, bản dạng giới, dân tộc, khuynh hướng tính dục, tuổi tác, tổ tiên, thành tích thể thao, tình trạng khuyết tật, tình trạng nhà ở, trình độ Anh Ngữ hoặc ngoại ngữ hoặc thành tích học tập trước đây.

بيان عدم التمييز  
لا تميز مدرسة Learning First العامة المستقلة على أساس العرق أو اللون أو الأصل القومي أو الدين أو الجنس أو الهوية الجنسية أو العرق أو التوجه الجنسي أو العمر أو النسب أو الأداء الرياضي أو حالة الإعاقة أو حالة السكن أو مدى إجادة اللغة الإنجليزية أو لغة أجنبية، أو الإنجاز الأكاديمي السابق.

## **Arrival and Dismissal Procedures**

All students should be dropped off starting at 7:30am on the school side of Eastern Avenue. Note: Students are not permitted to cross the street. Students may not be dropped off earlier than 7:30am, as this is when supervision begins, because it creates an unsafe situation. The Department of Children and Families may be notified if any students are repeatedly dropped off prior to 7:30am.

At 7:30am all students will report directly to class to have breakfast and begin their day. The Eastern Avenue doors lock at 8:00am, or after the last bus arrives. Students entering class after 8:00am will need to report directly to the office to be marked tardy. Repetitive tardiness will result in an action planning meeting as outlined in our school attendance policy.

Student dismissals during the school day due to special circumstances, e.g. appointments, must be done **BEFORE 2:45** Monday through Thursday **or 11:45** on Fridays, through the main office. As a security measure, no student can be dismissed to anyone except the parent or someone the parent has authorized.

The regular dismissal procedure begins at **3:30pm** Monday through Thursday and at **12:30p.m.** on Fridays and early release days. Van riders, walkers, and village students are called to Gage Street, while buses and parent pick up are called to Eastern Avenue. Students will be called as buses and their parents arrive. **All parent pick-up must take place on Eastern Avenue.** Parents in cars will pull up in the order they are lined up. No students will be allowed to cross the street and will only be dismissed to a vehicle. After **4:00 p.m. (Monday-Thursday) and 1:00pm (Fridays)**, students will be brought to the main office to wait for a late parent to arrive; a \$10 fee applies. The Department of Children and Families may be notified if any students are repeatedly picked up late from school.

**Reminder:** The Worcester Public School Transportation policy requires parents to be at bus stops ten minutes before the scheduled pick up / drop off times. Drivers are not allowed to drop off kindergarten students without an adult or older sibling present at the stop. Please be aware that there will be a \$10 charge for students who are brought back to the school if nobody was at the stop to escort them home. No student will be permitted to ride a bus other than the one assigned to him/her.

## **Arrival and Dismissal Procedures – Buses**

### **Bus transportation**

Learning First partners with Worcester Public Schools to offer free transportation to all students who live two or more miles from the school. Bus stops are designated by the Worcester Public Schools transportation department based on the online applications. Parents/guardians are responsible for accompanying students to and from the stop and providing supervision until the student enters or exits the bus. Students should arrive at the bus stop ten minutes before the scheduled pick up time, to allow for variations in traffic flow. Likewise, parents should be at the stop ten minutes before drop off in the afternoons.

Kindergarten students will not be dropped off if a parent is not present at the bus stop. Kindergarten parents are responsible for ensuring that students wear the Learning First bus tag visibly on their backpack daily. If a bus driver deems it unsafe to drop off a student due to the absence of a parent / guardian at the stop, the child will be brought back to Learning First. The Department of Children and Families will be notified of any students who are repeatedly returned to school for this reason and the family will lose bus privileges.

**Please know that riding on the school bus is a privilege and not a right.** Serious safety or discipline violations will result in the loss of bus privileges. Concerns regarding bus safety should be brought to the attention of our Academy Director. Parents who wish to request a permanent or temporary change on a particular bus route should use the Worcester Public Schools transportation request system online.

**Late pick-up or student returning on the bus:** It is the policy of Learning First to bring children to the Village after-school program for supervision if they are returned on a bus or are not picked up from school in a timely manner. Parents will be billed for the time spent in the Village program. Multiple late pick-ups will require a meeting with a Head of School and may be grounds for referral to other state agencies.

**Requesting a Bus Stop:** Before the beginning of each school year, typically beginning in May or June, every family wishing for bus transportation must go online and complete a transportation application with the Worcester Public Schools transportation system. This must be done every year, for every student who will ride a bus, in order for bus routes to be developed before school starts. If a family moves during the

school year, this same system must be used to change a bus stop, with written notification provided to the school. Buses will only transport students to and from the address listed on the online application.

## **THE LFCPS STUDENT COMMITMENT**

### **Wisdom**

- Listen. Be engaged in your learning. Participate.
- Ask questions. Learn from your mistakes and try harder every day.
- Work with your teachers to set goals and measure growth.
- Believe that you can achieve your dreams, no matter what seems to be in the way.

### **Justice**

- Learn about and understand other peoples' culture, history, and values.
- Help us to understand your family's culture, history and values.
- Treat others fairly.
- When you see someone do wrong, don't ignore it.

### **Courage**

- Have the courage to always do and be your best and to help others do and be their best.
- Be resilient – learn from mistakes and try again.
- Do the right thing. Find a peaceful way to solve problems with others.
- Stand up for what you believe.

### **Compassion**

- Be kind, be safe, be responsible: everyday, with everyone.
- Be giving of yourself and your time.
- Listen to other people's ideas or points of view, and share your ideas respectfully.
- Show empathy for others.
- Go out of your way to help others.
- Use good language and good manners with everyone.

### **Hope**

- Believe in yourself and your classmates! Never give up!
- Know that you can make a difference!
- Know that LFCPS is only the beginning. Focus on college, career and beyond!

- Think and talk about your hopes for the future. Take actions every day to make those hopes and dreams come true!

### **Respect**

- Respect your heart by always being and doing your best. Don't allow others to determine who you are.
- Respect your mind by learning new things, accepting and persevering through challenges.
- Respect your body by feeding it well, getting fresh air, exercise and sleep. Establish safe and healthy boundaries grounded in your values and goals for your future.
- Respect others by accepting them for who they are, listening to their ideas and pushing them to be and do their best.
- Respect differences. Everyone's uniqueness makes them special!
- Respect others' right to learn by following school rules, expectations and procedures.
- Respect your environment. Take care of nature, your home, school community and belongings.
- Respect your education. Know that education is your key to opportunity!

### **Responsibility**

- Follow school and community rules.
- Come to school on time, in uniform, ready to learn. Bring a signed agenda and a positive attitude.
- If you make, or see, a mess, clean it up. If you make a mistake, admit it and help to fix it.
- Do what it takes to be a good learner. Do your homework and class work, read every day, and work together to solve problems.
- Understand that the more you try, the more you will grow.

### **Integrity**

- Be true to yourself.
- Hold fast to your dreams. You are going to be a successful student, worker and citizen if you work hard and make good choices in your life.
- Do the right thing, even when nobody is looking.

The above commitment was written to provide clarity around the key behaviors that will help to create a safe, positive and productive culture for learning. Although we have strong systems in place to enable all students to successfully learn and meet these expectations, there will inevitably be times when things happen that are out of alignment with our school's expectations. In those instances, staff will use the following Open Circle strategies.

<h2><b><u>School Uniform Policy</u></b></h2>
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- The uniform will be as follows: Light blue polo (either long or short sleeve), Navy pants, Navy skirt (if wearing socks or tights with a skirt, then they must also be Navy).
- All students who are wearing pants, shorts or a skirt with belt loops will be required to wear a belt.
- Any shoes (closed toe)

- Navy cardigan only if they are cold or navy fleece zip up sweater sold at Allen's Uniform, 452 West Boylston St., Worcester. Allen's is embroidering "Learning First Charter" with our logo on our uniforms.
- Navy knee-length shorts may be worn until October 1st.
- We will still allow our students to wear school uniforms with the LFCPS logo on it, until they no longer fit them.
- **LOGO IS NOT NEEDED, so you can shop for the best price if the correct color.**

## **Technology and Acceptable Use Policy**

Each student will have a laptop at home and a laptop at school for their use. This technology is a privilege not a right to use.

The superintendent and/or technology administration shall implement, monitor, and evaluate the district's system/network for instructional and administrative purposes. At any time if we feel you are using your computer inappropriately, we will have technology run a report and see what you have been up to. Then you may lose your privilege temporarily or permanently.

What should students do.....

- Students should be using their computer appropriately and for school purposes.
- They should only be going on websites that are school appropriate or given to them by the teacher.
- Students who are not using the laptop for academic purposes and are using it inappropriately – will lose the privilege.
- Be careful what you write online and what you surf on the web. You are always being watched by the technology department, your teachers, and even the superintendent.

## **Attendance Policy**

Learning First Charter Public School is proud to be your school of choice. By selecting Learning First, you are agreeing to uphold our high standards of attendance so that your child can receive the maximum benefit of their education. All children should be in school, on time, every day unless there is a valid reason for being absent or tardy. Parents are required to notify the school of a child's absence before the start of the school day by leaving a message on the absent/tardy voicemail x4001. For the protection of our children, if you have not called to inform us of your child's absence, families will be contacted by phone to verify the absence, through the automated system. The school will excuse an absence only after receiving confirmation of a legal reason for the absence.

Teachers will take attendance every morning by 8:00am and in the Upper Academy they will take attendance at the start of each period.

### **Examples of Excused and Unexcused Absences**

#### **Excused Absences**

- Illness accompanied by a doctor's note
- Medical appointment accompanied by a doctor's note
- Sent home by school nurse (fever, vomiting)
- Death of immediate family member, no longer than five days
- Religious Holidays
- High School Visits (grade 8)
- Court appearances
- Suspensions

#### **Unexcused Absences**

- Completing household chores
- Transportation issues (unless family is covered under McKinney-Vento)
- Babysitting
- Assisting at home
- Hairdressing appointments
- Shopping
- Family vacations
- Other reasons deemed insubstantial by the school attendance officer

### **Tardy**

When a student arrives tardy to school, the student must report immediately to the office so they can be marked late. If a student has missed 2 or more classes due to unexcused tardiness for 5 days or more during the year, a meeting will be set up. This way an attendance action plan can be developed to improve student's attendance.

### **Truancy Prevention Plan**

In order to prevent truancy, LFCPS has developed a plan that includes preventative steps, intervention steps, and action planning with supports, to ensure students are in attendance.

#### **Preventative Steps**

- **Pupil Absence Notification System:** Parents are notified daily through the automated phone system, if their child is absent and if the school has not received notification of such absence from the parent. If the call does not go through on the automated system, a letter will go home in the student's backpack, with verification of receipt and request for an updated phone number. It is the parent's responsibility to ensure that we have working phone numbers at all times for emergency purposes.

#### **Intervention Steps**

- **If unexcused absences reach or exceed 5 days:** LFCPS will notify parents when a child has 5 absences and schedule an Attendance Action Plan Meeting for the purpose of developing an attendance action plan to improve the student's attendance. This can be scheduled either in person or over the phone. At the meeting, an attendance action plan will be developed. Parent participation is



required with appropriate school staff regarding your child's attendance. Every effort will be made to devise and implement a plan that supports the family in improving school attendance. Attendance will continue to be closely monitored. If excused absences become excessive, at the discretion of LFCPS, an attendance action planning meeting will be held.

- **If absences reach or exceed 8 days:** If absences continue, and the absences exceed eight (8) days a second action planning meeting will be held and the parent will be notified, that if there is another absence then a "Child Requiring Assistance" (Habitual Truant) or "Adult Failure to Cause School Attendance" (CRA) petition will be filed with the juvenile court. LFCPS will continue to monitor the student's attendance.
- **If absences reach 9 days:** A "Child Requiring Assistance" (Habitual Truant) or Adult Failure to Cause School Attendance " (CRA) petition will be filed with the juvenile court.
- **If the absences reach or exceed 12 days:** If absences continue, as mandated reporters, LFCPS will report attendance to DCF through the 51A process after 12 absences. Educational Neglect is the failure to respond/non-participation by a parent with school efforts to secure the child's attendance. The student's attendance will continue to be strictly monitored. A parent may be required to return to meet with the attendance action planning team to discuss further steps.
- **If absences reach or exceed 18 days:** Absences in excess of 18 per year (10% of the school year) may require a student to repeat his/her current grade. A Promotion Determination meeting will be held to make this determination, which will include the principal (HoS), guidance counselor, and parent as well as any other relevant personnel that work with the student.

### **Attendance Action Planning Meeting**

Plans will be developed jointly with the principal (HoS), guidance counselor, parent, and student as well as any other relevant personnel. Community members or third parties working with the family may also need to be consulted if the parent desires or the school has a release. LFCPS will document the reasonable efforts made to include the parents (1 written, 2 phone calls) on the action plan.

Participants will develop a plan to facilitate consistent attendance which includes:

1. Factors contributing to absences (family factors, environmental factors, employment factors, medical factors, disability, school refusal).
2. Actions to be taken by the school
3. Actions to be taken by the parents
4. An attendance goal with measurable benchmarks
5. The process for ongoing communication between home and school for attendance monitoring

### **School Refusal and other Team Interventions**

If there is a situation of school refusal, then team interventions will be put in place, which could include an IEP or 504 plan, through the Attendance Action plan in conjunction with the MTSS system.

There is nothing in IDEA or Section 504 that prohibits a school district from pursuing its legal options under state law in regard to compulsory attendance. LFCPS will first make reasonable efforts to address the truancy issues through the district's truancy prevention program and the Team process.

### **Providing home/hospital tutoring 603 C.M.R. §28.03 (3) ©**

If any student (General Ed or Special Ed) is confined to a home or hospital setting for medical reasons for more than 14 days in a school year, a physician's note is required, the district will excuse absences and either directly provide or contract tutoring. These days do NOT have to be cumulative.

### **School Cancellations and Delays**

Learning First will follow the Worcester Public Schools Snow Policy. You must look for Worcester Public School for weather closures. A message will be put out as follows: Emergency NotificationTexts/ Twitter, School Website, Facebook, Class Dojo , and Family Email List.

## **School Enrollment**

The Learning First enrollment process is not integrated with that of Worcester Public Schools. It is an entirely separate process. The school has, and implements, a *Student Recruitment and Retention Plan\** in order to reach out to all types of families from all across the city so that, each year, new students can apply to be admitted to grade K-8 through a public lottery system. All applicants will be notified in writing of the rights of students with diverse learning needs to attend Learning First and to receive accommodations and support services, including students who have disabilities, require special education, or are English language learners. No testing is administered in order to be eligible for enrollment.

### **Eligibility Criteria for Enrollment:**

- A.** All applicants must be a resident of Massachusetts to apply to and attend a Massachusetts charter school.
- B.** Proof of Worcester, Massachusetts residency at time of application ,such as a driver's license, utility bill, or any other TWO separate bills with the address must be provided in order to prove residency (except in the case of a homeless student).
- C.** Kindergarten students must be verified to be 5 years old by August 31. The school may request a birth certificate or equivalent proof of age.
- D.** Applicants must have successfully completed the grade preceding the grade to which they apply. Proof of grade completion may be in the form of an end of year report card or a letter from a school. Students who are retained before enrolling into Learning First may be placed at the end of the waitlist for their new grade level, depending on availability of an open seat in a grade other than the grade originally applied for.

### **Transfers Out**

Parents/guardians must notify the office of their child to another school. The school office will then request parents to complete a permission to release records form at Learning First before any student records will be forwarded to another school. All books and other school property must be returned to the school; any outstanding balances must be settled. We will consider a student to be withdrawn from Learning First if the student does not attend class during the first five days of the school year. This applies specifically in cases where a parent has been unresponsive in signing a withdrawal form and/or where we have credible information that the child is enrolled in another school or not living in the area. Learning First considers a student withdrawn from the School once the parent/guardian has completed and signed a withdrawal form and/or the School is in receipt of a release of records from another school district.

## **School Wellness**

## **School Health**

The mission of the Learning First health office is to assist each student in achieving and obtaining optimal health. Through communication, cooperation and collaboration, we can work together to achieve this.

The Learning First health room is located near the front lobby of the school. Children requesting to see the nurse are permitted to do so with a pass. The nurse will assess the student's needs and determine if he/she is well enough to return to class. The nurse will advise teachers and parents of any requests that become persistent. Student health records are kept in the health office. The nurse will respect a students' right to confidentiality, but will inform appropriate staff members of student needs as necessary to ensure their safety and well being. It is the nurse's responsibility to inform parents of potential injuries. If a child is transported to a hospital, a parent, nurse or designee must accompany him/ her in the ambulance.

### **Symptomatic Student Requirements**

Should your child have a fever greater than 100 degrees they should remain home until they are fever free for 24 hours.

If your student has diarrhea and/or vomiting they should remain home until symptoms have been resolved for 24 hours.

A child with a contagious disease spread by contact, coughing or sneezing should stay home. Some examples are flu, chicken pox, strep throat, conjunctivitis, and head lice. Communicable diseases should be reported to the school nurse as soon as possible at x1113.

After three days of absences due to an illness all students must have a doctor's note to return to school

### **Department of Public Health Regulations**

**Immunizations:** All Massachusetts public school students must be immunized for Diptheria, Pertussis, Tetanus, Polio, Measles, Mumps, Rubella, Hepatitis B and Varicella (102 CMR 7.07 and 105 CMR 220). Students lacking proper documentation of required immunizations shall be excluded until proof of such immunization is provided. If a parent/guardian refuses to have a child immunized because of religious or medical reasons, as required by the Massachusetts Department of Public Health and M.G. L. c. 111S.3,6,7,109,110,111,112 and 105 C.M.R. 300, the non-immunized student will be excluded from school during outbreaks of diseases for which the student is not immunized.

**Lead Poisoning:** Children must present documented evidence of lead poisoning screening prior to entrance into kindergarten (105 CMR 460)

**Physical Examinations:** Students are required to have physical exams for entrance into K, 4, and 7. It is recommended that this be done by the primary care physician or a healthcare facility.

**Screening Programs:** Vision, hearing and postural screening will be conducted in accordance with state mandates.

**Inspection:** All students will be inspected as necessary for pediculosis. If this condition is found, the student will be excluded until all lice and nits are removed. Students must be cleared through the school nurse before riding a school bus or returning to class.

**Medications at School:** The MA Department Public Health regulates the administration of prescription medications and has promulgated detailed "Regulations Governing the Administration of Prescriptive Medications in Public and Private Schools" (105 CMR 210.000). Medication may not be administered to

students while at school unless such medicine is given to them by the school nurse acting under specific written request of the parent or guardian and under the written directive of the student's personal physician. When the school nurse is not present, a student who needs medication during the school day may be called to the office at the scheduled hour and reminded by the secretary or designee to take the medicine. This provision only applies when the correct dosage of the medication has been placed in an individual container clearly marked with the student's name, the dosage to be administered, and the time and/or conditions under which the medicine is to be taken. In addition, the student must be able to recognize the medicine that he/she or she is taking. No one but the school nurse, and those others listed in the medical administration plan acting within the above restriction, may give any medication to any student. When it is necessary that a child take medication (including Tylenol) during school hours, the following procedures must be followed:

- **Self Administration of Medication:** Following consultation with the school nurse, students who fall into the following exceptions may self-administer medications:
  - Students with asthma or other respiratory diseases may possess and administer prescription inhalers.
  - Students with cystic fibrosis may possess and administer prescription enzyme supplements.
  - Students with diabetes may possess and administer glucoses monitoring tests and insulin delivery systems.
- **Long Term Medications:** Those given daily during the school year or medication given on an as needed basis (such as Epi-pens, Tylenol, and inhalers)
  - Doctor's medication order including the name of the medication, the dosage, time to be given and any special considerations with an MD address and first initial of the doctor.
  - Written consent from a parent/guardian.
  - Medication must be in a pharmacy-labeled container. Over the counter medications must be in the original bottle.
- **Short Term Medications:** Those given for ten days or less such as antibiotics
  - Medication in a pharmacy labeled container. (The pharmacy will provide a separate bottle for the school if you ask.)
  - For short-term medications we are not required to have a written order from the doctor; the written script on the bottle is sufficient.
  - Written consent from a parent/guardian including the time the medication is to be given.
- **Medication Notes:**
  - Medication orders do not carry over from one year to the next; they must be renewed at the start of each school year.
  - Medications must be delivered to the school by the parent or responsible adult. Should a child lose medication being transported, the parent would be held liable for any harm that results.
  - Medication cannot be transported on the school bus.
  - The nurse shall train LFCPS staff in the use of Epi-pens and universal precautions each year.
  - These policies have been put into place to ensure the health and safety of children needing medication during the school day.

### **Head Injury Policy**

The Learning First Charter Public School Board of Trustees recognizes that head injuries sometimes occur during physical activities such as the athletics or extracurricular programs and that such injuries can have serious medical consequences for the injured student if appropriate and immediate actions are not taken. Furthermore, the Board recognizes that the district must do what is prudent and in compliance with state law and regulation to reduce the likelihood of head injuries in the first place.

Therefore, and in accordance with 201 CMR 006, the Board directs the Wellness Committee, composed of a school administrator, school nurse, school physician, physical educator, athletic coaches, guidance counselor, and teacher to develop procedures and review them every two years. These procedures shall address:

1. Responsibilities of the physical educator, coaches, and school nurse;
2. Maintenance of records;
3. Documentation of physical examination consistent with 105 CMR 200.100(B)(3);
4. Review of medical information;
5. Training requirements for students, their parents, and coaches;
6. Pre participation requirements;
7. How to identify a head injury or suspected concussion;
8. How to report head injuries and to whom the report should be made;
9. Parental notification of head injuries;
10. Medical clearance protocol to resume participation after an injury;
11. Conditions for exclusion from participation if necessary; and
12. Protocol for graduated reentry to the activity once medical clearance has been given.

### **Hygiene**

Personal hygiene is the practice of keeping oneself clean in order to prevent disease and to maintain good health. We should encourage and establish proper hygiene habits early in childhood. Practicing proper personal hygiene helps prevent the spread of disease and infection. Our children need assistance and guidance with personal hygiene to ensure and maintain their good health and prepare them for independence as they mature and develop. Children should shower or bathe often enough to be clean and have no body odor. For many children this may be every other day, but for active children this may be daily. For children who have reached puberty, and in the summer, children should shower or bathe daily. Handwashing is the best way to prevent the spread of germs and illness. Children should wash their hands with soap and water after using the bathroom, before they eat, after using a tissue, after playing, etc. Dentists recommend that students brush their teeth after every meal, however, brushing at least two times a day before school and after supper is sufficient for most children. Handwashing should be vigorous and last at least 20 seconds. A good measure of this is teaching the child to sing "Happy Birthday" or the alphabet song while they are washing their hands. When they are done singing, they are done washing. Fingernails should be kept trimmed and clean as well. Scratching skin with dirty nails can lead to infection. A clean student is a healthy student. It is important for children to learn life long habits of good hygiene to be healthy and to prevent the spread of common illnesses. If you need any assistance with hygiene issues and your child please feel free to contact the nurses or the guidance staff.

### **Food Service Program**

Learning First serves breakfast and lunch each day. All of the meals served by the Food Service Department meet the nutritional requirements for participation in the National School Lunch and School Breakfast Programs. These meals are free to students. Menus will be posted on the school website each month under the Food Service Section.

### **Allergies or Intolerance**

The Food Service Department is committed to providing safe, nutritious meals for students and is happy to work closely with parents/guardians to meet the needs of students with food allergies or intolerance. If you have a student with serious food allergies and have questions or special food requests, it is important that you contact the Food Services Director Tasha Griffin at 508-799-7500 ex 1114.

### **School Wellness Policy**

Learning First will provide physical education training aligned with the standards established by the Department of Education. Students are given opportunities for physical activity during the school day through physical education (PE) classes once a week, daily recess periods for students, and the integration

of physical activity into the academic curriculum where appropriate. Students also participate in yoga and mindfulness activities in health class.

Students are given opportunities for physical activity through a range of after- school programs including, but not limited to, intramurals, interscholastic athletics, and physical activity clubs. Learning First works with parents and the community to create ways for students to access an environment that is safe and supportive of a student's physical activities and promotes enjoyable, lifelong habits of physical activity and wellness. Student heights and weights are recorded annually through the health office.

### **Nutrition Education**

The following goals have been established for our nutrition education program.

- Students receive nutrition education that teaches the skills they need to adopt and maintain healthy eating behaviors.
- Nutrition education is offered in the classroom with coordination between the foodservice and physical and health education staff and other school personnel, including teachers. Students receive consistent nutrition messages from all aspects of the school program.

### **Health and Physical Education**

The following goals have been established for our physical education program.

- Students are given opportunities for physical activity during the school day through physical education (PE) classes, daily recess periods for elementary school students, yoga and mindfulness in health class and the integration of physical activity into the academic curriculum where appropriate.
- Students are given opportunities for physical activity through a range of after- school programs including, but not limited to, intramurals, interscholastic athletics, and physical activity clubs. Learning First works with parents and the community to create ways for students to access an environment that is safe and supportive of a student's physical activities and promotes enjoyable, lifelong habits of physical activity and wellness. Student heights and weights are recorded annually through the health room and physical education department.

These are the guiding principles around Wellness that are taught in K-8 Health Classes:

- **Guiding Principle #1**

Comprehensive Health education teaches students fundamental health concepts and skills that foster healthy habits and behaviors for the individual and others through sequential and coordinated teaching of health education, physical education, and family and consumer sciences education at each grade level, prekindergarten through grade 8. While we do not have family and consumer sciences, this is taught in our health classes.

- **Guiding Principle #2**

Comprehensive Health education teaches students to use fundamental health concepts to assess risks, to consider potential consequences, and to make health enhancing decisions. This is taught in our Guidance program, in our PE classes and in our Health Classes, it is also reinforced by health services in the general classroom.

- **Guiding Principle #3**

Comprehensive Health education teaches skills that assist students to understand and communicate health information clearly for self-management and health promotion. This is taught in our PE classes, health classes and Guidance classes.

- **Guiding Principle #4**

Comprehensive Health education contributes to the capacity of students to work in a positive manner with families, school staff, peers, and community members to enhance personal health and create a safe and supportive environment where individual similarities and differences are acknowledged. Taught in Open Circle, Yoga, Health, Guidance.

- **Guiding Principle #5**

Comprehensive Health education is strengthened through collaboration and partnerships among all components of the coordinated school health program and other subjects. In Health, Guidance and in all specials areas.

<b><u>School Safety</u></b>
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**School Visitors:**

All visitors to Learning First are required to sign in at the office and wear a visitor sticker. All visitors must state the reason for their visit, the location, and time when checking in with the office staff. Faculty and staff have been instructed to escort anyone not having a visitor ID immediately to the receptionist for identification. Any school visitor or volunteer may not go to any additional areas of the School during the visit. Volunteers and visitors who violate this agreement may have their privileges revoked. All volunteers of Learning First are required to have a current, cleared CORI Check. Please contact the school office to verify the status of your CORI Check

**Fire Drills/Evacuations/Lock Down:**

The school will have regular safety drills throughout the school year. A school safety team has been established and trained in all areas regarding school safety. The safety team oversees all fire drills, evacuations, lock down and safety concerns. Specific signals and procedures have been established for all types of disaster drills. Safe areas have been designated and teachers are equipped with instructions. In the event of an emergency, such as an off-site evacuation, lock down, etc., parents/guardians will be contacted via facebook, class dojo, email, and automated phone call. It is crucial that parents maintain up-to-date contact information with the school. Please call the office if you need to update your information throughout the school year.

<b><u>Student Records and Confidentiality</u></b>
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All student records will be kept in a locked cabinet in the main office. Authorized staff members may view records by recording their access in the viewers' log. No files may be removed from the office. Special education documents may not be placed in cumulative folders. They will be housed in a locked cabinet in the student support office. However, all teachers should have a copy of the IEP's at a Glance or 504 plans of each of his / her students. Parents have a right to request a copy of any document pertaining to their child. All records must be kept on file for seven years.

### **Record Request from Non-Custodial Parents**

Requests for student records from the non-custodial parent are in accordance with state law on student record access for non-custodial parents (General Laws Chapter 71, Section 34H). It is necessary for the non-custodial parent (defined within this statute as the parent without physical custody) to submit a written request for records to the Principal annually. The custodial parent will be notified of the noncustodial parent's request for records

### **Child Abuse and Neglect**

If a school staff member suspects that a student is being abused or neglected, he/she is required by law (M.G.L. Ch. 119 §51A) to report it to the Massachusetts Department of Children and Families. All reports are confidential. Mandated reporters are not required to notify parents after a 51A has been filed.

### **Emergency Information Forms**

At the beginning of each school year, parents or guardians must review, update, sign and return their child's emergency information form to the homeroom teacher. The information must be kept updated regarding who can be reached in case of an emergency. Please inform your child's homeroom teacher or the School office of any address or phone number changes throughout the year

### **Photographing/Videotaping/Social Media/Listing Names of Students**

At the beginning of each school year parents will fill out a form as to whether or not their child's name, picture, or video can be used. These records will be kept up to date for any staff member to have. If you opt your child out, they will not be included.

<h2><b><u>Curriculum Instruction and Design</u></b></h2>
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Learning First has a selected curriculum that is aligned from kindergarten through grade 8. Each program used aligns to the Common Core Standards, and is highly researched based.

### **English Language Arts**

*ReadyGEN* is an integrated and well-balanced approach to reading and writing instruction for ELA instruction in grade K-8 classrooms. Authentic texts with modeling and teacher-directed activities drive learning and motivate readers. Students read authentic literary and informational texts. Instruction focuses on reading, writing, speaking, and listening in response to authentic texts.

### **Math**

*Ready Common Core Mathematics* helps teachers create a rich classroom environment in which students at all levels become active, real-world problem solvers. Through teacher-led instruction, students develop mathematical reasoning, engage in discourse, and build strong mathematical habits. The students also use the i-Ready computer based program that supplements this curriculum for 45 minutes each week. The lessons are tailored at the students level, and three times a year the students will take baseline assessments to continue to modify the program as the students progress through the program.

### **Science**

In grades kindergarten through fifth grade the students use Active Science. Active Science lessons use a variety of instructional techniques to accommodate differentiation for a range of student learning styles. While students work in cooperative teams to interact, draw conclusions, and share ideas with their peers. Lessons encourage students to express and evaluate their preconceived ideas about how the world of science works. When students are able to test their ideas with real evidence and articulate what they have discovered by recording data into their Science Notebooks, the scientific learning becomes their own.

In grades sixth through eighth students use the program Activate Learning by IQWST. Lessons are organized into thematic units that support students as they build understanding of core ideas in science as well as understanding and use of scientific practices. Students also pursue their own original questions in units that integrate the fundamentals of Physical Sciences, Life Science, and Earth & Space Science.

### **Social Studies**

In kindergarten through eighth grade the students use SAVAAS My World interactive social studies. This program has both a book component and an online component. The lessons are all interactive literacy based lessons. There are also projects to go along with each unit, as well as differentiated components to reach our ESL/MSA and Special Education students.

### **The Arts**

Learning First Fine Arts curriculum offers an ambitious program of instruction in music, visual arts, drama, and dance. Visual and performing arts are taught by specialists, who devote equal attention to history,



performance, appreciation, and practice. To reinforce classroom learning, the fine arts specialists often connect their lessons to the programs of studies in the core classes. Whether integrated with other subjects in the curriculum or taught on their own, the arts provide innovative ways to enhance learning and creativity. The teachers pull from a variety of resources to ensure that all students receive a well-rounded experience.

## **Social and Emotional Learning**

At Learning First, education in character and ethics is centered around the students being kind, safe, and responsible. Each day at the end of the morning announcement we recite as a school “Be Kind, Be Safe, and Be Responsible” in order for us to all have a great day at Learning First.

Our social and emotional curriculum is taught using Open Circle in grades kindergarten through fifth and Circle Forward in grades sixth through eighth. The skills that are taught include recognizing and managing emotions, empathy, positive relationships and problem solving. They help schools build a community where students feel safe, cared for and engaged in learning. . Open Circle lessons are highly interactive, incorporating large and small group discussions, role playing, community-building activities, and high quality literature.

## **Special Education**

Learning First offers a wide variety of services for students with special needs. We are committed to providing all children with a free and appropriate education in the least restrictive environment. We are proud to serve our children in a highly engaging, inclusive environment. Classrooms are staffed with highly qualified teachers and assistants who are dedicated to supporting all learners. In addition, we have a talented team of special educators and clinicians who provide specialized instruction and work collaboratively with classroom teachers to better serve all students. Our occupational therapist, school psychologist, speech and language specialist, guidance counselors and school nurse provide excellent services to students and serve as resources to our staff and families. The program is managed by our Student Support Director, Jennifer Applegate who can be reached via phone at 774-420-7291.

### **Childfind**

A student is eligible for special education services if there is presence of a disability, lack of effective progress and the need for specialized instruction. If a child is suspected to have special needs, the pre-referral process may be initiated by contacting the Student Support Director. Parents are involved at each step of the referral process. Special education is provided in accordance with state and federal laws.

## **English Language Education**

Multilingual students, classified by the state and federal department of education as English Language Learners (ELs), receive direct and explicit instruction in the English language.

Learning First is committed to providing quality, researched-based instruction to our multilingual students. According to MA law, Public school students who are not proficient in English must be placed in a Sheltered English Immersion (SEI) program. SEI has two required components; English as a Second Language (ESL) and sheltered content instruction. Once a child is accepted in the ESL program, he/ she will receive direct and explicit instruction in English as a Second Language (ESL). ESL Instruction is designed to support multilingual students to learn to speak, listen, read and write in English and perform rigorous grade-level academic work in English. Sheltered content instruction is designed to support multilingual students in accessing content (math, science, history, etc.) while they are in the process of acquiring full proficiency in

English. Teachers who provide sheltered content instruction have received or are in the process of receiving a Sheltered English Endorsement from DESE, which designates each teacher as having completed training designed to equip content teachers with the skills and knowledge to make content instruction comprehensible to multilingual students. All the instruction and materials in the SEI classroom are in English. Multilingual students participate in rigorous and challenging grade-level curriculum, utilizing instructional materials that have been adapted and modified to meet the students' needs.

The Home Language Survey is used to identify students whose primary home language is other than English. Along with the Home Language Survey, the school identifies students whose dominant language may not be English based on observations, intake assessments in the four language modalities (speaking, listening, reading and writing), and recommendations of parents, teachers and other persons, as appropriate. If a student is determined to be an English Language Learner (EL), the student is accepted into the SEI program. Following the assessment, a letter, in their preferred language, is sent to all parents of assessed students to notify them of the assessment results and the school's recommendation to place their child into the SEI program. The letter is filed for future reference.

Should a parent decline his/her child's placement into the SEI program, a parent may request a waiver. The waiver allows parents to voluntarily choose the academic program for their child(ren). To request a waiver for a student under age ten, the student must have participated in the program for thirty calendar days. Students over ten can be waived out of the program at any time. Should a parent sign a waiver out of the SEI program, the school must use alternative means to meet the child's needs.

Multilingual students participate in the SEI program until they are determined to have acquired full proficiency in English. A student is considered proficient when his/her mastery of English enables him/her to fully access the regular classroom curriculum. In accordance with the No Child Left Behind Act, multilingual students are assessed annually to determine their level of proficiency in the English language. Multilingual students are assessed yearly using the ACCESS test as mandated by the Commonwealth of Massachusetts. The results of the state assessments, combined with input from parents, teachers and other school professionals, will assist the ESL and sheltered content teachers to make determinations to exit multilingual students from the SEI program. Reclassification of multilingual students as Formerly English Language Learners (FEL) is regularly reported to the MA Department of Elementary and Secondary Education. Even after a student exits the program, their progress is monitored for four years to ensure that each student is successful in academics, extracurricular and other school-related activities.

Should you have additional questions regarding the Learning First multilingual students program, please contact our Student Support Director at 774-420-7291.

## SLC Grading

Learning First documents student effort and progress with Student Learning Contracts, (SLC's). SLC's are issued three times a year. Students and parents may view grades at any time by logging on to the school's website. Students will receive marks for academic achievement, effort, conduct, and a goal they set for themselves each trimester.

### Grades Kindergarten through Four

	<b>Standards Mastery Level</b>	<b>Description</b>		<b>Effort</b>	<b>Conduct</b>
<b>4</b>	Advanced	Demonstrates a comprehensive understanding of the subject matter and applies it to solve complex problems.	<b>4</b>	Extends learning beyond the basic expectations of the class.	Serves as a model and encourages others to follow the code of conduct and demonstrate core values.
<b>3</b>	Mastered	Demonstrates a solid understanding of the subject matter and applies it to solve a variety of problems.	<b>3</b>	Consistently completes class work and homework to the best of his/her ability.	Consistently kind, safe and responsible. Exemplifies the school's core values.
<b>2</b>	Partially Mastered	Demonstrates a partial understanding of the	<b>2</b>	Usually completes class work and	Usually kind, safe and responsible. Practicing

		subject matter and sometimes applies it to solve simple problems.			homework to the best of his/her ability	the school's core values.
1	Not Mastered	Demonstrates a minimal understanding of the subject matter and does not apply it to solve problems.		1	Sometimes completes class work and homework to the best of his/her ability	Sometimes kind, safe and responsible. Learning the school's core values.

### **Grade Five through Eight**

Students in grade five through eight are graded off percentages. A grade of 80 percent or higher is considered mastery of a standard. If a student receives below a 65 on a standard that is considered not passing. Students also receive monthly progress reports to show standard progression and academic understanding.

### **Academic Retention**

In addition to progress grades, teachers also address if the student is making progress toward year end standards and academic goals. If a student is struggling to make progress toward meeting standards by the end of the first term, a box should be checked on the SLC stating, "Additional intervention needed" and a mandatory parent conference will be held. At this time, an Academic Probation Plan may be completed.

If a student is still struggling to make progress toward meeting those standards by the end of the second term, a box should be checked on the SLC stating "Additional intervention needed to avoid retention" and a mandatory parent conference will be held and an Academic Probation Plan will be completed. If, by the end of the year, the student still has not met those standards, a promotion determination meeting will be held, and a box should be checked on the SLC stating either "Promoted but Skills Practice Recommended" or "Retained."

In preparation for the promotion determination meeting, the instructional team will complete the Light's Scale to look at the whole child to determine whether s/he is a strong candidate for retention. At the promotion determination meeting, the teacher and related service providers, parent and a school administrator will discuss the areas of weakness and strength. Special needs, second language acquisition, attendance issues and / or extenuating circumstances will be taken into consideration during a promotion determination meeting. After considering all information and the best interest of each child, the Head of School has the final say in the decision to promote or retain a student.

## **Non Discrimination Policy**

All students shall be provided equal access to a full range of educational and extracurricular programs and activities.

Learning First Charter Public School does not discriminate on the basis of race, color, national origin, religion, gender, gender identity, ethnicity, sexual orientation, age, ancestry, athletic performance, disability status, housing status, proficiency in the English language or a foreign language, or prior academic achievement.

It shall be a violation for any school staff or student to engage in discriminatory practices, sexual or bias-related harassment, or in any way violate the civil rights of any pupil, teacher, administrator, or other school personnel. Conduct amounting to a hate crime is a particularly serious infraction that will result in referral to law enforcement agencies.

The School will act to investigate all complaints, formal or informal, verbal or written, of sexual or bias-related harassment or violations of civil rights (discriminatory harassment) and to take appropriate action

against any pupil, teacher, administrator, or other school personnel who is found in violation.

### **Non Discrimination Definition of Terms**

**Bias Incident** means any act, including conduct or speech, directed at or which occurs to a person or property because of actual or perceived race, religion, ethnicity, disability, gender, or sexual orientation. A bias incident may or may not be a criminal act.

**Bias Indicators** are objective facts and circumstances, which suggest that an action was motivated in whole or in part by a particular type of bias. (graffiti, slurs, epithets, markings, drawings, symbols, history of/pattern of behavior, etc)

**Bias Motives** recognized by Massachusetts law as causing hate crimes based on race, religion, ethnicity, disability, gender, and sexual orientation.

**Civil Rights Violation (discriminatory harassment)** unwelcome conduct, whether verbal or physical, that is based on race, color, national origin, ethnicity, ancestry, religion, age, disability, genetic information, housing status, veteran status, marital status, sex, gender, gender identity, gender expression, sexual orientation, pregnancy, or pregnancy-related condition.

**Harassment** consists of unwelcome verbal, written or physical conduct targeting a specific person(s) which is sufficiently severe, persistent, or pervasive to create an intimidating, hostile, humiliating, or offensive school environment, or substantially interfere with the progress of a student's education.

**Bias-Related Harassment** with present bias indicators, most commonly epithets: name-calling derogatory to a particular racial, religious, or sexual orientation group;

**Sexual Harassment** covers instances of physical or verbal conduct of a sexual nature, not limited to but including sexual advances, which foster a hostile educational environment for the victim. (*See sexual harassment policy for legal definition*)

**Hate Crimes** include any criminal acts to which recognized types of bias motives are an evident contributing factor. Criminal bias-motivated conduct entails, at a minimum, threats. Criminal conduct includes acts putting someone in fear of immediate physical harm (assaults), and actual physical violence (assault and battery), and grows most serious if a victim suffers bodily injury. Repeated threatening or menacing actions like following someone can amount to the crime of stalking.

**Hostile Environment** exists when a student has been or is subjected to threats, intimidation, or coercion by another (or others) or is reasonably in fear for his or her safety. Whether a school environment has become hostile must be evaluated based on the totality of the circumstances. Repeated instances of bias-related and sexual harassment create a hostile environment for the victim. A single act of harassment can also create a hostile or intimidating environment if sufficiently severe. A hostile environment does not necessarily entail that a student exhibits quantifiable harm, such as a drop in grades.

**Stalking** a felony, consists of intentional conduct involving 1) or more acts directed at a specific person, 2) which would cause an average person substantial distress, 3) where the perpetrator has made threats causing the targeted person fear of death or injury.

### **Examples of Civil Rights Violations and Bias Incidents**

- Unwelcome verbal, written, or physical conduct directed at the characteristics of a person's race or color, such as nicknames emphasizing stereotypes, racial slurs, comments on manner of speaking, and negative references to racial customs (racial and color harassment.)

- Unwelcome verbal, written or physical conduct, directed at the characteristics of a person's religion, such as derogatory comments regarding surnames, religious tradition, or religious clothing, or religious slurs, or graffiti. (religious harassment)
- Conduct directed at the characteristics of a person's national origin, such as negative comments regarding surnames, manner of speaking, customs, language, food, or ethnic slurs (national origin harassment).
- Conduct directed at the characteristics of a person's sexual orientation-actual, perceived, or asserted-such as negative name calling and imitating mannerisms (sexual orientation harassment.)
- Conduct directed at the characteristics of a person's disabling condition, such as imitating manner of speech or movement, using abusive language (slurs), or interference with necessary equipment (disability harassment.)
- Physical conduct putting someone in fear of imminent harm, coupled with name-calling of a bigoted nature (crime of assault.)
- Repeated, purposeful following of someone, coupled with evident bias against the victim's actual or perceived group status (civil rights violation or crime of stalking.)
- Painting swastikas on walls or other public or private property (crime of vandalism.)

- Any hands on infraction due to actual or perceived group status (crime of battery).

### **Commitment to Prevention**

LFCPS is committed to educating about, preventing, ceasing, and accurately reporting bias incidents and civil rights violations, so that all students can enjoy the advantages of a safe and tolerant learning environment where individual differences are respected. The school engages in activities and programming such as training of all school personnel, explicit SEL instruction, guidance classes, peer mediation, and restorative justice practices, intended to foster respect for diversity, civil rights, and non-violence in school settings.

### **Reporting Procedures**

Please see **Appendix A** for a reporting form if you would like to formally file a discriminatory harassment complaint.

If you are filing the complaint against a staff member you may turn the form in to your direct supervisor or HR. If you are filling out the form as (or on behalf of) a student you may turn the form into either that student's head of school or guidance counselor.

If you are not able to fill out the form, or you are filing as a student or on behalf of a student, you may also file a complaint by using our online "Bully Alert" system in Clever.

Any report may be submitted anonymously. If reporting anonymously, please include as much detailed information in the report so that school staff will be able to conduct a thorough investigation.

Once a report is received staff will be assigned and an investigation will begin. If you include your information on the form or in the "bully alert" you will be contacted with updates.

### **Outcomes**

If a determination is made that a staff member or student's rights were violated LFCPS will take action that is appropriate under the circumstances. Action may range from counseling, restorative practices to termination of employment or discipline, up to and including expulsion. Please refer to the Code of Conduct for more specific information on tiered infractions.

### **Appeal**

If any student or staff member is not satisfied with the outcome of the investigation they may appeal next to the superintendent, and then the Board of Trustees.

Other avenues outside of the district to appeal an unsatisfactory outcome are:

Mass Commission Against Discrimination  
Worcester Office:  
484 Main Street Room 320 Worcester, MA 01608  
Phone: 508-453-9630 Fax: 508-755-3861  
Email: [assistanttochairman@state.ma.us](mailto:assistanttochairman@state.ma.us)

Office for Civil Rights, U.S. Department of Education,  
5 Post Office Square, 8th Floor,  
Boston, MA 02109-3921  
Phone: 617-289-0111; Fax: 617-2889-0150; TDD: 1-800-877-8339; Email: [OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov);

Program Quality Assurance Services,  
Massachusetts Department of Elementary and Secondary Education,  
75 Pleasant Street,  
Malden, MA 02148-4906;  
Phone: 781-338-3700; Fax: 781-338-3710; TTY: N.E.T. Relay: 1-800-439-2370;  
Email: [compliance@mass.edu](mailto:compliance@mass.edu)

## **Title IX Plan: Sexual Harassment Policy**

LFCPS is committed to educating about, preventing, ceasing, and accurate reporting of sexual harassment, so that all staff and students can enjoy the advantages of a safe and tolerant learning environment where individual differences are respected. The school engages in activities and programming such as mandatory annual training of all school personnel, explicit SEL instruction, guidance classes, peer mediation, and restorative justice practices, intended to foster respect for diversity, civil rights, and non-violence in school settings.

**Definition of Sexual Harassment:** Conduct on the basis of sex that satisfies one or more of the following:

- (i) A school employee conditioning education benefits on participation in unwelcome sexual conduct (*quid pro quo*) or
- (ii) unwelcome conduct that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the schools education program or activity: or (iii) sexual assault (as defined in the *Clery Act*), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act.

### **Reporter (complainant) and Respondent (alleged perpetrator) Rights**

- To receive help navigating the reporting process
- To receive information and an explanation of the process prior to making a disclosure
- To receive information on how to access confidential support and community resources without triggering an investigation
- To make an anonymous report
- To have a complaint investigated promptly and thoroughly
- To receive help reporting to law enforcement if necessary
- To have your information treated with the highest level of confidentiality possible
- To be free from retaliation or negative impact from the school environment as a result of reporting or participating in an investigation
- To have an advocate/parent or other support person present and available during the process
- To have incidents that happen off school grounds or over social media taken into account and investigated as they pertain to your case
- To have staff notify your parents/guardians and keep them updated and informed as events unfold
- To choose how much you will participate in the investigation, including your right not to
- To request that interim measures be put into place to protect your safety during the investigation
- To receive updates on the status of your investigation
- To be informed of all options for appeals, both within and outside of the district

### **Title IX Process**

- Allegations of Sexual Harassment may be made to the Title IX coordinator through the use of Appendix A: The Harassment Incident Reporting Form, email, phone call, or by making an appointment in person.
- Allegations of Sexual Harassment are not limited to school grounds. Schools must respond when a complaint is made during a school activity, event, location, or circumstance in which the school exercises control.
- Any person may report incidents of Sexual Harassment or discrimination, whether or not they are the victim. (parents may report for their child)
- The Title IX coordinator will promptly respond to the complainant
- The School will investigate thoroughly all formal complaints of Sexual Harassment
- Supportive measures will be offered to the complainant to ensure safety
- No disciplinary measures will be taken against a respondent during an investigation, however, the school must respond in such a way that supports the alleged victim, while maintaining fairness and due process
- All students involved must have access to education during an investigation.
- The Title IX coordinator and all school personnel included in the investigation must be free from bias
- After the school has conducted their investigation and before a determination is made, a report must be written and sent to both parties. Both parties then have the opportunity to submit written relevant questions that they would like to ask of any party or witness, provide answers to questions asked, and allow for additional, limited follow up questions from each party.
- The decision maker may exclude questions that they deem irrelevant, however they must provide a written statement as to the reason (ie: questions about the complainants sexual orientation or prior sexual behavior are not considered relevant)
- Once a decision is made both parties will receive written notification and information on the right to an appeal.
- At any time in the process both parties have the right to withdraw their participation in the process
- The school may offer an informal resolution (ie: mediation) to both parties and at any time in the process, the parties may agree
- If there is a case in which a student is the complainant and a staff member is the respondent, no such measures will be offered.
- Within 60 calendar days the school should issue it's decision.

### **Outcomes**

If a determination is made that a staff member or student's rights were violated LFCPS will take action that is appropriate under the circumstances. Action may range from counseling, restorative practices to termination of employment or discipline, up to and including expulsion.

### **Appeals**

If any student or staff member is not satisfied with the outcome of the investigation they may appeal to the superintendent, and next to the Board of Trustees.

Other avenues outside of the district to appeal an unsatisfactory outcome are:

Problem Resolution System Office  
 Massachusetts Department of Elementary and Secondary Education  
 75 Pleasant Street, Malden, MA 02148-4906  
 Main Telephone: 781-338-3700  
 TTY: N.E.T. Relay: 1-800-439-2370  
 Fax: 781-338-3710  
 Email: [compliance@doe.mass.edu](mailto:compliance@doe.mass.edu)



Office for Civil Rights-Boston Office  
US Department of Education  
5 Post Office Square, 8th Floor  
Boston, MA 02109-3921  
Telephone: 617-289-0111  
FAX: 617-289-0150; TDD: 877-521-2172  
Email: OCR.Boston@ed.gov

Bureau of Special Education Appeals  
14 Summer St., 4th Floor  
Malden, MA 02148  
Phone: 781-397-4740  
<https://www.mass.gov/orgs/bureau-of-special-education-appeals>

### **Title IX Coordinators for LFCPS**

Liz Sardi, Asst. Business Manager; Staff Liaison  
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## **Ensuring a Safe and Supportive Learning Environment for LGBTQ+ Students**

The gender identity law amended G.L. c. 76, § 5, to establish that no person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of *gender identity*, among other characteristics. The law amended Access to Equal Educational Opportunity regulations, 603 CMR 26.00, and the non-discrimination provision of the Charter School regulations, 603 CMR 1.00, and requires schools to establish policies and procedures, provide training, and implement and monitor practices to ensure that obstacles to equal access to school programs are removed for all students, including transgender and gender nonconforming students.

The data regarding bullying and harassment of LGBTQ students in schools is alarming. Over 80% of LGBTQ students experience bullying, about  $\frac{2}{3}$  are sexually harassed, and more than  $\frac{1}{3}$  are physically assaulted. Half of all students in schools hear homophobic remarks and 30% of students report staying home out of fear of their physical safety. LGBTQ teens are 8.4 times more likely to report having attempted suicide and 5.9 times more likely to experience major depression as compared to their peers. They are twice as likely to experiment with drugs and alcohol, and twice as likely to have lower grades than their peers. Educators play an essential role in supporting these students.

For public school students in Massachusetts, there are both state and federal laws, as well as policies established by the Massachusetts Department of Elementary and Secondary Education, designed to protect and support LGBTQ students and to allow them to participate in both curricular and extra-curricular activities free from discrimination and harassment as well as support their mental health.

### **Understanding Gender Identity**

The gender identity law defines “gender identity” to mean “a person’s gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person’s physiology or assigned sex at birth.” Gender nonconforming youth range in the ways in which they identify as male, female, some combination of both, or neither.

The responsibility for determining a student’s gender identity rests with the student or, in the case of young students not yet able to advocate for themselves, with the parent.

Many, though not all, transgender youth undergo the experience of gender transition. The term “gender transition” describes the experience by which a person goes from living and identifying as one gender to living and identifying as another. For most youth, and for all young children, the experience of gender transition involves no medical intervention. Rather, most transgender youth will undergo gender transition through a process commonly referred to as “social transition,” whereby they begin to live and identify as the gender consistent with their gender-related identity.

**Transgender students have the right to:**

- Meet with a counselor and develop a gender support plan
- Attend school in safety. This means no sexual harassment or harassment/bullying based on sexual orientation or gender identity or expression by other students or staff (homophobic/transphobic remarks or acts)
- Use a bathroom that aligns with their gender identity
- Be addressed by the name and pronouns of their choosing
- Form a Gay/Straight Alliance (GSA) on the same terms as all other extra-curricular student groups and to have the GSA receive the same treatment and privileges, including equal funding and equal access to school facilities.
- Wear clothing that fits their gender identity
- Participate in all sex-segregated activities congruent with their gender identity.
- Keep their gender identity private until they are ready to be out and open
- Attend events with a partner of their choosing
- Change their permanent records to reflect their gender identity (with parent permission)

**Confidentiality and Records**

Some transgender and gender nonconforming students are not openly so at home for reasons such as safety concerns or lack of acceptance. School personnel should speak with the student first before discussing a student’s gender nonconformity or transgender status with the student’s parent or guardian. For the same reasons, school personnel should discuss with the student how the school should refer to the student, e.g., appropriate pronoun use, in written communication to the student’s parent or guardian. School staff should never “out” a student to anyone without their consent.

When determining which, if any, staff or students should be informed that a student's gender identity is different from the assigned birth sex, decisions should be made in consultation with the student, or in the case of a young student, the student's parent or guardian. The key question is whether and how sharing the information will benefit the student.

A gender marker is the designation on school and other records that indicates a student's gender. For most students, records that include an indication of a student's gender will reflect a student's assigned birth sex. For transgender students, however, a documented gender marker (for example, "male" or "female" on a permanent record) should reflect the student's gender identity, not the student's assigned sex. This means that if a transgender student whose gender identity is male has a school record that reflects an assigned birth sex as female, then upon request by the student or, in the case of young students not yet able to advocate for themselves, by the parent or guardian, the school should change the gender marker on the record to male. Schools are advised to collect or maintain information about students' gender only when necessary.

In addition, transgender students who transition after having completed high school, may ask their previous schools to amend school records or a diploma or transcript that include the student's birth name and gender. When requested, and when satisfied with the gender identity information provided, schools should amend the student's record, including reissuing a diploma or transcript, to reflect the student's current name and gender.

### **Discrimination, Harassment, and Bullying Prevention**

Unlawful harassment, or bullying, compromises a student's ability to take advantage of his/her education. When harassment is based on the student's sexual orientation, sex or gender identity or expression, failure to redress it properly and promptly violates the law.

Under federal law, sex discrimination is prohibited by both Title IX and constitutional provisions of equal protection under the law. Sexual harassment can be a form of sex discrimination. The United States Supreme Court has established that a student may file a complaint of discrimination with the United States Department of Education's Office of Civil Rights (OCR), and, in cases where the school has reacted with deliberate indifference, may proceed in court to seek monetary damages. The OCR has an informative document entitled Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students or Third Parties, which provides guidelines on a wide variety of harassment-related issues.

Chapter 76, Section 5 of the Massachusetts General Laws prohibits both sex and sexual orientation discrimination in its schools, whether committed by school employees or fellow students. The Code of Massachusetts Regulations (603 CMR 26.00) establishes certain actions that schools must take to prohibit the harassment or discrimination of LGBTQ students. In particular, the Code requires that all schools educate staff and students about Chapter 76, Section 5 and have policies in place to ensure that complaints of discrimination and harassment are investigated and appropriate action is taken against those who violate the provisions of the law (see nondiscrimination policy). Also Massachusetts General Laws Chapter 151C defines fair educational practices and specifically prohibits sexual harassment by either teachers, staff or other students. Violations of this law can be brought to the Massachusetts Commission Against Discrimination, a state agency that does not require the parties to have a lawyer. Massachusetts' law also protects students who are perceived to be LGBTQ, regardless of their actual sexual orientation.

To strengthen the protections against student harassment and bullying, in May 2010 Massachusetts implemented one of the strongest anti-bullying laws in the country. Learning First's Bullying Prevention and Intervention plan and Student Friendly version includes anti LGBTQ+ bullying education, intervention and strategies. Students are educated on this plan in guidance classes and staff are trained during yearly professional development courses.

If you feel that you have been discriminated against, please contact your Title IX Coordinators: Elizabeth Sardi, Staff Liaison, [Esardi@learningfirstcharter.org](mailto:Esardi@learningfirstcharter.org)  
Lisa Moore, MA, C.A.G.S., Guidance Director; Student Liaison [Imoore@learningfirstcharter.org](mailto:Imoore@learningfirstcharter.org)  
Lauren Koleros, School Psychologist; 504 coordinator, [lkoleros@learningfirstcharter.org](mailto:lkoleros@learningfirstcharter.org)

If you do not get your issue resolved at the school level you may contact:

Mass Commission Against Discrimination

Worcester Office:

484 Main Street Room 320 Worcester, MA 01608

Phone: 508-453-9630 Fax: 508-755-3861

Email: [assistanttochairman@state.ma.us](mailto:assistanttochairman@state.ma.us)

Office for Civil Rights, U.S. Department of Education,

5 Post Office Square, 8th Floor,

Boston, MA 02109-3921

Phone: 617-289-0111; Fax: 617-2889-0150; TDD: 1-800-877-8339

Email: [OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov)

Program Quality Assurance Services,

Massachusetts Department of Elementary and Secondary Education,

75 Pleasant Street,

Malden, MA 02148-4906;

Phone: 781-338-3700; Fax: 781-338-3710; TTY: N.E.T. Relay: 1-800-439-2370;

Email: [compliance@mass.edu](mailto:compliance@mass.edu)

Bureau of Special Education Appeals

14 Summer St., 4th Floor

Malden, MA 02148

Phone: 781-397-4740

BSEA Website

### **Resources**

#### **SWAGLY (Supporters of Worc Area Gay and Lesbian Youth)**

Meeting Address: 85 Green Street,

Worcester, MA 01604 (entrance is at 12 Plymouth St.)

Hours: Wednesday's from 5:30 p.m. – 8:00 p.m.

Contact Information: [swagly@aidsprojectworchester.org](mailto:swagly@aidsprojectworchester.org)

508.755.3773 ext. 42

<https://www.aidsprojectworchester.org/swagly>

PFLAG of Greater Worcester

4 Mann Street, Worcester, MA 01602

**TEL: 508-755-0333, x1142**

E-Mail: [pflagworchester@iname.com](mailto:pflagworchester@iname.com) <https://www.worcesterpflag.org>

<h2><b><u>Suicide Prevention Policy</u></b></h2>
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The purpose of this policy is to protect the health and wellbeing of Learning First Students by having procedures in place to prevent, assess the risk of, intervene in, and respond to suicide.

Learning First:

- (a) Recognizes that physical, behavioral and emotional health is an integral part of a student's learning
- (b) Further recognizes that suicide is a leading cause of death among young people
- (c) Has an ethical responsibility to take a proactive approach in preventing deaths by suicide
- (d) Acknowledges the schools role in providing an environment which is sensitive to individual and societal factors that place youth at greater risk for suicide and one which helps to foster positive youth development.

This policy is paired with our schools social emotional learning model and multi-tiered systems of support (MTSS) as a means to support the emotional and behavioral health of all students.

### **Prevention**

Learning First follows a comprehensive [Multi Tiered System of Support Model](#) and uses research supported [Social Emotional Learning Curricula](#) at all grade levels and all tiers. There is a [referral system](#) in place to rapidly identify students at risk for SEL and acute concerns. As well as a system for students to self-refer. All staff are trained annually on this system and the ERT team meets weekly (or as needed) to plan for supporting identified students. Learning First also has a comprehensive [Bullying Prevention and Intervention Plan](#) and [Student Friendly BPIP](#) that all staff and students are trained on annually as well. It is available on our website and sent out to parents annually. Learning First is also a Restorative School and has a Nationally recognized Peer Mediation Program.

The ERT Team consists of members of the Guidance Department and Behavior Team, Nurses, and members of Administration. However The Guidance Department will be responsible for training and implementing the policy.

Learning First is also looking into research supported curriculum to teach students about suicide prevention and good mental health. This curriculum should have an outreach component that can be shared through lessons and articles for families.

### **Intervention**

A [Crisis Prevention Protocol](#) has been created and will be followed should a student state an intent of self harm or suicidal ideation. Within the protocol is a guide for staff to follow if the student is at high, moderate or low risk as well as a list of [community mental health resources](#) that the guidance team will help the family navigate.

### **Safety Planning**

Upon return to school a re entry meeting will take place with the student, parents, and guidance team. (This may be in person, over the phone or through a google meet)

If the student was seen by an outside mental health provider, a copy of the documentation stating that they have been evaluated and are no longer a danger to themselves or others and are able to return to school should be provided.

A safety plan will be written for the student, including safe staff and spaces for the student and daily check-ins. Staff will request that a release of information be signed so outside and school counseling staff can communicate with each other and coordinate treatment.

Parents will be notified and given copies of the plan as well as any collaterals working with the student and family.

### **Postvention**

If a student has completed a suicide attempt or passed by suicide the ERT Team and Administration will convene to action plan regarding communication, and therapeutic interventions. Planning should contain the following steps:

- Communication will take place to students through circles from the guidance staff and heads of school.
- Autodials will go home to families
- Individual students that have connections to the student will be told in person individually
- Counselors from Enlightened Interventions should be included in the process and on hand for individual support and group support to staff, students, and families

- Counseling staff will offer a PD to staff reviewing warning signs, and monitor students who may be significantly affected by the death
- Support will be offered to the family
- HR will handle any media communication if necessary
- Memorial plans will be made in conjunction with the family, and will include a focus on suicide prevention. It will not sensationalize or glamorize the student death.

## **Crisis Protocol**

Learning First Charter Public School prioritizes the physical and mental health and safety of our students. All students participate in standardized social emotional learning curriculum, guidance lessons, and access a multi-tiered system of academic and non-academic support. This document outlines the process if there were to be a student displaying or reporting at-risk behaviors or concerns.

### **Terms**

**Crisis Prevention Institute (CPI):** is an international training organization that specializes in the safe management of disruptive and assaultive behavior. All staff are trained annually in CPI verbal de escalation strategies. <https://www.crisisprevention.com/>

**Emergency Response Team (ERT):** Team of multidisciplinary professionals that are certified in CPI and respond to immediate safety and well being concerns in the building.

### **Should a Crisis Emerge**

Such as a student engaging in self harm (the act of purposely hurting oneself) or displaying suicidal ideation (thinking about, considering, or planning suicide) or making threats to harm others the following procedures will be followed:

- A staff member should alert a member of the ERT (Emergency Response Team) and the student will immediately be given a risk assessment by a qualified member of the ERT Team.
- The team member will use de-escalation measures and therapeutic measures to reduce the intensity of the situation.
- Student and team members will complete a risk assessment interview. The team member will contact the student's family.
- During this period, the student should be monitored at all times and not left alone.

### **Risk Determination Process**

The team member will conduct a risk assessment interview. At that time the team member will use information from the interview as well as all relevant information available to determine the level of risk and then follow the appropriate response plan below:

### **Response Plan**

**If the student is at a low risk level:**

- Contact student family
- School will provide family with appropriate resources

- Student will check in with appropriate ERT member

**If the student is at a moderate risk level:**

- Contact student family
- Student should be monitored closely and not left alone
- The school may request that student is seen by an outside mental health provider and receive documentation upon their return
- Student's family/guardian should be given resources to support student
- Student should complete a check in with appropriate ERT member
- ERT members should follow up with the student's family within 24 hours.
- Team member may make a referral to enlightened interventions for ongoing counseling

**If the student is at a high risk level:**

- School may need to contact 911 if risk is imminent; the school will make every effort to contact family during this time.
- Student should be closely monitored by 2 staff members and not left alone
- Student will need to be seen by an outside mental health agency (i.e. EMH, Mobile Crisis, Outside mental health clinician).
- Student should be seen within a 24 hour window. If the student is not seen within that window, ERT team members may call the appropriate agency.
- School will be provided documentation that the student has been seen and is able to transition back into the school setting.
- Student and caretaker(s) will be required to have a re-entry meeting where all recommendations can be reviewed and a safety plan can be developed and agreed upon.
- The safety plan will be disseminated to staff that work with the student and parent will be encouraged to share with outside clinician (and/or PCP)
- Student will check in with trusted staff member daily

**If a suicide attempt was made at school or a student discloses that they made an attempt:**

- First aid will be administered and 911 will be called
- Nurse will be notified to complete an assessment and provide care
- Student should be closely monitored by 2 staff members and not left alone
- Parents/caregivers will be notified

**If student makes a threat of violence against school or other students:**

- Student will have a risk assessment conducted by guidance staff
- School police liaison will be contacted by administration
- Parents will be called in to school by administration
- A safety plan will be written by guidance staff
- Counseling referral will be made (via Enlightened Interventions or Mobile Crisis) by guidance staff
- Discipline procedures will be determined after initial assessments are completed

## **Community Resources for Worcester Families in Need and in crisis:**

<https://www.healthygreaterworchester.org/covid-19-community-resources>

<http://www.worcesterma.gov/coronavirus/assistance>

<https://www.enlightenedinterventionsllc.org/>

<http://www.communityhealthlink.org/chl/youth-and-family-services/youth-mobile-crisis-intervention-ymci>

Call centers:

1-800-273-TALK or [www.suicidepreventionlifeline.org](http://www.suicidepreventionlifeline.org)

The Trevor Lifeline (For LGBTQ+ youth) 1-866-488-7386

## **Substance Abuse Prevention Policy**

In 2016 Governor Baker signed into law *An act relative to Substance use, Treatment, Education and Prevention* in response to the opioid epidemic. The following policy reflects Learning First's commitment to keep our students informed of the dangers of drugs, alcohol and tobacco, teach resistance skills, and include the families as partners in that process by providing evidence-based programming to our students in grades K through 8.

Programs in early learning, primary, and elementary years will focus on social emotional learning strategies. Students will use Open Circle and through proactively developing skills for recognizing and managing emotions, empathy, positive relationships and problem solving, students will learn in a safe, caring, and engaging environment. They will learn the problem solving process, learn about dangerous and destructive behaviors, active listening, effective communication skills, and a sense of belonging. Parents are trained in the beginning of the school year to use Open Circle language to be able to use it at home as well, and periodic newsletters go home to families to inform them of the skills their children are learning and discussed at parent events, showcases and conferences.

Programs will address increasing resistance skills, communication skills, knowledge about the consequences of drug use, and knowledge about the prevalence of drug use. These students have many evidence based programs available to them. Learning First utilizes The Peers Making Peace program, a conflict resolution program, designed to help students manage conflict in their everyday lives, we also utilize Restorative Justice and Circle Forward. Restorative Justice fosters many skills: empathy, communication, the development and building of relationships, positive discipline instead of punitive, a whole-child approach, a whole-school approach, mindfulness based learning and accountability. Students will also have classes that focus on specifically learning about the dangers of drugs and alcohol using an evidence based program that will be chosen by a committee of staff, students, and parents, and taught in their Health/Guidance classes.

Learning First also partners with The District Attorney's Office and the Sheriffs office to bring many of their Community Outreach programs to our Junior Academy students annually.

Parents will have all of this information available to them as well as a resource center set up at our Open House at the beginning of the school year each year. A Guidance web page will also be set up and maintained by our Guidance Director with links to resources for families.

Our School Safety and Discipline Policy outlines the definitions of drugs, alcohol and tobacco offenses, a level 3 infraction, at Learning First. It also outlines the range of outcomes for students involved in a level 3 infraction of this nature.

In addition students will be referred for outpatient counseling through our guidance department. Learning First partners with clinicians that come to our school and provide on-site therapeutic services to our students, crisis intervention counseling, family based counseling, and assistance to many of our families with community based resources.



This policy will be submitted for review by our board of trustees and upon acceptance, re-submitted for review and revision every two years. Staff will be trained annually on this policy at the start of the school year.

## **Bullying Prevention and Intervention Plan**

LCFCS is committed to ensuring that all students come to school every day ready and able to learn. We expect that all students treat each other with dignity and respect. Every student is valued for their differences and has the right to come through the doors feeling safe and comfortable.

We do not tolerate the violation of anyone's rights, bullying, harassment, or retaliation against anyone who reports any of these violations.

### **Bullying Prevention and Intervention Plan Legal Definitions**

**Bullying:** The repeated use by one or more students or by a member of school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity, or paraprofessional of a written, verbal, or electronic expression, or a physical act or gesture or any combination thereof, directed at a target that:

- (i) Causes emotional or physical harm to the target or damages the target's property;
- (ii) Places the target in reasonable fear of harm to himself/herself or of damage to his or her property
- (iii) Creates a hostile environment at school for the target;
- (iv) Infringes on the rights of the target at school; or
- (v) Materially and substantially disrupts the education process or the orderly operation of a school.

**Cyberbullying:** Bullying through the use of technology or any electronic communication, which shall include, but not limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to electronic mail, internet communications, instant messages or facsimile communications. Cyberbullying shall also include:

- (i) The creation of a web page or blog in which the creator assumes the identity of another person
- (ii) The knowing impersonation of another person as the author of posted content or messages, if the content, creation, or impersonation creates any of the conditions in clauses (i) to (v) listed above in the definition of bullying.

**Harassment:** Unwelcome verbal, written or physical conduct targeting a specific person(s) which is sufficiently severe, persistent, or pervasive to create an intimidating, hostile, humiliating, or offensive school environment, or substantially interfere with the progress of a student's education.

\*After a pattern of **3 instances** has been established you may press criminal charges against the offender under this statute.

### **District Bullying Plan:**

<https://docs.google.com/document/d/1uXHCFzLX9SgiSmofGMyt2CcJ0ln9Num6/>

**Discriminatory Harassment/Civil Rights Violations:** Involve any acts directed at a target that cause emotional or physical harm, due to a person's protected category under constitutional or statutory rights.

Race	National Origin	Socioeconomic Status	Academic Status
Color	Physical Appearance	Mental or Physical Disability	
Religion	Gender Identity	Homelessness	

**Sexual Harassment:** Unwanted or unwelcome behavior of a sexual nature. Can be verbal, visual, or physical. This can be a **ONE TIME BEHAVIOR!**

Gender based harassment can take many forms. If you are denied the right to participate in an activity or access a program, because of your gender (gender identity is included) this is considered sexual harassment.

**Gender Identity:** In 2012 MA passed a law protecting the rights of transgender students. It is important to understand that transgender is **NOT the same** thing as a person's sexual orientation.

**Transgender:** is an umbrella term that describes a person whose gender identity or expression is different from that traditionally associated with their assigned sex (gender) at birth. *It has NOTHING to do with who the person is attracted to, it has to do with how the person IDENTIFIES THEMSELF.*

**Criminal Stalking and harassment:** Whoever willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and makes a threat with the intent to place the person in imminent fear of death or bodily injury, shall be guilty of the crime of stalking and shall be punished by imprisonment in the state prison for not more than 5 years or by a fine of not more than \$1,000, or imprisonment in the house of correction for not more than 2 1/2 years or by both such fine and imprisonment.

## **School Safety and Discipline**

LFCPS Code of Behavior and Respect

LFCPS CODE OF CONDUCT IS: **I am kind. I am safe. I am responsible.**

LFCPS CORE VALUES: **I show Wisdom, Justice, Courage, Compassion, Hope, Respect, Responsibility, Integrity**

## **Proactive Approach**

At Learning First, we take pride in using a proactive approach when it comes to behavior and discipline. We believe that by having our staff model appropriate strategies, students will be able to apply what they see into their daily life. We work hard to get to know each and every student

All classroom teachers at Learning First Charter Public School are trained in Open Circle and Circle Forward. The Social Emotional curriculum assists students in handling emotions. Daily lessons are embedded into every child's schedule.

Other ways that students are supported outside of the curriculum are:

- Academy Directors circulating the building and checking into classrooms multiple times a day. This includes talks with teachers and students.
- Assistance Required button: Behavior support to classrooms
- Bi-weekly guidance lessons
- Peer mediation
- Movement breaks with designated staff
- Daily check ins/outs with designated staff

- Referral Button
  - Behavior
  - Academics
  - Social Emotional
- Individual behavior plans that focus on specific needs. These could include but are not limited to:
  - Check in and out system with identified staff
  - Movement breaks built into the daily schedule.

Learning First believes that every person who enters our school has a responsibility to the community to ensure a positive and productive learning environment. School is a place of learning about academic subjects, as well as about ourselves, others and the world around us. Like our academic programs, our discipline protocols are designed to use a strengths based approach focused on reflection and growth.

Learning First's Tiered System of Support is grounded in the core instruction and universal supports which include Open Circle's social emotional learning framework. Tier 1 consists of proactively teaching the school's expectations through direct instruction in the school's Code of Conduct, Core Values, Rituals and Routines, and Open Circle's strategies for five key areas: Self – awareness, Self-management, Social awareness, Relationship skills, and Responsible decision making. (See Character Education description in the Curriculum Overview section of the handbook). Tier 2 programming offers additional instruction and support for students who may need a different approach in order to be successful in the school setting. For this, Open Circle, and other complimentary curricula, provides a range of supplementary lessons and tools that can be tailored to meet the unique needs of each student. Students who continue to experience difficulty may be referred to Tier 3 for interventions that are more intensive in nature and may consist of a highly individualized Behavior Intervention Plan. Teacher and family collaboration and cooperation is essential to each child's success.

In order to create an atmosphere that supports learning and a sense of well-being, the following proactive strategies are implemented:

**Reinforce rules.** Staff will regularly review rules and their rationale. They will ask students to share the rules or expected behavior by sharing key concepts from previous lessons and they will refer back to the rules when they are broken. Saying, "What's our community rule?"

**Assign seating.** The staff member may ask a disruptive student to sit next to him/her, or another student who would not be disrupted by the behavior. Sometimes it is helpful for a child to sit across from the teacher with some established non-verbal signal for inappropriate behavior.

**Acknowledge response rather than person.** Staff will respond to silly behavior by focusing on the response, not the person. They may use comments such as "That's one idea. Can you think of another?"

**Focus on behavior to work on.** Staff may talk individually with the student before class begins, about appropriate behavior. S/he will identify one specific behavior that the student agrees to work on. S/he will notice and praise the behavior during and after the lesson.

**Use disruptive group behavior as the basis for discussion.** When several members of the group are acting in a nonproductive way, the staff member may stop and say, "Let's talk about our learning goal and how we can get the community on track to accomplish it." This is an opportunity for the group to share responsibility for getting back on track.

**Stop the group, or shorten lesson time.** If a number of students are having trouble attending a lesson, the staff member may shorten or stop that activity for the time being, and use strategies to allow them to get out some physical energy, "brain breaks."

**Allow the child to take 5.** A staff member may ask a disruptive child to sit outside the group until s/he is ready to return with appropriate behavior. (Note: “Take 5” strategy will not be effective if the student doesn’t want to be a part of the lesson.) Take 5 rules must be clear and are non-negotiable:

- The student must be quiet in the Take 5 space.
- The student must return to the activity and participate appropriately once Take 5 has been completed.
- Take 5 must be short – five minutes would be appropriate. Prior approval from the Head of School or Academy Director must be obtained before any time out can occur that will last more than 30 minutes.

Note: Resources in the Take 5 Space include five calming down strategies based on Open Circle principles: Flower Breathing, Candle Breathing, Bubble Breathing, Give yourself a time out, and Count backwards from 10.

**Provide alternative reflection space and support.** In an extreme situation, or if a student returns to the group and continues to be disruptive the student may benefit from time to de-escalate in a buddy classroom or process in the Reflection and Recovery Room.

## **Discipline Infractions**

“Double D”behaviors, repetitive or extreme instances, such as those described below, may result in additional disciplinary actions

*Level 1 Infractions: Teachers or referring staff members will respond to incidents of this nature by following the strategies outlined above.*

Tracking Category	Definition
Inappropriate language	Uses inappropriate or profane words (stated or implied) or messages (written, verbal, electronic)
Disrespect	Delivers a negative comment (written, verbal, electronic) that would demean another person’s self worth
Tardiness	Reports late to class without an authorized pass
Defiance	Fails to respond to adult request without disrupting the learning environment, despite reminders
Disruption	Behavior impedes the learning process, despite teacher reminders
Plagiarism / cheating	Uses, copies or provides person’s words or work, misrepresenting it as his/her own work
Property misuse	Uses assigned school materials in an inappropriate manner, resulting in minor damage
Vandalism / littering	Defaces or damages school or private property that can be fixed without a monetary obligation
Food / Drink	Possesses or consumes food or drinks at inappropriate times or locations
Electronics	Possesses an unauthorized electronic device (to be held in school safe for parent retrieval)
Technology misuse	Visits unauthorized websites or using school technology in an unauthorized way (i.e. listening to music, changing settings, visiting unauthorized sites, etc.)

Dress Code	Wears clothing that doesn't fit within the school's dress code policy (a change of clothes will be required)
<i>Level 2 Infractions: Teachers or referring staff members will receive administrative support in responding to incidents of this nature. Parents / Guardians will be notified and, in addition to the teaching actions described above, administrators may assign additional consequences, up to and including detentions, community service, in school suspension, and out of school suspension.</i>	
Tracking Category	Definition
Defiance	Continually refuses to follow adult directions and engages in behaviors that disrupts the learning environment and society.
Disruption	Engages in behaviors or interruptions in class or an activity that includes but is not limited to: sustained loud talk yelling or screaming, noise with a material, horseplay or roughhousing, sustained out of seat behavior, and obscene language and profanity despite teacher reminders.
Vandalism / Littering	Willfully destructs, defaces, or damages school or private property resulting in a monetary obligation
Technology misuse	Visits unauthorized websites or using school technology in an unauthorized way. (including but not limited to: sexually explicit in nature, gang or drug related, or contains offensive material).
Harassment / Tease / Taunt / Personal Threat	Repeatedly uses offensive or inflammatory words, symbols, pictures, gestures or physical conduct. Including but not limited to: intimidation, threat, belittling, demeaning, disparaging, mocking or ridiculing another person.
Sexual Harassment	Engages in instances of physical or verbal conduct of a sexual nature, not limited to but including sexual advances, which foster a hostile educational environment for the victim.
Inappropriate touching	Touches, or forces one to touch, another person's body in places or ways that make him / her feel unsafe or uncomfortable.
Theft	Taking or attempting to take money or property belonging to another person or the school with intent to deprive the victim of their belongings.
Physical Aggression / Contact	Engages in inappropriate physical contact
Fighting	Uses physical force or violence towards another individual
Aggressive Behavior	Intentionally threatens by word or actions to cause harm to another person and has the apparent ability to carry out such a threat. Instigates a conflict or disruption to may lead to bodily harm
Bolting (Elopement)	Leaves the immediate area abruptly without permission to do so
Inappropriate Display of Affection	Engages in consensual verbal or physical gestures or contact of sexual nature to another student. Holding hands, kissing, sexual touching or other displays of affection in violation of school policy.
Inappropriate Use of Medication	Possesses, purchases, uses, distributes, or sells prescription or over the counter medication. In violation of school rules.
Bullying	Repeatedly uses a written, verbal or electronic expression, physical act, or gesture directed at a victim that: (i) causes physical or emotional harm to the

	victim or damage to the victim's property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school.
Cyber-bullying	Bullies through the use of technology or any electronic communication including but not limited to: (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) the knowing impersonation of another persona as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v) , inclusive, of the definition of bullying. Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be assessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying.
False Alarm	Activates a school alarm or emergency response system without cause.
Truancy	Does not report to class or school without authorization. Leaves class or school without authorization.
Forgery	Writes, hands in or is in possession of a document that is signed by a person without permission.

*Level 3 Infractions: Incidents of this nature will result in a disciplinary hearing to be facilitated by a school administrator. In addition to the consequences listed for level 1 and 2 infractions, level 3 infractions may also result in long term suspension (ten or more consecutive or cumulative days over the course of the school year). The only offenses for which a student will be put at risk of expulsion are the possession or use of illegal substances or weapons, assault, vandalism, being charged with or adjudicated for a felony crime, or violation of a student's civil rights. Educational services will be provided.*

Tracking Category	Definition
Assault	Uses physical force or violence while not in de-escalation. Note: Assault that is defined as the use of force, with or without a weapon, that inflicts significant bodily harm, is an expellable offense.
Civil Rights Violation	Please see the Civil Rights policy listed in this handbook.
Weapons	Possesses a dangerous weapon including but not limited to a gun or a knife
School Threat	Intentionally- verbally or written- making a false report of potential harm from a bomb, dynamite, explosive or arson causing device, chemicals or biological agents, or threats to harm students, school officials, and/or school property.
Drugs	Possesses drug paraphernalia and/ or possesses, cultivates, manufactures, purchases, uses, sells or distributes any drug, narcotic, controlled substance, or substance represented to be a drug, narcotic, or controlled substance on school grounds, bus or at school sponsored events. This includes exhibiting behaviors that suggest an individual has consumed alcohol.
Tobacco	Possesses, purchases, uses, distributes, or sells tobacco products on school grounds, at school sponsored events, or on school transportation. This includes exhibiting behaviors that suggest an individual has used tobacco.
Alcohol	Possesses, purchases, uses, distributes or sells alcoholic beverages on school grounds, at school sponsored events, or on school transportation. This

	includes exhibiting behaviors that suggest an individual has consumed alcohol.
Inappropriate Sexual Conduct	Engages in consensual verbal or physical gestures or contact of sexual nature to another student, such as sexual touching, sexual activity or other displays of affection in violation of school policy.
Obscene Electronic Communication	Posting obscene messages on internet message boards, sending obscenities via internet chat rooms/instant messaging, Twitter, cell phone text and downloading or email obscene material.
Felony Offense	Has been charged with or convicted of a felony offense

Learning First has a progressive discipline system. Based upon the severity or frequency of infractions, higher levels of consequences may be applied.

Please understand that “all educators in the United States must obey the Family Education Rights and Privacy Act, which prohibits the school from sharing any information in a student’s record, including disciplinary information, to a third party, without parental consent. The result of this is that parents cannot expect a school official to tell you how they have disciplined a student, even if your child was directly victimized by that student.” (MGL 603)

At no time may a staff member use threats, derogatory remarks, physical punishment or withholding of food or physical activity as forms of discipline. In extreme situations, where a student may be physically out of control and refuses to leave the classroom, a teacher may remove his/her class from the situation. Restraint will only be used in accordance with our school’s Restraint Policy and only as a last resort if a student is at risk of hurting himself or others.

## **Re-Entry Plan**

Conflict resolution is a priority at Learning First. When a student returns to school following a suspension, the following will take place:

1. Meeting with student, parent, Academy Director, Head of school
2. Restoration following re-entry:
  - a. Peer to peer (if appropriate): peer mediation, make sure both parties are comfortable with reentering.
  - b. Whole lass restoration: restorative circles, acknowledging and repairing the wrong.
  - c. Student to teacher: One to one meeting with each other
3. Following these meetings:
  - a. A plan is put in place to support (see above for options)
  - b. Restorative action steps
    - i. Identify what was “broken” or “lost” due to a behavior
    - ii. Determine what can be done to “repair” it
  - c. Academy Director checks in frequently through the day

- d. Refer to guidance if appropriate
- e. Parent is notified of progress
- f. If the student continues to struggle, additional supports may be needed

## **Discipline Policy Statement**

LFCPS seeks to limit the use of long-term suspension as a consequence for student misconduct until other consequences have been considered and tried as appropriate for those discipline offenses subject to M.G.L. 71, § 37H<sup>3</sup>/<sub>4</sub>, as set forth in 603 CMR 53.01(2)(a). LFCPS promotes engagement of a student's parent in discussion of the student's misconduct, and options for responding to it. LFCPS seeks to assure that every student who is expelled or suspended, regardless of the reason for suspension or expulsion, has the opportunity to receive education services to make academic progress during the period of suspension or expulsion; and, to keep schools safe and supportive for all students while ensuring fair and effective disciplinary practices.

In every case of student misconduct for which suspension may be imposed, a principal/ head of school exercises discretion in deciding the consequence for the offense; considers ways to re-engage the student in learning; and avoids using long-term suspension from school as a consequence until other alternatives have been tried. Alternative consequences may include the following: peer mediation, conflict resolution, restorative circles, positive interventions and supports, removal from class trips, school teams or activities, from privileges, such as extracurricular activities and attendance at school-sponsored events, requirement of Friday or Saturday detention to complete work, community service, etc.

## **School Safety and Discipline Definitions (603 CMR 53)**

**Commissioner:** means the commissioner of the Department of Elementary and Secondary Education appointed in accordance with M.G.L. c. 15, § 1F, or his or her designee.

**Department:** means the Department of Elementary and Secondary Education.

**Disciplinary offense:** means any alleged or determined disciplinary infraction by a student, except for:

- (a) possession of a dangerous weapon;
- (b) possession of a controlled substance;
- (c) assault on a member of the educational staff; or
- (d) a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a principal/head of school determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school, as provided in M.G.L. c. 71, § 37H or 37H<sup>1</sup>/<sub>2</sub>. A disciplinary offense, as defined, is subject to the provisions of M.G.L. c. 71, § 37H<sup>3</sup>/<sub>4</sub> and 603 CMR 53.00.

**Disciplinary offense under M.G.L. c. 71, § 37H or 37H<sup>1</sup>/<sub>2</sub>:** means one or more of the following alleged or determined disciplinary infractions:

- (a) possession of a dangerous weapon;
- (b) possession of a controlled substance;
- (c) assault on a member of the educational staff; and
- (d) a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a principal/ head of school determines that the student's continued



presence in school would have a substantial detrimental effect on the general welfare of the school, as provided in M.G.L. c. 71, § 37H or 37H½.

**Expulsion:** means the removal of a student from the school premises, regular classroom activities, and school activities for more than 90 school days, indefinitely, or permanently, as permitted under M.G.L. c. 71, § 37H or 37H½ for:

- (a) possession of a dangerous weapon;
- (b) possession of a controlled substance;
- (c) assault on a member of the educational staff; or
- (d) a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a principal/ head of school determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school, as provided in M.G.L. c. 71, § 37H or 37H½.

**In-school Suspension:** means removal of a student from regular classroom activities, but not from the school premises, for no more than ten consecutive school days, or no more than ten school days cumulatively for multiple infractions during the school year. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days. In-school suspension for ten days or less, consecutively or cumulatively during a school year, shall not be considered a short-term suspension under these regulations. If a student is placed in in-school suspension for more than ten days, consecutively or cumulatively during a school year, such suspension shall be deemed a long-term suspension for due process, appeal, and reporting purposes.

**Long-term Suspension:** means the removal of a student from the school premises and regular classroom activities for more than ten consecutive school days, or for more than ten school days cumulatively for multiple disciplinary offenses in any school year. A principal/ head of school may, in his or her discretion, allow a student to serve a long-term suspension in school. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days. Except for students who are charged with a disciplinary offense set forth in M.G.L. c. 71, § 37H(a) or (b), or M.G.L. c. 71, § 37H ½ no student may be placed on long-term suspension for one or more disciplinary offenses for more than 90 school days in a school year beginning with the first day that the student is removed from school. No long-term suspension shall extend beyond the end of the school year in which such suspension is imposed.

**Parent:** means a student's father, mother, or legal guardian, or person or agency legally authorized to act on behalf of the student in place of or in conjunction with the father, mother, or legal guardian.

**Principal/ Head of School:** means the instructional administrative leader or academy director of a public school or his or her designee for purposes of school disciplinary matters. The board of trustees of a charter school or virtual school shall designate in the school discipline code who will serve as the principal for purposes of 603 CMR 53.00.

**School-wide Education Service Plan:** means the document developed by a principal/ head of school , in accordance with M.G.L. c. 76, §21, that includes a list of education services available to students who are expelled or suspended from school for more than ten consecutive days.

**Short-term Suspension:** means the removal of a student from the school premises and regular classroom activities for ten consecutive school days or less. A principal/ head of school may, in his or her discretion, allow a student to serve a short-term suspension in school. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days.

**Superintendent:** means the chief executive officer employed by a school committee or board of trustees to administer a school system, charter school, or virtual school pursuant to M.G.L. c. 71, §§ 59, 59A, 89, or 94, or his or her designee appointed for purposes of conducting a student disciplinary hearing. The board of trustees of a charter school or virtual school shall designate in the school's discipline code who will serve as the superintendent for the purposes of 603 CMR 53.00.

**Suspension:** means short-term suspension and long-term suspension unless otherwise stated.

Any student who is serving an in-school suspension, short-term suspension, long-term suspension, or expulsion shall have the opportunity, as applicable, to make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. The principal/ head of school shall inform the student and parent of this opportunity in writing when such suspension or expulsion is imposed.

Students who are suspended from school for 10 or fewer consecutive days, whether in or out of school, have the opportunity to make academic progress throughout the period of time the suspension occurs. Students will be able to make up missed assignments, and participate in learning opportunities through the school's digital learning platforms.

Students that have been suspended or expelled for more than 10 consecutive days, whether in or out of school shall have an opportunity to receive education services and to make academic progress toward meeting state and local requirements, through the school-wide education service plan.

LCPS provides the student and the parent or guardian of the student with a list of alternative services consistent with the academic standards and curriculum frameworks. These include, but are not limited to:

1. Four (4) hours of tutoring at a location outside of the school. This can be provided at a student's home, another agreed-upon location or virtually through googlemeet. A person over the age of 18 must accompany the student to each tutoring session if held in-person.
2. Online learning opportunities and activities assigned and monitored by the tutor. These may include weekly assignments on Google Classroom, SAVASS (SuccessMaker), LexiaCore5, i-Ready, or another comparable program. All assignments are based on grade-level curriculum standards and come directly from our core curriculum.
3. Students who do not have Internet access in the home are asked to complete their assignments at the Worcester Public Library or another public venue offering such access. LCPS may provide a "loaner" computer for the duration of the suspension or expulsion to such students who do not have a computer available to them.

### **Notice of Suspension and Potential Hearing**

The principal/ head of school shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.

For each student expelled or suspended from school for more than ten consecutive days, whether in school or out of school, the school district shall document the student's participation and enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department.

### **Notice of Suspension and Hearing under M.G.L. c. 71, § 37H¾**

Except as provided in 603 CMR 53.07 and 603 CMR 53.10, a principal/ head of school may not impose a suspension as a consequence for a disciplinary offense without first providing the student and the parent oral and written notice, and providing the student an opportunity for a hearing on the charge and the parent an opportunity to participate in such hearing.

The principal/ head of school shall provide oral and written notice to the student and the parent in English and in the primary language of the home if other than English, or other means of communication where appropriate. The notice shall set forth in plain language:

- the disciplinary offense;
  - the basis for the charge;
  - the potential consequences, including the potential length of the student's suspension;
  - the opportunity for the student to have a hearing with the principal concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing;
  - the date, time, and location of the hearing;
  - the right of the student and the student's parent to interpreter services at the hearing if needed to participate;
  - if the student may be placed on long-term suspension following the hearing with the principal:
1. the rights set forth in 603 CMR 53.08 (3)(b); and
  2. the right to appeal the principal's decision to the superintendent.

The principal/ head of school shall make reasonable efforts to notify the parent orally of the opportunity to attend the hearing. To conduct a hearing without the parent present, the principal/head of school must be able to document reasonable efforts to include the parent. The principal/ head of school is presumed to have made reasonable efforts if the principal/ head of school has sent written notice and has documented at least two attempts to contact the parent in the manner specified by the parent for emergency notification.

Written notice to the parent may be made by hand delivery, first-class mail, certified mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the principal/ head of school and parent.

<b><u>Students at Risk of In-School Suspension under M.G.L. c. 71, § 37H<sup>3/4</sup></u></b>
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- The principal/ head of school may use in-school suspension as an alternative to short-term suspension for disciplinary offenses.

- The principal/ head of school may impose an in-school suspension for a disciplinary offense under 603 CMR 53.10, provided that the principal/ head of school follows the process set forth in 603 CMR 53.10(3) through (5) and the student has the opportunity to make academic progress as set forth in 603 CMR 53.13(1).
- The principal/ head of school shall inform the student of the disciplinary offense charged and the basis for the charge, and provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident. If the principal/ head of school determines that the student committed the disciplinary offense, the principal/ head of school shall inform the student of the length of the student's in-school suspension, which shall not exceed ten days, cumulatively or consecutively, in a school year.
- On the same day as the in-school suspension decision, the principal/ head of school shall make reasonable efforts to notify the parent orally as soon as possible of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The principal/ head of school shall also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such a meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the principal/ head of school is unable to reach the parent after making and documenting at least two attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.
- The principal/ head of school shall send written notice to the student and parent about the in-school suspension, including the reason and the length of the in-school suspension, and inviting the parent to a meeting with the principal/ head of school for the purpose set forth in 603 CMR 53.10(4), if such meeting has not already occurred. The principal/ head of school shall deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or other method of delivery agreed to by the principal/ head of school and the parent.

<p><b>Students at Risk of Out of School Suspension under M.G.L. c. 71, § 37H<sup>3/4</sup></b></p>
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**Principal/ Head of School Hearing – Short-term Suspension**

- The purpose of the hearing with the principal/ head of school is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction. At a minimum, the principal/ head of school shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also shall have an opportunity to present information, including mitigating facts, that the principal/ head of school should consider in determining whether other remedies and consequences may be appropriate as set forth in 603 CMR 53.05. The principal/ head of school shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal/ head of school should consider in determining consequences for the student.
- Based on the available information, including mitigating circumstances, the principal/ head of school shall determine whether the student committed the disciplinary offense, and, if so, what remedy or

consequence will be imposed.

- The principal/ head of school shall notify the student and parent of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal, as provided in 603 CMR 53.13(1). The determination shall be in writing and may be in the form of an update to the original written notice.
- If the student is in a preschool program or in grades K through 3, the principal/ head of school shall send a copy of the written determination to the superintendent and explain the reasons for imposing an out-of-school suspension, before the short-term suspension takes effect.

### **Principal/ Head of School Hearing – Long-term Suspension**

- The purpose of the hearing is the same as the purpose of a short-term suspension hearing.
- At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights:
  1. In advance of the hearing, the opportunity to review the student's record and the documents upon which the principal/ head of school may rely in making a determination to suspend the student or not;
  2. the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense;
  3. the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so; and
  4. the right to cross-examine witnesses presented by the school district; and
  5. the right to request that the hearing be recorded by the principal/ head of school, and to receive a copy of the audio recording provided to the student or parent upon request. If the student or parent requests an audio recording, the principal/ head of school shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request.
- The principal / head of school shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal/ head of school should consider in determining consequences for the student.
- Based on the evidence, the principal/ head of school shall determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to

suspension as set forth in 603 CMR 53.05, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The principal/ head of school shall send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or other method of delivery agreed to by the principal/ head of school and the parent. If the principal decides to suspend the student, the written determination shall:

1. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
2. Set out the key facts and conclusions reached by the principal/ head of school;
3. Identify the length and effective date of the suspension, as well as a date of return to school;
4. Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as provided in 603 CMR 53.13(4)(a);
5. Inform the student of the right to appeal the principal's/ head of school's decision to the superintendent or designee, but only if the principal/ head of school has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate, and shall include the following information stated in plain language:
  - the process for appealing the decision, including that the student or parent must file a written notice of appeal with the superintendent within five calendar days of the effective date of the long-term suspension; provided that within the five calendar days, the student or parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven additional calendar days; and that
  - the long-term suspension will remain in effect unless and until the superintendent decides to reverse the principal's determination on appeal.
  - If the student is in a public preschool program or in grades K through 3, the principal/ head of school shall send a copy of the written determination to the superintendent and explain the reasons for imposing an out-of-school suspension, whether short-term or long-term, before the suspension takes effect.

Students may be at risk of expulsion for the following Level 3 offenses: possession of a dangerous weapon, possession of a controlled substance, assault on a member of the educational staff, a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such a felony.

- The purpose of the hearing is the same as the purpose of a short or long-term suspension hearing and a student has the rights afforded a student in a suspension hearing. For a student who is accused of a disciplinary offense under M.G.L. c. 71, § 37H or 37H½ the policies and procedures are consistent with the applicable statute and provide due process of law. The principal/ head of school may remove a student who has committed a disciplinary offense under M.G.L. c. 71, § 37H or 37H½ from school for more than 90 days in a school year. Any student who is removed from school for a disciplinary offense under M.G.L. c. 71, § 37H or § 37H½ shall have an opportunity to receive education services and make academic progress during the period of removal, as provided in 603 CMR 53.13.

### **Emergency Removal under M.G.L. c. 71, § 37H¾**

Nothing in 603 CMR 53.00 shall prevent a principal/ head of school from removing a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the principal's/ head of school's judgment, there is no alternative available to alleviate the danger or disruption. The temporary removal shall not exceed two school days following the day of the emergency removal, during which time the principal shall:

- Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and the other matters set forth in 603 CMR 53.06(2);
- Provide written notice to the student and parent as provided in 603 CMR 53.06(2);
- Provide the student an opportunity for a hearing with the principal/ head of school that complies with 603 CMR 53.08(2) or (3), as applicable, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the principal/ head of school, student, and parent.
- Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of 603 CMR 53.08(2)(c) and (d) or (3)(c) and (d), as applicable.

A principal/ head of school may not remove a student from school on an emergency basis for a disciplinary offense until adequate provisions have been made for the student's safety and transportation.

### **Superintendent's Hearing under M.G.L. c. 71, § 37H¾**

- A student who is placed on long-term suspension following a hearing with the principal / head of school shall have the right to appeal the principal's/ head of schools decision to the superintendent.
- The student or parent shall file a notice of appeal with the superintendent within the time period set forth 603 CMR 53.08 (3) (d) 5.a. If the appeal is not timely filed, the superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.
- The superintendent shall hold the hearing within three school days of the student's request, unless the student or parent requests an extension of up to seven additional calendar days, in which case the superintendent shall grant the extension.
- The superintendent shall make a good faith effort to include the parent in the hearing. The superintendent shall be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and superintendent to participate. The superintendent shall send written notice to the parent of the date, time, and location of the hearing.
- The superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent upon request. The superintendent shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request.
- The student shall have all the rights afforded the student at the principal's hearing for long-term suspension under 603 CMR 53.08(3)(b).
- The superintendent shall issue a written decision within five calendar days of the hearing which meets the requirements of 603 CMR 53.08(3)(d)1. through 4. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than the principal, but shall not impose a suspension greater than that imposed by the principal's/ head of schools decision.
- The decision of the superintendent shall be the final decision of the school district, charter school, or virtual school, with regard to the suspension.

### **Due Process Notice**

All students have the constitutional right (Goss v. Lopez) to receive due process including notice, in English and in the preferred home language, and the right to a hearing where required in all matters of suspension, transfer and expulsion. For the purposes of fulfilling the requirements of 603 CMR 53.00, the Academy Director acts as principal for disciplinary matters. All students who are serving an in-school suspension, short-term suspension (under 10 school days), long-term suspension (between 10-90 school days in the course of the year) or expulsion (permanent removal due only to specific circumstances) shall have the opportunity to make up assignments, tests, papers and other schoolwork as needed to make academic progress during the period of his/her removal from the classroom or school. The principal shall inform the student and parent of this opportunity in writing when such a suspension or expulsion is imposed. All students who are expelled or suspended from school for more than 10 consecutive days will receive a copy of the Schoolwide Education Service Plan which includes a list of education services available to such students.

### **Special Education / 504 Discipline Procedures**



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Students with special needs, as defined by federal and state laws and regulations, shall be subject to the provisions of the school discipline code, except as otherwise provided by this section.

The Individual Education Plan (IEP) or 504 Plan for students needing modification of the discipline code will specify the modifications needed in the student's IEP or 504 plan. If a student's behavior is impacted by his or her special needs, such behaviors will be dealt with through the TEAM or 504 process.

If an administrative decision under the discipline code will impact the student's placement and/or will result in a cumulative suspension of over 10 days in a school year, a TEAM or 504 meeting is required before any administrative decision with respect to discipline is made.

Prior to making an administrative decision under the discipline code, an administrator will determine whether or not the student has been designated as a student with special needs or has been referred for a special education evaluation but not yet determined to have special needs.

A student who has not been determined to be eligible for special education or related services or 504 accommodations and who has engaged in behavior that violated any rule or code of conduct may assert any of the protections provided by state and federal special education laws if the school had knowledge that the student is a student with a disability before the behavior that precipitated the disciplinary action:

- The parent has expressed concern in writing to school personnel that the student is in need of special education services or 504 accommodations;
- The parent has requested an evaluation of the student or
- The student's teacher or other school personnel have expressed specific concerns about the behavior or performance of the student to the Student Support Director, 504 Coordinator or special education staff.

If the school department is not deemed to have knowledge that the student is a student with a disability, the student may be disciplined under the discipline code except that the following limitations apply:

- If the parents/guardians of the student request an evaluation during the time period that the student is subjected to discipline, then the evaluation must be conducted in an expedited manner; and
- Until the evaluation is completed, the student remains in the educational placement determined by school authorities.

If an administrative decision under the discipline code will impact a student's placement and/or will result in a cumulative suspension of more than 10 days during the school year, and/or will result in an expulsion, the following provisions shall apply:

- A **manifestation determination** will be conducted by the child's TEAM to determine whether the student's misconduct was a manifestation of his/her disability. In making this determination, the TEAM will consider whether the IEP was followed, whether behavioral interventions, strategies and supports were provided, and whether the disability had a direct relationship to the behavioral infraction(s). A functional behavioral assessment (FBA) must be conducted, if such an assessment does not already exist, and the student's behavioral intervention plan, if such a plan was not implemented prior to the behavior resulting in the discipline, must be implemented. If a plan was already being implemented, it may be reviewed and modified depending on the results of the manifestation determination, the proposed disciplinary action may or may not be implemented. If the TEAM finds that behavior was a direct result of the school's failure to implement the IEP, the school shall take immediate steps to remedy those deficiencies.
- If the TEAM concludes that the student's conduct had a direct and substantial relationship to the student's disability, the student shall not be disciplined, a functional behavioral assessment will be conducted and a behavioral intervention plan constructed, or if one is already in place, the TEAM will

review and modify it as necessary. The child will be returned to his/her original placement unless the TEAM agrees otherwise.

- If the TEAM concludes that the student's conduct is not a manifestation of the student's disability, then the school's standard disciplinary procedures will be applied; and the student will continue to receive educational services with access to the general education curriculum and progress towards IEP goals. If the student has a repeated pattern of change in placement beyond ten days, due to disciplinary action, then the TEAM must meet and re-write the IEP or 504 plan. The TEAM will present the alternative plan to the student's parents/guardians along with the written notice as required by state and federal laws and regulations. Refusal or failure of the parents/guardians to consent to the provision of services under the alternative plan shall not prevent the suspension from being implemented.
- If the student's parents/guardians request a hearing before the Massachusetts Department of Education Bureau of Special Education Appeals, the student shall continue in the last agreed upon placement pending the hearing, unless another placement is agreed to by the parties or a court order permits the school to change the student's placement for up to forty five school days, based on a showing that the student's continued presence in school presents a substantial likelihood of injury to students or others. After an expedited hearing before the Massachusetts Department of Education Bureau of Special Education Appeals, the hearing officer may order a change in the placement of the student to an appropriate interim educational setting determined by the TEAM for not more than 45 days.
- In all instances when a change in placement or a suspension of 10 or more days will be imposed, the student must be provided with a free appropriate public education.

The TEAM may determine a change in placement, with or without the parents/guardians' permission, to an interim educational setting for a period not to exceed 45 days, as long as a free appropriate public education is provided, and a functional behavior assessment and manifestation determination is conducted in any of the following instances:

- a student carries a weapon to school or to a school function
- a student possesses or sells illegal drugs and/or controlled substances while at school or at a school function
- a student inflicted serious bodily injury upon another person while at school, on school premises, or at a school function
- on the authority of a hearing officer if the officer orders the alternative placement after the district provides evidence that the student is "substantially likely" to injure him/herself or others.

No school shall suspend or exclude a student for more than 10 school days during any school year during the pendency of a Massachusetts Department of Education Bureau of Special Education Appeals process or judicial proceeding brought to challenge a suspension, proposed suspension, or any proposed disciplinary action, unless a court order has been obtained authorizing a temporary change in the student's educational placement based on a showing that the student's continued presence in school presents a substantial likelihood of injury to the student or others.

Parents of students with a disability will be given written notice of procedural safeguards.

Note: For purposes of this document the word TEAM will be used interchangeably with special education teams and 504 teams.

<b>Discipline Data Collection and Reporting</b>
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LCPS collects and annually reports data to the Department regarding in-school suspensions, short- and long-term suspensions, expulsions, emergency removals under 603 CMR 53.07, access to education services under 603 CMR 53.13, and such other information as may be required by the Department. The data is reported in a manner and form directed by the Department.

The principal/ heads of school periodically review discipline data by selected student populations, including but not limited to race and ethnicity, gender, socioeconomic status, English language learner status, and student with a disability status. In reviewing the data, the principal/ heads of school shall assess the extent of in-school suspensions, short- and long-term suspensions, expulsions, and emergency removals under 603 CMR 53.07, and the impact of such disciplinary action on selected student populations. The principal/ head of school further determines whether it is necessary or appropriate to modify disciplinary practices due to over-reliance on expulsion, or in-school or out-of school suspension, or emergency removals, or the impact of such suspensions, removals, and expulsions on selected student populations compared with other students.

In the fall of each year, LCPS will review the data published by the department with the analysis and report of student discipline data disaggregated by district and school, and by selected student populations, included but not limited to race and ethnicity, gender, socioeconomic status, English language learner status, and student with a disability status.

LCPS will review the data provided by the Department annually, reviewing the data regarding student expulsion and long-term suspension for more than ten cumulative days in a school year. LCPS will also review the discipline data described in 603 CMR 53.14(3) and other relevant school and district information (collected through SWIS), including but not limited to student demographics, student performance, promotion, attendance, and attrition. LCPS will ensure that there is not an over-reliance on long-term suspension or expulsion as a consequence for student misconduct and that a positive school climate continues to be fostered. LCPS will ensure that if significant disparities in the rate of suspension and expulsion by race and ethnicity, or disability occur, LCPS will develop and implement a plan approved by the Department to address such significant disparities.

## **Restraint Policy**

The LCPS has procedures for restraint prevention and behavior support regarding appropriate responses to student behavior that may require immediate intervention. These procedures will be reviewed annually and provided to program staff and made available to parents of enrolled students. LCPS has various methods for preventing student violence, self-injurious behavior, and suicide, including systemized de-escalation techniques of potentially dangerous behavior occurring among groups of students or with an individual student.

Resources include:

1. Functional Behavior Assessment to hypothesize what environmental variables may be contributing to the identified behavior of concern.
2. Development of individualized behavior support plans.
3. Student focused curriculum (tier 1) in grades K-8 that promote over SEL wellness and positive coping strategies (Open Circle, Circle Forward)
4. Trainings for mental and behavioral health, focusing on trauma informed decision making.
5. Verbal de-escalation and restraint training, using Non Violent Crisis Prevention (CPI) program.
6. All students and teachers have access to staff within the guidance department and the district has partnered with Enlightened Interventions, a community counseling agency, to support school wide needs as well as individual student needs.

7. MTSS includes focused tier 2 groups that are available to all students who may need more intensive SEL support. These small groups focus on problem solving and health coping strategies, using monitoring and empirically supported programs such as Superflex, Why Try, and Zones of Regulation.

Learning First Charter Public School provides alternatives to physical restraint and method of physical restraint in emergency situations. The Nonviolent Crisis Intervention program (CPI) curriculum teaches a variety of methodologies, including physical restraint, that highlight variables that an individual may need to control in an emergency situation (i.e. if a student's behavior is escalating). In addition, the curriculum identifies a variety of verbal de-escalation strategies that include teaching the crisis development model that explains the levels and escalation of an individual in crisis and also adds in appropriate staff approaches and attitudes to each stage in order to de-escalate an individual.

Methods for engaging parents and students in discussions about restraint prevention and the use of restraint solely as an emergency procedure:

- Behavior plans are reviewed with parents as part of a school based team. Plans emphasize positive behavioral supports and methods to increase appropriate and/or alternative behavior, and if it is required for parents to understand emergency interventions included in the plan.
- Parents and students are notified and given resources in both the student handbook and the newsletter to support behaviors that would prevent restraints.
- Parents and students are also given detailed information in the handbook; administration and guidance team members are on hand to discuss the contents, both on a case by case basis or through school wide assemblies such as our annual Open House.

Staff are trained annually through professional development at the beginning of the year. Newly added staff are asked to review all policies and trainings and will meet with the Administration as needed. LFCPS has identified staff (School Psychologist and Behavior Specialist) that work closely with the Crisis Prevention Institute, where they are trained to be the school wide trainers and keep up with all appropriate documentation processes. The trainers then train members of the crisis team (members include staff from the Guidance department, Behavior Department, Nursing Department) on an in depth training on appropriate CPI approved restraint practices.

LFCPS adheres to the following policy, in accordance with CMR 46.00, M.G.L c.69, 1B and C, 71, 37G. The goal of the policy is to ensure that every student participating in a Massachusetts public education program is free from the unreasonable use of physical restraint that is inconsistent with 603 CMR 46.00. Physical restraint shall be used only in emergency situations of last resort, after other lawful and less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution. School personnel shall use physical restraint with two goals in mind:

(a) To administer a physical restraint only when needed to protect a student and/or a member of the school community from imminent, serious, physical harm; and

(b) To prevent or minimize any harm to the student as a result of the use of physical restraint.

Nothing in 603 CMR 46.00 shall be construed to limit the protection afforded publicly funded students under other state or federal laws, including those laws that provide for the rights of students who have been found eligible to receive special education services. Nothing in 603 CMR 46.00 precludes any teacher, employee or agent of a public education program from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

### **Definitions**

**Consent:** Agreement by a parent who has been fully informed of all information relevant to the activity for which agreement is sought, in his or her native language or other mode of communication, that the parent understands and agrees in writing to carrying out of the activity, and understands that the agreement is voluntary and may be revoked at any time. The agreement describes the activity and lists the records (if any) which will be released and to whom. In seeking parental consent, a public education program shall not condition admission or continued enrollment upon agreement to the proposed use of any restraint.

**Department:** Department of Elementary and Secondary Education

**Mechanical restraint:** The use of any device or equipment to restrict a student's freedom of movement. The term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional, and are used for the specific and approved positioning or protective purposes for which such devices were designed. Examples of such devices include: adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; restraints for medical immobilization; or orthopedically prescribed devices that permit a student to participate in activities without risk of harm.

**Medication restraint:** The administration of medication for the purpose of temporarily controlling behavior. Medication prescribed by a licensed physician and authorized by the parent for administration in the school setting is not medication restraint.

**Parent:** A student's father, mother, or legal guardian or person or agency legally authorized to act on behalf of the student in place of or in conjunction with the father, mother, or legal guardian.

**Physical Escort:** A temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is agitated to walk to a safe location.

**Physical Restraint:** Direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.

**Principal:** The instructional leader or Head of School at LFCPS or his/her designee. The board of trustees of LFCPS, shall designate in the restraint prevention and behavior support policy who will serve as principal for purposes of 603 CMR 46.00.

**Prone Restraint:** A physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student's body to keep the student in the face-down position.

**Public Education Programs:** Public schools, including charter schools such as LFCPS, virtual schools, collaborative education programs, and the school day of special education schools approved under 603 CMR 28.09, as provided in 603 CMR 18.05(5)(h), and school events and activities sponsored by such programs. The term "programs" may be used in 603 CMR 46.00 to refer to "public education programs." For purposes of 603 CMR 46.00, public education programs shall not include the educational services provided within Department of Youth Services, Department of Mental Health, Department of Public Health, and County Houses of Correction operated or contracted facilities.

**School Working Day:** A day or partial day that students are in attendance at the public education program for instructional purposes.

**Seclusion:** The involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include a time-out as defined in 603 CMR 46.02.

**Time-out / Take 5:** A behavioral support strategy developed pursuant to 603 CMR 46.04(1) in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During time-out, a student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The space used for time-out is clean, safe, sanitary, and appropriate for the purpose of calming. Time-out shall cease as soon as the student has calmed.

### **Use of Restraint**

Physical restraint shall be considered an emergency procedure of last resort and shall be prohibited in public education programs except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances.

The use of medication restraint, mechanical restraint, prone restraint, seclusion restraints or any physical restraint in a manner inconsistent with 603 CMR 46.00 is prohibited at Learning First Charter Public School. Physical restraint shall not be used:

- (a) As a means of discipline or punishment;
- (b) When the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting;
- (c) As a response to property destruction, disruption of school order, a student's refusal to comply with a public education program rule or staff directive, or verbal threats when those actions do not constitute a threat of assault, or imminent, serious, physical harm; or
- (d) As a standard response for any individual student. No written individual behavior plan or individualized education program (IEP) may include the use of physical restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort.

Nothing in these regulations prohibits:

- (a) The right of any individual to report to appropriate authorities a crime committed by a student or other individual;
- (b) Law enforcement, judicial authorities or school security personnel from exercising their responsibilities, including the physical detainment of a student or other person alleged to have committed a crime or posing a security risk; or
- (c) The exercise of an individual's responsibilities as a mandated reporter pursuant to G.L. c. 119, § 51A. 603 CMR 46.00 shall not be used to deter any individual from reporting neglect or abuse to the appropriate state agency.

### **Procedures and Training**

This Restraint Policy, consistent with 603 CMR 46.00, providing information and procedures regarding appropriate responses to student behavior that may require immediate intervention, is contained within the Staff and Family Handbook and Policy Manual, which is updated annually and made available online, or in hard copy, to all staff, students and families.

Learning First has a strong emphasis on social emotional learning (SEL) through Open Circle, guidance classes and specialized programs and events aimed at preventing student violence, self-injurious behavior, and suicide. Our guidance department collaborates with teachers, parents and support staff to design individualized crisis / safety plans for specific students. All of our staff are trained, within the first month of each school year, in *Crisis Prevention Intervention* strategies to de-escalate potentially dangerous behavior occurring among groups of students or with an individual student. Procedures for addressing potentially dangerous situations are outlined in our *Emergency Response Plan*, which is also reviewed annually, and included in our back to school staff training.

The restraint policy, including restraint prevention and the use of restraint solely as an emergency procedure, is addressed in the Staff and Family handbook and can then be reviewed with school staff at any time through parent request.

We implement the *Crisis Prevention Intervention* de-escalation techniques, grounded in the integrated experience model including non-verbal behaviors, paraverbal communication, verbal intervention and personal safety techniques, in order to ensure that restraint is only used as a last resort when a student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances. When physical restraint is absolutely necessary, in an emergency situation, we use *Crisis Prevention Intervention's* Children's Control Position, Team Control Position, and Team Transport Position. The use of medication restraint, mechanical restraint, prone restraint, seclusion restraints or any physical restraint in a manner inconsistent with 603 CMR 46.00 is prohibited at Learning First Charter Public School.

All staff are trained, within the first month of each school year, or within one month of hire, in de-escalation and crisis intervention strategies, including follow up procedures, as well as our restraint policy, procedures, reporting protocols and methods of receiving and investigating complaints regarding restraint practices. Data is regularly reviewed, no less than once a week, by the Heads of School / Academy Director / Student Support Director and all reporting requirements, as described below, are met. The Head of School/Academy Director/Student Support Director (an individual not participating in the restraint) will be notified of and must provide approval for any time out of the learning environment for more than 30 minutes based on the individual student's continuing agitation. The training will also include:

- (a) The role of the student, family, and staff in preventing restraint;

- (b) The program's restraint prevention and behavior support policy and procedures, including the use of time-out/take-5 as a behavior support strategy distinct from seclusion;
- (c) Interventions that may preclude the need for restraint, including de-escalation of problematic behaviors and other alternatives to restraint in emergency circumstances;
- (d) When behavior presents an emergency that requires physical restraint, the types of permitted physical restraints and related safety considerations, including information regarding the increased risk of injury to a student when any restraint is used, in particular a restraint of extended duration;
- (e) Administering physical restraint in accordance with medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans applicable to an individual student; and
- (f) Identification of program staff who have received in-depth training pursuant to 603 CMR 46.03(3) in the use of physical restraint. At LFCPS, that includes Heads of School, Academy Director, Guidance, Nursing Staff and designated staff, including designated members of the Emergency Response Team.

At the beginning of each school year, a certified *Crisis Prevention Intervention* trainer will provide training and will serve as a school-wide resource to assist in ensuring proper administration of physical restraint.

Such staff shall participate in in-depth training in the use of physical restraint. The Department recommends that such training be competency-based and be at least-sixteen (16) hours in length with at least one refresher training occurring annually thereafter.

This in-depth training in the proper administration of physical restraint shall include, but not be limited to:

- (a) Appropriate procedures for preventing the use of physical restraint, including the de-escalation of problematic behavior, relationship building and the use of alternatives to restraint;
- (b) A description and identification of specific dangerous behaviors on the part of students that may lead to the use of physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
- (c) The simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
- (d) Instruction regarding documentation and reporting requirements and investigation of injuries and complaints;
- (e) Demonstration by participants of proficiency in administering physical restraint; and,
- (f) Instruction regarding the impact of physical restraint on the student and family, recognizing the act of restraint has impact, including but not limited to psychological, physiological, and social-emotional effects.

### **Proper Administration of Physical Restraint**

Only trained public education program personnel who have received training pursuant to 603 CMR 46.04(2) or 603 CMR 46.04(3) shall administer physical restraint on students. Whenever possible, the administration of a restraint shall be witnessed by at least one adult who does not participate in the restraint. The training requirements contained in 603 CMR 46.00 shall not preclude a teacher, employee or agent of a public education program from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm. Prior to implementing any restraint, the *Crisis Prevention Intervention* de-escalation strategies should be followed and a member of the Emergency Response Team (primarily the Academy Director, Guidance Director or School Psychologist) should be notified. A staff member may activate the Emergency Response Team's certified responders by calling a "Code Blue Team" to a specified location.

A person administering a physical restraint shall use only the amount of force necessary to protect the student or others from physical injury or harm. A person administering physical restraint shall use the safest method available and appropriate to the situation subject to the safety requirements set forth in 603 CMR 46.05(5). Floor restraints, including prone restraints otherwise permitted under 603 CMR 46.03(1)(b), shall be prohibited. All physical restraint must be terminated as soon as the student is no longer an immediate danger to him/herself or others, or the student indicates that he or she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, sustained or prolonged crying or coughing.

Additional requirements for the use of physical restraint:

- (a) No restraint shall be administered in such a way that the student is prevented from breathing or speaking. During the administration of a restraint, a staff member shall continuously monitor the physical status of the student, including skin temperature and color, and respiration.

- (b) Restraint shall be administered in such a way so as to prevent or minimize physical harm. If, at any time during a physical restraint, the student expresses or demonstrates significant physical distress including, but not limited to, difficulty breathing, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.
- (c) If a student is restrained for a period longer than 20 minutes, program staff shall obtain the approval of the Head of School, Academy Director or Student Support Director (an individual not participating in the restraint). The approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint.
- (d) Program staff shall review and consider any known medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans regarding the use of physical restraint on an individual student.
- (e) After the release of a student from a restraint, the public education program shall implement the *Crisis Prevention Intervention* follow-up procedures. These procedures shall include reviewing the incident with the student to address the behavior that precipitated the restraint, reviewing the incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures were followed, and consideration of whether any follow-up is appropriate for students who witnessed the incident.

### **Reporting Requirements**

Staff shall report the use of any physical restraint as specified in 603 CMR 46.06(2).

The staff member who administered the restraint shall verbally inform the Head of School / Academy Director / Student Support Director of the restraint as soon as possible, and by written report no later than the next school working day. The written report shall be provided to the Student Support Director for review of the use of the restraint. If the Head of School / Academy Director has administered the restraint, the Head of School / Academy Director shall prepare the report and submit it to the Student Support Director and Superintendent. The Student Support Director shall maintain an on-going record of all reported instances of physical restraint, which shall be made available for review by the parent or the Department upon request.

The Head of School / Academy Director shall make reasonable efforts to verbally inform the student's parent of the restraint within 24 hours of the event, and shall notify the parent by written report sent either within three school working days of the restraint to an email address provided by the parent for communications about the student, or by regular mail postmarked no later than three school working days of the restraint. If the school or program customarily provides a parent of a student with report cards and other necessary school-related information in a language other than English, the written restraint report shall be provided to the parent in that language. The principal shall provide the student and the parent an opportunity to comment orally and in writing on the use of the restraint and on information in the written report.

The written report required by 603 CMR 46.06(2) and (3) shall include:

- (a) The name of the student; the names and job titles of the staff who administered the restraint, and observers, if any; the date of the restraint; the time the restraint began and ended; and the name of the Head of School / Academy Director/ Student Support Director who was verbally informed following the restraint; and, as applicable, the name of the Head of School / Academy Director/ Student Support Director who approved continuation of the restraint beyond 20 minutes pursuant to 603 CMR 46.05(5)(c).
- (b) A description of the activity in which the restrained student and other students and staff in the same room or vicinity were engaged immediately preceding the use of physical restraint; the behavior that prompted the restraint; the efforts made to prevent escalation of behavior, including the specific de-escalation strategies used; alternatives to restraint that were attempted; and the justification for initiating physical restraint.
- (c) A description of the administration of the restraint including the holds used and reasons such holds were necessary; the student's behavior and reactions during the restraint; how the restraint ended; and documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided.
- (d) Information regarding any further action(s) that the school has taken or may take, including any consequences that may be imposed on the student.
- (e) Information regarding opportunities for the student's parents to discuss with school officials the administration of the restraint, any consequences that may be imposed on the student, and any other related matter.



The ERT team members and Heads of School shall conduct a weekly review of restraint data to identify students who have been restrained during the week. If students have been restrained multiple times, the Student Support Director shall convene one or more review teams as the Student Support Director deems appropriate to assess each student's progress and needs. The assessment shall include at least the following:

- (a) Review and discussion of the written reports submitted in accordance with 603 CMR 46.06 and any comments provided by the student and parent about such reports and the use of the restraints;
- (b) Analysis of the circumstances leading up to each restraint, including factors such as time of day, day of the week, antecedent events, and individuals involved;
- (c) Consideration of factors that may have contributed to escalation of behaviors, consideration of alternatives to restraint, including de-escalation techniques and possible interventions, and such other strategies and decisions as appropriate, with the goal of reducing or eliminating the use of restraint in the future;
- (d) Agreement on a written plan of action by the program.

The Student Support Director shall lead the review team's discussion. The Student Support Director shall ensure that a record of each individual student review is maintained and made available for review by the Department or the parent, upon request.

The Head of School / Academy Director / Student Support Director shall conduct a monthly review of school-wide restraint data. This review shall consider patterns of use of restraints by similarities in the time of day, day of the week, or individuals involved; the number and duration of physical restraints school-wide and for individual students; the duration of restraints; and the number and type of injuries, if any, resulting from the use of restraint. The Head of School / Academy Director / Student Support Director and identified ERT Team members shall determine whether it is necessary or appropriate to modify the school's restraint prevention and management policy, conduct additional staff training on restraint reduction/prevention strategies, such as training on positive behavioral interventions and supports, or take such other action as necessary or appropriate to reduce or eliminate restraints.

When a physical restraint has resulted in an injury to a student or program staff member, the school shall send a copy of the written report required by 603 CMR 46.06(4) to the Department postmarked no later than three school working days of the administration of the restraint. The school shall also send the Department a copy of the record of physical restraints pursuant to 603 CMR 46.06(2) for the 30-day period prior to the date of the reported restraint. The Department shall determine if additional action by the program is warranted and, if so, shall notify the program of any required actions within 30 calendar days of receipt of the required written report(s).

The school shall collect and annually report data to the Department regarding the use of physical restraints. Such data shall be reported in a manner and form directed by the Department.

The Head of School / Academy Director shall make reasonable efforts to verbally inform the student's parent of the restraint within 24 hours of the event, and shall notify the parent by written report sent either within three school working days of the restraint to an email address provided by the parent for communications about the student, or by regular mail postmarked no later than three school working days of the restraint. If the school or program customarily provides a parent of a student with report cards and other necessary school-related information in a language other than English, the written restraint report shall be provided to the parent in that language. The principal shall provide the student and the parent an opportunity to comment orally and in writing on the use of the restraint and on information in the written report.

The written report required by 603 CMR 46.06(2) and (3) shall include:

- (a) The name of the student; the names and job titles of the staff who administered the restraint, and observers, if any; the date of the restraint; the time the restraint began and ended; and the name of the Head of School / Academy Director/ Student Support Director who was verbally informed following the restraint; and, as applicable, the name of the Head of School / Academy Director/ Student Support Director who approved continuation of the restraint beyond 20 minutes pursuant to 603 CMR 46.05(5)(c).
- (b) A description of the activity in which the restrained student and other students and staff in the same room or vicinity were engaged immediately preceding the use of physical restraint; the

behavior that prompted the restraint; the efforts made to prevent escalation of behavior, including the specific de-escalation strategies used; alternatives to restraint that were attempted; and the justification for initiating physical restraint.

(c) A description of the administration of the restraint including the holds used and reasons such holds were necessary; the student's behavior and reactions during the restraint; how the restraint ended; and documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided.

(d) Information regarding any further action(s) that the school has taken or may take, including any consequences that may be imposed on the student.

(e) Information regarding opportunities for the student's parents to discuss with school officials the administration of the restraint, any consequences that may be imposed on the student, and any other related matter.

The ERT team members and Heads of School shall conduct a weekly review of restraint data to identify students who have been restrained during the week. If students have been restrained multiple times, the Student Support Director shall convene one or more review teams as the Student Support Director deems appropriate to assess each student's progress and needs. The assessment shall include at least the following:

(a) Review and discussion of the written reports submitted in accordance with 603 CMR 46.06 and any comments provided by the student and parent about such reports and the use of the restraints;

(b) Analysis of the circumstances leading up to each restraint, including factors such as time of day, day of the week, antecedent events, and individuals involved;

(c) Consideration of factors that may have contributed to escalation of behaviors, consideration of alternatives to restraint, including de-escalation techniques and possible interventions, and such other strategies and decisions as appropriate, with the goal of reducing or eliminating the use of restraint in the future;

(d) Agreement on a written plan of action by the program.

The Student Support Director shall lead the review team's discussion. The Student Support Director shall ensure that a record of each individual student review is maintained and made available for review by the Department or the parent, upon request.

The Head of School / Academy Director / Student Support Director shall conduct a monthly review of school-wide restraint data. This review shall consider patterns of use of restraints by similarities in the time of day, day of the week, or individuals involved; the number and duration of physical restraints school-wide and for individual students; the duration of restraints; and the number and type of injuries, if any, resulting from the use of restraint. The Head of School / Academy Director / Student Support Director and identified ERT Team members shall determine whether it is necessary or appropriate to modify the school's restraint prevention and management policy, conduct additional staff training on restraint reduction/prevention strategies, such as training on positive behavioral interventions and supports, or take such other action as necessary or appropriate to reduce or eliminate restraints.

When a physical restraint has resulted in an injury to a student or program staff member, the school shall send a copy of the written report required by 603 CMR 46.06(4) to the Department postmarked no later than three school working days of the administration of the restraint. The school shall also send the Department a copy of the record of physical restraints pursuant to 603 CMR 46.06(2) for the 30-day period prior to the date of the reported restraint. The Department shall determine if additional action by the program is warranted and, if so, shall notify the program of any required actions within 30 calendar days of receipt of the required written report(s).

The school shall collect and annually report data to the Department regarding the use of physical restraints. Such data shall be reported in a manner and form directed by the Department.

## **Educational Stability For Students in Foster Care**

The Every Student Succeeds Act of 2015, Title I Part A, ensures the educational stability of students in foster care and their access to the same free appropriate public education as every other child. Essential to the implementation of these provisions is the collaboration between the Department of Elementary and Secondary Education and the Department of Children and Families.

### **Identification of Students in Foster Care**

Learning First includes in its enrollment packet measures to identify children in foster care. Students are also identified through the Department of Children and Families (DCF). Once identified, the social worker is immediately connected with the point of contact, Guidance Director, Lisa Moore to determine any supports or services that the student has in place or is in immediate need of.

### **School of Origin**

Learning First will promote the student's educational stability by ensuring the student's attendance in their school of origin as long as it is determined that it is in their best interest (see end of policy for "best interest" defined). Consideration of the appropriateness of the placement and the student's proximity to the school will be taken into account

When a determination is made that it is not in a student's best interest to remain in the school of origin, Learning First will work with the receiving district to transfer all records in a timely fashion. If the student has been accepted to Learning First, the student will immediately be enrolled, even if the student is unable to produce records normally required for enrollment, Learning First will contact sending schools to obtain all necessary and relevant documentation and records.

### **Transportation**

Learning First will ensure that transportation is provided, at the request of DCF or the guardian, to the extent feasible:

- if the student continues to live in the area served by the district, that district will work with the Worcester Public Schools Child Study Department to provide or arrange transportation if needed;
- if the student moves to an area served by another district, Learning First will work with Worcester Public Schools Child Study Department to continue his or her education at the school of origin, Worcester and the Department of Children and Families will determine a method to apportion responsibility and costs for transportation to the school of origin; and
- if an agreement cannot be reached, WPS may provide transportation if DCF agrees to reimburse for such transportation, or the district and DCF may agree to cost share equally

- Learning First will work with Worcester and DCF to make arrangements for the student to have transportation to and from school while formal transportation services are being put into place.
- In addition, districts must provide transportation services to students in foster care that meet Massachusetts state law and are comparable to those received by other students.

Learning First homeless education liaison will ensure that the guardian of a student in foster care is fully informed, in the language of the home, of all transportation services, including transportation to the school of origin, and is assisted in accessing transportation to the school selected.

### **Dispute Resolution Process**

As noted above, decisions about whether a student in foster care should continue to attend the school of origin should be made collaboratively by DCF, the student (as appropriate), the student's family and/or foster family (and if different, the person authorized to make educational decisions on behalf of the student), the school and district of origin, and (when different) the local district where the student is placed, and these parties should have the opportunity to participate meaningfully in the decision-making process.

Best interest determinations should focus on the needs of each individual student and take into account a variety of factors. Every effort should be made to reach agreement regarding the appropriate school placement of a student in foster care. However, if there is disagreement regarding school placement for a student in foster care, DCF will finalize the best interest determination.

When DCF and the school district(s) cannot agree about whether it is in the student's best interest to remain in the school of origin or to enroll and attend locally, and DCF makes a final decision that the district cannot accept, the party can seek review of DCF's decision by utilizing a Foster Care School Selection Dispute Resolution Process established by ESE and DCF. Decisions made through this process are not subject to review. Details are available from ESE and will be posted to the ESE's Foster Care page. Under ESSA, to promote educational stability, students should continue to attend their schools of origin while best interest determinations are being made.

### **Best Interest**

Best interest determinations must involve deliberate consideration of the student's unique needs and account for the benefits of educational stability. Specific factors to consider when making best interest determinations include, but are not limited to:

- student's age and grade level;
- student's preference, when age appropriate;
- preferences of the student's parent(s)/guardian(s) or EDM(s);
- student's attachment to the school, including meaningful relationships with staff and peers;
- placement of the student's sibling(s);
- distance/length of time to travel to/from school;
- time of academic year, academic performance, and skills;
- current educational goals and services;
- individual skills, needs, and social connections;
- anticipated length of time in placement, and whether reunification is the family goal;
- number of placements to date;
- ability to maintain family relationships and engagement (including in extracurricular activities, when appropriate);
- clinical/behavioral issue
- influence of the school climate on the student, including safety issues;
- availability and quality of the services in the school to meet the student's educational and social emotional needs;

- whether the student has an Individualized Education Program (IEP) and is receiving special education or related services, or the student is receiving special education or related aids and services under Section 504 and, if so, the availability of those required services in a school other than the school of origin; and if the school of origin is in the best interest but only for a limited duration of time (e.g., until the end of the school year, the end of a testing or grading period, or the end of a particular grade). Additionally, the parties involved in the decision may wish to determine a time to revisit the question of whether it is in the student's best interest to remain in the school of origin or enroll locally.

Note: Transportation costs should not be a factor in determining the best interest of the student for the purposes of school selection.

## **Mckinney-Vento Homeless Assistance Act (Homeless Education Assistance)**

Under the Every Student Succeeds Act of 2015 the McKinney-Vento Homeless Assistance Act ensures that homeless children and youth have equal access to the same free and appropriate public education as provided to every other child.

Homeless children and youth are individuals who lack a fixed, regular, and adequate nighttime residence. This includes:

- 1) Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals.
- 2) Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
- 3) Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- 4) Migratory children (as defined in section 1309 of the Elementary and Secondary Education Act of 1965, as amended) who qualify as homeless because they are living in circumstances described above. Enroll and enrollment: attending classes and children and youths who are sharing the housing of others

Homeless students should be identified at enrollment or through coordination with other agencies such as the Department of Children and Families. Upon being identified they will be referred to the homeless liaison, Lisa Moore, Guidance Director (ext. 1112) and referred for services and supports offered through the school. The liaison will also set up a plan for transportation if necessary through Worcester Public Schools, and help identify any other community supports necessary for the family. Many of these services and supports are posted and accessible via the school's website via the guidance page (under the parent link). Homeless students may enroll in, and have full and equal opportunity to succeed in school and to meet the same challenging state academic standards as other students, and receive educational services for which they are eligible.

Every Learning First student is eligible to receive free breakfast and lunch under the Community Eligibility Program. Three days per week students also receive free snacks through the Free Fruits and Vegetables Program.

### **Enrollment**

If parents or guardians cannot provide proof of address due to homelessness, Learning First will enroll homeless students in school to provide educational stability and avoid separation from school for days or weeks while documents are located.

- If a homeless student arrives without records, the previously attended school district is contacted and the required records requested;
- Homeless students will attend school while the records are being requested;
- Learning First will ensure that homeless students receive appropriate credit for full or partial coursework satisfactorily completed while attending a prior school;
- Information about a homeless student's living situation shall be treated as a student education record and not be deemed to be directory information and therefore cannot be shared with the public including landlords and non-custodial parents.
- The immunization statute, G.L. c. 76§ 15, generally requires students to provide proof of immunization prior to enrollment. Since McKinney-Vento is a federal law, its requirements override the state immunization law.

### **School Placement**

Homeless students have the right to remain enrolled in their school of origin and receive transportation or immediately enroll in the school district where they are temporarily residing.

School placement determinations must be based on the best interest of the homeless student. In making decisions regarding best interests, Learning First will:

- Presume keeping the student in the school of origin until the end of the year in which the student obtains permanent housing is in the student's best interest except when doing so is contrary to the request of the parent, guardian or unaccompanied youth;
- Consider student-centered factors related to the student's best interest including factors related to the impact of mobility on achievement, education, health, and safety of homeless students, school placement of siblings, giving priority to the request of the parent, guardian, or unaccompanied youth.

For homeless students who meet the relevant eligibility criteria, Learning First will remove any barriers to accessing academic and extracurricular activities,

### **Transportation**

Learning First will ensure that transportation is provided, at the request of the parent or guardian, to and from the school of origin, to the extent feasible

- If the homeless student continues to live in the area served by the district in which the school of origin is located, Learning First will work with Worcester Public Schools Transportation Department to provide or arrange transportation if needed;
- If the homeless student moves to an area served by another district, though continuing his or her education at Learning First, Learning First will contact Worcester Public Schools Child Study Department and work with them to arrange transportation. Worcester Public Schools Child Study Department will contact the residing district to work out a cost sharing plan.
- Learning First will work with the family to transport the students to and from school while formal transportation is being put into place.
- In addition, districts must provide transportation services to homeless students that meet Massachusetts state law and are comparable to those received by other students. Learning First Charter Public School's homeless education liaison will ensure that the parent or guardian of a homeless student, and any unaccompanied homeless youth, is fully informed, in the language of the home, of all transportation services, including transportation to the school of origin, and is assisted in accessing transportation to the school selected.

### **Dispute Resolution Process**

The McKinney-Vento Act calls for “procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youth.”

**Reasons for Dispute:**

If a dispute arises between the district and parent, guardian or unaccompanied homeless youth, the homeless education liaison will work with Worcester Public Schools child study department to ensure that:

- the student be immediately enrolled in the school in which enrollment is sought pending a final resolution of the dispute, including all available appeals;
- the parent, guardian or unaccompanied homeless youth is provided with a written explanation of any enrollment decisions made by the district and be informed of the right of the parent, guardian or unaccompanied homeless youth to appeal the decision to ESE.

**Dispute Resolution Process:** In order to ensure the prompt resolution of disputes ESE has established the following McKinney-Vento Dispute Resolution Process:

- The dispute resolution process begins at the time a district denies the continued enrollment or right to enroll a homeless student in the school selected by the parent, guardian or unaccompanied homeless youth.
- A student must be allowed to attend the school in which enrollment is sought and transportation provided (if needed) pending the resolution of the dispute.
- The homeless education liaison must:
  - provide notice of the denial to the parent, guardian, or unaccompanied youth on the day of the denial using the form prescribed by ESE (see School District Notification of Enrollment Decision);
  - provide the parent, guardian, or unaccompanied youth with written notice in clear, easy-to-understand language detailing the dispute resolution process, informing the parent, guardian, or unaccompanied homeless youth of the right to appeal and the option to obtain independent information and counsel;
  - provide the prescribed form to be completed by the parent/guardian, or unaccompanied homeless youth should he or she decide to appeal the school district’s enrollment decision. (See Appeal of School District’s Enrollment Decision);
  - assist the parent/guardian or unaccompanied homeless youth in promptly submitting an appeal to ESE in three school days with an extension of up to ten additional school days (please contact the state coordinator regarding an extension); and
  - if the district has not notified the parent of its enrollment decision or the parent’s right to appeal that decision, the parent/guardian or unaccompanied homeless youth may initiate a dispute by contacting ESE.
- Following receipt of the district’s denial form the appeal by the parent/guardian or unaccompanied homeless youth and any additional requested information, the Commissioner or the Commissioner’s Designee shall promptly issue a decision usually in five to ten school days. The decision of the Commissioner or the Commissioner’s Designee shall be final.

Note: ESE may provide technical assistance to either or both parties regarding the dispute, the dispute resolution process, the requirements of McKinney-Vento, and/or other applicable state and federal laws. Contact the state coordinator at 781-338-6330, [sslautterback@doe.mass.edu](mailto:sslautterback@doe.mass.edu)

<b>Supporting Students in Military Families</b>
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Under the VALOR Act of 2012 Massachusetts joined other states as part of the Interstate Compact on Educational Opportunity for Military Children. The average military student will attend six to nine different school systems from Kindergarten to grade 12.

### **Enrollment and Placement**

Students are identified as Military Connected Students during the enrollment process while registering. Upon identification the following will occur:

- The Guidance Director, Lisa Moore, will be notified as the point of contact for these students.
- Students will be allowed to continue enrollment in the grade level from the local education agency in the sending state at the time of transition, regardless of age. If the student transfers between school years and has met the prerequisites in the sending school for advancement, he or she shall be placed in the next highest grade level of the receiving school.
- LFCPS will initially honor placement of the student into educational courses based on the student's enrollment in the sending school or educational assessments conducted at the sending school if courses are offered and space is available. These courses may include, but are not limited to:
  - i. Honors;
  - ii. International Baccalaureate;
  - iii. Advanced Placement; and
  - iv. Vocational, Technical, and Career Pathway Courses
  - v. Gifted and Talented Programs; and
  - vi. English as a Second Language Programs.
- LFCPS is not precluded from performing subsequent evaluations to ensure the appropriate placement and continued enrollment of the student in courses and programs.
- Students who transfer with special needs will be accommodated within the federal requirements of the Individuals with Disabilities Education Act (IDEA).

Under the federal statute, the receiving state must provide comparable services to the student based on:

- i. Student's current Individualized Education Plan (IEP);
  - ii. Requirements of § 504 of the Rehabilitation Act 5 ; and
  - iii. Title II of the Americans with Disabilities Act.
- LFCPS shall make reasonable accommodations and modifications to address the needs of the incoming student with disabilities to provide equal access to education.
  - LFCPS is not precluded from performing subsequent evaluations to ensure special needs placements are appropriate.
  - Extracurricular activities
    - i. LFCPS shall facilitate inclusion in extra- curricular activities regardless of deadlines; to the extent the student is otherwise qualified

### **Transfer of Records**

1. The school in the sending state has ten (10) days to furnish records to the receiving school district upon request.
2. Immunization records are required within 30 days from the date of enrollment
3. If official education records cannot be released to the parent for the purpose of the transfer, the custodian of the records in the sending state shall prepare and furnish to the parent a complete set of unofficial education records containing uniform information as required by the Interstate Commission.



The receiving state school shall enroll and place the student based on information in the unofficial records, pending the official records.

### **Attendance**

The LEA may grant additional excused absences at the discretion of the Superintendent or designee (Head of School, Guidance Director) for the student to visit with a parent or guardian on leave, preparing for, or returning from deployment.

## **The LFCPS Family Commitment**

I PROMISE TO ...

... celebrate the diversity of the Learning First family.

I will learn about and show respect for other peoples' culture, history and values.

I will help others understand my family's culture, history and values.

...help my child to be a successful student.

I will make sure my child arrives at school on time each day.

I will make sure my child gets enough sleep each night.

I will supervise my child's homework each day.

I will read to or with my child each night.

I will check the school website, read school messages, and respond when I am contacted by the school.

I will attend parent-teacher conferences and all school meetings concerning my child.

I will attend other school events as much as I can.

I will encourage my child to do his/her best in school.

I will celebrate my child's growth and accomplishments.

...help my child be a successful worker.

I will provide a quiet space for homework to be done.

I will encourage my child to have high expectations for the future.

I will encourage my child to try new things, challenge him/herself and explore a variety of areas of interest and talent.

I will do my part in helping my child access quality high school and college programs.

I will make sure my child wears the school uniform each day.

...help my child to be a successful citizen.

I will model the school's code of conduct and core values.

I will promote a positive attitude toward the school.

I will support the school in enforcing the LFCPS Code of Behavior & Respect.

I will learn and follow the expectations and procedures outlined in the LFCPS Handbook and Policy Manual.

I will volunteer in school as much as possible so my child sees that I value education.

...ask for help with any of these promises if I have difficulty.

## **Parental Involvement**

Families must have opportunities to work with the school as our staff believe the best way for your child to succeed is by having a close partnership between home and school.

The school will contact you by many means of communication.

- Class Dojo

- Facebook Page
- Instagram Account
- School Website
- Email
- Phone
- Mail
- Newsletter emailed every Friday

It is required that one face to face meeting is held for each child per year , and teachers can schedule other parent conferences when they have concerns about the student. If the one face to face meeting is not possible teachers will make arrangements for a phone conference.

### **Ways to get involved**

**School Advisory Council (SAC):** In accordance with the Educational Reform Act of 1993, Chapter 71, Section 59C, each public school within the state is responsible for forming a School Council. The purpose of this council is to bring positive change to the school through short/long term goal setting. Each council shall assist the administration in preparing and submitting an annual comprehensive school improvement plan and curriculum accommodation plan.

**Special Education Parent Advisory Council, (SEPAC) and English Learner Student Parent Advisory Councils (ELPAC) (SEMSAPAC):** These parent run groups focus on issues around special education and English language acquisition. They plan informational and academic update meetings, parenting workshops, fun events for families, and other outreach programs.

**Parent Guild:** The Guild provides fundraising and volunteers for a wide range of school and family events including field day, class trips, curriculum nights, special assemblies, the school store and more.

**LCPS Alumni Association:** Help us maintain ties with our Learning First graduates. Track educational and professional growth of students once they move beyond our school. Develop exciting alumni events and opportunities to allow former students to share experiences with current staff, students, families and each other.

You can always reach out to your child's teacher to see other opportunities to help out in the school.

<h2><b><u>Appendix A</u></b></h2>
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## **Discriminatory Harassment/Title IX Incident Reporting Form**

### **I. Contact Information:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work or Cell Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Best way (and time) to contact you: \_\_\_\_\_

## II. Complainant

You are filing this complaint on behalf of: \_\_\_\_\_

☐ yourself    ☐ your child or a (student)    ☐ another student    ☐ a group

## III. School Information

School Name: \_\_\_\_\_

Principal's Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

## IV. Basis of Discrimination or Harassment:

Please check the following box(s), based on the type(s) of harassment you experienced, including *actual or perceived*:

Complaints related to:

<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National origin
<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Gender <sup>*</sup>	<input type="checkbox"/> Ethnicity

☐ Religion

☐ Ancestry

☐ Mental or physical disability

☐ Age

☐ Sex (Title IX) Sexual Harassment

☐ Association with any of these categories

\*According to state law, “‘Gender’ means sex, and includes a person’s gender identity and gender related appearance and behavior whether or not stereotypically associated with the person’s assigned sex at birth.”

## V. Details of Complaint

Please answer the following questions to the best of your ability. Attach additional sheets of paper if you need more space.

Please **describe** the type of harassment or discrimination that you experienced, including the events or actions, in as much detail as possible:

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List the **person/people** involved in harassing or discriminating against you:

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List any **witnesses** of the incident:

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Describe the **location where** the harassment/discrimination occurred:

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Please list **all the date(s) and times** when the harassment/discrimination occurred or when the alleged harassment/discrimination first came to your attention:

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**What steps**, if any, have you taken to resolve this issue before filing a complaint?

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Signature of person filing complaint

Date

Received by: \_\_\_\_\_

Date Filed:\_\_\_\_\_

Title:\_\_\_\_\_

**Please provide a duplicate copy to the complainant.**

LEARNING FIRST  
CHARTER PUBLIC  
SCHOOL

51 Gage Street  
Worcester, MA 01605  
(508) 799-7500  
Fax: (508) 753-9679

*Learning First Charter Public School does not discriminate on the basis of race, color, national origin, religion, gender, gender identity, ethnicity, sexual orientation, age, ancestry, athletic performance, disability status, housing status, proficiency in the English language or a foreign language, or prior academic achievement.*

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