



A North Central Charter Essential School

THINK CARE ACT

500 Rindge Road, Fitchburg, MA 01420

[www.sizerschool.org](http://www.sizerschool.org)

# STUDENT & FAMILY HANDBOOK

2021-2022

Main Office Phone Number	(978) 345-2701
Absence Line	(978) 345-2701, ext. 1
Fax Number	(978) 345-9127

## **M.G.L. Chapter 76, sec. 5: An Act to Prohibit Discrimination in the Public Schools**

NO PERSON SHALL BE EXCLUDED FROM OR DISCRIMINATED AGAINST IN ADMISSION TO SIZER SCHOOL, FOR ADMITTANCE TO STATE AND FEDERALLY FUNDED GRANT PROGRAMS, OR IN OBTAINING THE ADVANTAGES, PRIVILEGES, AND COURSE OF STUDY PRESENTED IN THIS SCHOOL ON ACCOUNT OF RACE, COLOR, SEX, GENDER IDENTITY, DISABILITY, SEXUAL ORIENTATION, RELIGION, OR NATIONAL ORIGIN. THIS NON-DISCRIMINATION APPLIES TO ALL PERSONS, WHETHER OR NOT THE INDIVIDUAL IS A MEMBER OF A CONVENTIONALLY DEFINED "MINORITY GROUP."

# *TABLE OF CONTENTS*

<b>CONTACT INFORMATION</b>	<b>4</b>
Contact Information	4
School Cancellation	4
<b>OUR MISSION</b>	<b>5</b>
Mission Statement	5
Sizer School Six	5
The Common Principles of the Coalition of Essential Schools	6
<b>ACADEMICS</b>	<b>8</b>
Assessment of Work	8
Promotion and Graduation Requirements	8
Curriculum	9
Dual Enrollment	10
Sex Education: Parent Notification Policy	10
Dissection Policy	11
Evolution Policy	11
Science Laboratory	11
Summer School	11
Wellness Policy	11
Restraining Orders/Custody Issues	12
Substance Use Prevention and Substance Abuse Education Policy	12
<b>ATTENDANCE</b>	<b>13</b>
Attendance Policies and Procedures	13
Attendance Expectations: Excused Absences, Unexcused Absences, Tardiness	13
Being Absent from School: Late Arrival and Early Dismissal	13
Being Tardy to School and Attendance at School Functions	14
Other Attendance Procedures and Policies/Massachusetts General Laws	16
<b>STUDENT SERVICES</b>	<b>17</b>
Counseling	17
Health Services and Regulations	17
Home and Hospital Instruction	18
Pregnancy or Related Conditions	19
Homelessness	19
Peer Mediation	19
Physical Restraint	19
Section 504 and Sizer School	20
Student Information	20
Student Records	20
Withdrawals and Transfers	20

## **STUDENT CONDUCT & EXPECTATIONS** **22**

Sizer School Make It Right Approach (MIRA)	22
Disciplinary Interventions	22
Disciplinary Consequences for Violations	23
Due Process and Appeals	25
Disciplinary Subjects of Concern	32
Discipline and Students with Disabilities	38
Search and Seizure	39

## **SCHOOL ACTIVITIES** **41**

Athletic Eligibility – MIAA Rules	41
Dance Policy	41

## **GENERAL INFORMATION** **42**

Holidays	42
Before and After School	42
Driving on School Grounds/Student Parking Registration	44
Lockers and Other School Property	44
Lost and Found	45
Lunch/Cafeteria/Beverages	45
Senior Lunch Privilege	45
Problem/Concern Protocol	46
Release of Student Names and Addresses	46
School Bus Rules and Regulations	46
Securing Our Building: ALICE Program and Fire Drills	46
Sharing Personal Items	47
Skateboards/In-Line Skates/Bicycles	47
Visitors	47

## **APPENDIX** **48**

# Sizer School: A North Central Charter Essential School

## CONTACT INFORMATION

Families are encouraged to maintain regular contact with the teachers and staff at Sizer School. We believe that open lines of communication are essential to ensuring a positive working relationship and collaboration between home and school. Please use the staff directory to contact staff and teachers at the school.

**500 Rindge Road Fitchburg, MA 01420**

[www.sizerschool.org](http://www.sizerschool.org)

### Primary Phone Numbers

<b>Main Office</b>	<b>(978) 345-2701</b>
<b>Staff Directory</b>	Press 7
For Spanish (por espanol)	Press 5
Department Listing	Press 6
Fax	(978) 345-9127

### **School Cancellation**

If bad weather forces the delay or cancellation of school, announcements will be made on the following radio and TV stations.

- |              |                 |
|--------------|-----------------|
| * WCVB       | channel 5       |
| * WHDH / NBC | channels 7 & 56 |
| * WFXT       | channel 25      |

Cancellation of school will also be announced as soon as possible on the Sizer School web site. Families will also receive automated phone calls and text messages from Sizer School advising of any delays or cancellations.

## ***SIZER SCHOOL MISSION***

Welcome to Sizer School, a North Central Charter Essential School.

This handbook offers you the information necessary to help you understand the expectations placed on you as a member of this community. We ask that you read it and discuss it with your Advisor and Family. We also ask that the SIZER SIX guides the choices that you make as a student and parent/guardian in this school.

Sizer School is a school where students from different backgrounds come to learn to think for themselves, care for others and act on their convictions. Discipline and safety at this school will rely on successfully building and maintaining relationships and a sense of community. Students, parents and teachers are all a part of making it work. The Sizer School code of conduct is guided by the following:

### **Our Mission Statement:**

*Sizer School is a public school where students are known personally, challenged intellectually, and participate actively in their learning. Guided by its commitment to diversity and inclusiveness, the school seeks to send graduates into the world who think for themselves, care about others, and act creatively and responsibly.*

### **The Sizer School Six:**

*Community  
Purpose  
Responsibility  
Integrity  
Voice  
Safety*

Respect means consistently living by certain values every single day. Students and teachers need to know one another well in order to establish genuine respect and trust for each other. All members of the community pledge to give their best efforts to make the school work for themselves and for others.

A school is a place to learn. We recognize that part of the maturation process is making mistakes and that all disciplinary action provides teachable moments. The disciplinary code of our school is meant to ensure the safety of all members of our community.

We welcome you to the Sizer School, a unique school, planned and designed to give you the greatest educational opportunity possible. This facility, its classes, and its goals are different in every way from what you may have imagined a school to be. Everything in both the planning and the reality of this school is designed to give the student the very best education. We sincerely hope that you will do your part to help us grow.

## The Common Principles of the Coalition of Essential Schools

Sizer School is a member of the Coalition of Essential School (CES) which follows the CES Common Principles. These principles are a guiding philosophy rather than a replicable model for schools. The Ten Common Principles are the core beliefs and characteristics of Essential Schools that guide our curriculum.

1. The school should focus on helping adolescents *learn to use their minds well*. Schools should not attempt to be “comprehensive” if such a claim is made at the expense of the school’s central intellectual purpose.
2. The schools’ goals should be simple: that each student masters a limited number of essential skills and areas of knowledge. While these skills and areas will, to varying degrees, reflect the traditional academic disciplines, the program’s design should be shaped by the intellectual and imaginative powers and competencies that students need rather than necessarily by “subjects” as conventionally defined. The aphorism *“Less is More”* should dominate: curricular decisions should be guided by the aim of thorough student mastery and achievement rather than by an effort merely to cover content.
3. The school’s *goals should apply to all students*, while the means to these goals will vary as those students themselves vary. School practice should be tailor-made to meet the needs of every group or class of adolescents.
4. Teaching and learning should be *personalized* to the maximum feasible extent. Efforts should be directed toward a goal that no teacher has direct responsibility for more than 80 students. To capitalize on this personalization, decisions about the details of the course of study, the use of students’ and teachers’ time, and the choice of teaching materials and specific pedagogies must be unreservedly placed in the hands of the Principals and staff.
5. The governing practical metaphor of the school should be *student-as worker, teacher-as-coach* rather than the more familiar metaphor of teacher-as-deliverer-of-instructional-services. Accordingly, a prominent pedagogy will be coaching, to provoke students to learn how to learn and thus to teach themselves.
6. Students entering secondary school studies are those who can show competence in language and elementary mathematics. Students of traditional high school age but not yet at appropriate levels of competence to enter secondary school studies will be provided intensive remedial work to assist them quickly to meet these standards. The diploma should be awarded upon a successful final *demonstration of mastery* for graduation – an “*Exhibition*”. This Exhibition by the student of their grasp of the central skills and knowledge of the school’s program may be jointly administered by the faculty and by higher authorities. As the diploma is awarded when earned, the school’s program proceeds with no strict age grading and with no system of “credits earned” by “time spent” in class. The emphasis is on the student’s demonstration that they can do important things.
7. The *tone of* the school should explicitly and self-consciously stress values of anxious expectations. (“I won’t threaten you but I expect much of you”), of *trust* (until abused) *and of decency* (the values of fairness, generosity, and tolerance). Incentives appropriate to the school’s particular students and teachers should be emphasized, and parents should be treated as essential collaborators.
8. The *principals and teachers should perceive themselves as generalists first* (teachers and scholars in general education) *and specialists second* (experts in but one particular discipline). Staff should expect multiple obligations (teacher-counselor-manager) and a sense of commitment to the entire school.
9. **Resources dedicated to teaching and learning:** Ultimate administrative and budget targets should include, in addition to total student loads per teacher of eighty or fewer pupils, substantial time for

collective planning by teachers, competitive salaries for staff and an *ultimate per pupil cost not to exceed that of traditional schools by more than 10 percent*. To accomplish this, administrative plans may have to show the phased reduction or elimination of some services now provided to students in many traditional comprehensive secondary schools.

10. The school should demonstrate non-discriminatory and inclusive policies, practices and pedagogies. It should *model democratic practices* that involve all who are directly affected by the school. The school should honor diversity and build on the strengths of its community, deliberately and explicitly **challenging all forms of inequity**.

## SIZER SCHOOL ACADEMICS

### ASSESSMENT OF WORK:

Students are assessed for Content Understanding (“product”) and Work Habits (“effort”) in meeting school-wide standards for excellence and mastery in courses that prepare them for college, work, and citizenship. When there is a content and work habit grade for a course, it is the content grade that determines credit in a course.

<u>Content Understanding (*)</u>		<u>Definition of Standards</u>	<u>Work Habits</u>	
<b>EXP</b>	Exemplary	Exceeds the standards for mastery	<b>E</b>	Exceeding Expectations
<b>MTG</b>	Meeting	Meets the standards for mastery	<b>M</b>	Meeting Expectations
<b>APP</b>	Approaching	Approaches the standards for mastery	<b>A</b>	Approaching Expectations
<b>JB</b>	Just Beginning	Just beginning to demonstrate mastery of standards	<b>J</b>	Just Beginning to Meet Expectations
<b>NP</b>	Not Passing	Not Passing	<b>N</b>	Not Passing
<b>INC</b>	Incomplete	Incomplete due to Medical or Other	<b>INC</b>	Incomplete

### PROMOTION and GRADUATION REQUIREMENTS (P2023):

- Reports of Progress are issued *every quarter*.
- Credits per Semester Course: 2.00; credits per year-long course: 4.00.
- **Students must take at least one mathematic course in each year of high school. A minimum of sixteen (16) credits in mathematics, including the completion of Algebra 2, is REQUIRED to graduate from Sizer School.**

#### MIDDLE SCHOOL Graduation Requirements

It is recommended that to move to high school, students earn a total of 36 credits including:

- ✓ English (8)
- ✓ Advisory (16)

Decisions around promotion and retention are at the discretion of the Principal.

#### HIGH SCHOOL Promotion Requirements

It is recommended that to move to the next grade, students pass a minimum of:

- ✓ 22 credits to enter Grade 10
- ✓ 44 credits to enter Grade 11
- ✓ 66 credits to enter Grade 12

Decisions around promotion and retention are at the discretion of the Principal.

#### HIGH SCHOOL Graduation Requirements

✓ Earn a total of **88 credits** including:

- |               |                     |
|---------------|---------------------|
| Advisory (16) | Social Studies (12) |
| Math (16)     | Spanish (8)         |
| English (16)  | Arts (4)            |
| Science (12)  | Wellness (4)        |

✓ Successful completion of **Senior Project while** meeting all **state requirements**

Final decisions around fulfillment of graduation requirements are at the discretion of the Principal.  
Promotion & Graduation requirements are subject to review and/or change by the Sizer School Board of Trustees.



## CURRICULUM

**Division 1: FOUNDATIONS (7<sup>th</sup> and 8<sup>th</sup> grades).** Teachers and advisors acculturate students to the school, assess their skills, and begin helping them build and improve their skills, with specific focus on reading, writing, and math skills. Students' work in subject areas broadens their view of the world and deepens their understanding of important concepts.

**Division 2: INQUIRY (9<sup>th</sup> and 10<sup>th</sup> grades).** Teachers and advisors further develop basic skills of students who need such support. Students learn how to analyze, interpret, and communicate their ideas. Students take on more complex questions and they take more responsibility for their own learning.

**Division 3: INDEPENDENCE (11<sup>th</sup> & 12<sup>th</sup> grades).** Teachers and advisors help students get themselves ready to graduate and move on to their next stage of learning. Students take on greater autonomy in what they learn, how they learn, and how they show their learning. Essential School Principles guide the work of students and teachers throughout each Division.

The following bulleted summaries highlight other aspects of our educational philosophy:

- **Massachusetts Curriculum Frameworks 2011 / Common Core and MCAS:** We consider the English/Language Arts, Mathematics, and Science tests of the MCAS to be minimum requirements and expect all students to be proficient. We are continually ensuring that our curriculum aligns with the Massachusetts Frameworks / Common Core.
- **Good learning requires both structure and freedom:** Each year and unit of study combines elements of structure and freedom. To learn to think hard, students need rich, significant essential knowledge about which to think. Learning happens when students are engaged. Students learn best when they pursue questions and find answers for themselves, when they actively experience the concepts they need to learn, and when they have choice and authority over what they study. The curriculum establishes enough structure to anchor the program and yet leaves enough freedom to allow teachers to create and to keep the curriculum open and relevant.
- **Interdisciplinary Learning:** The school's program integrates academic disciplines when possible. Integration helps students make connections between ideas and examples that naturally go together. In working to understand another culture, they can see a piece of literature next to an episode in history and next to an artist's work. When trying to figure out how the brain works, they can look at the chemical process of nerve connections next to the biological structure of the frontal lobe and how that relates to the field of psychology.
- **Disciplinary Learning:** Within an integrated curriculum, students will also learn the particular ways of seeing the world that define different academic disciplines. Artists and mathematicians sometimes have their own ways of seeing things and their own tools for exploring and expressing what they see. The school hires teachers with a variety of disciplinary specialties who can design learning experiences that teach students essential concepts and specialized tools of the particular disciplines.
- **Essential Questions Drive and Organize the Curriculum:** In courses and units, essential questions drive what students study. Essential questions go to the heart of academic disciplines. They have no single right answer; they are rich with possibilities, which is what makes them interesting. They require higher order thinking - analyzing, synthesizing, and evaluating evidence - in order to find answers and come to understanding. They are the questions that led to "the content" in the first place. *What is community? What would it take to eliminate hunger? Is the water safe to swim in?* Students investigate questions that are worthy of exploration. The students' job is not to fill their heads with all the information in the world. Instead it becomes their job to take on a question and build their own understanding, their own knowledge around what they discover. It is an active process.

- **Advisory: Curriculum for Identity, Leadership, and Community:** Advisory gives every student a home base. It focuses on personalization of teaching and learning, academic advising including college and career planning, school governance, community building and communication with families and others. Advisors help students set goals and support development of student portfolios, which demonstrate growth in the Sizer essential learning goals. This time is important academic time.
- **Differentiated Instruction:** In a diverse classroom, teachers will support students down different paths in their work. There might be one prompt, but students could show their understanding in different ways access different resources, or receive different kinds of support. At times, there might be sense in forming different groups for different skill levels and/or interests and letting those groups move ahead together. Teachers build in flexibility and individuality so those students who are at different skill levels can enter a project from different angles.
- **The SIZER SIX:** Our school culture is defined by six principles:
 

○ <b>Community</b>	○ <b>Integrity</b>
○ <b>Purpose</b>	○ <b>Voice</b>
○ <b>Responsibility</b>	○ <b>Safety</b>

## DUAL ENROLLMENT (P2501)

Dual enrollment programs allow qualified students who have completed most of their graduation requirements to enroll in college courses for both high school and college credit. Dual enrollment programs were first initiated in an effort to provide eligible high school students with opportunities to meet their learning needs by enrolling in courses not available through their school's curriculum. Sizer School students who are interested in dually enrolling in one or more courses must have the written approval of the Sizer School Principal and the admissions office of the respective college or university.

- **Application:** Students should seek dual enrollment approval at least one semester before anticipated participation. Students must first seek approval for dual enrollment from the Sizer School Principal. In order to be considered for approval for dual enrollment, students must be making appropriate progress toward graduation and be consistently demonstrating a commitment to learning as determined by the Principal. Sizer School Dual Enrollment Application forms are available in the School Counselor's office. Each college or university has its own requirements for dual enrollment participation, and students are responsible for meeting these.
- **Enrollment:** Qualified students are required to pay all designated tuition for the dual enrollment course(s) and are subject to all established rules and regulations of the respective programs. Students are responsible for first meeting the Sizer School graduation requirements (e.g., Advisory, Senior Project, other required coursework) and must schedule dual enrollment courses at times that accommodate fulfillment of Sizer School requirements.
- **Credit:** Credits earned through dual enrollment will be applied toward Sizer School graduation requirements and will become part of a student's transcript. Three (3) semester hours of college coursework translates to one Sizer School semester course (2 credits). Students are responsible for ensuring that the Sizer School is in receipt of all dual enrollment grade reports.
- **Transportation:** Students are responsible for their own transportation to and from a college or university.

## SEX EDUCATION - PARENT NOTIFICATION POLICY (P2502)

Massachusetts General Law Chapter 71, Section 32A *Sex Education Parent Notification*, specifies that parents be notified when a school's curriculum includes human sex education and human sexuality issues. At Sizer School, such issues are addressed in the wellness curriculum; prior notification will be communicated to parents. Any parent may exempt their children from any portion of the Sizer School's human sex education and

human sexuality issues curriculum through written notification to the appropriate Principal. No child shall be penalized by reason of such exemption.

### **DISSECTION and DISSECTION ALTERNATIVES (P2503)**

Sizer School will make options available for students who object to dissection activities, and upon written request of a student's parent or guardian, the school will permit a student who objects to dissection activities to demonstrate competency through an alternative method. Dissection will be a part of several biology based courses.

### **TEACHING of EVOLUTION and BIODIVERSITY CONCEPTS (P2504)**

As a public school, and in concurrence with standards set forth by the MA Curriculum frameworks, National Science Teachers Association, and the American Academy for the Advancement of Science, Sizer School will include the teaching of evolution as a unifying concept in science in its classes. The teaching of evolution is essential for students to better understand many aspects of their world, including drug resistance, biotechnology, biodiversity and genetically modified crops. A basic understanding of this concept is essential for students to become literate and conversant with current issues arising from modern science.

Like the theory of gravity, evolution is an established scientific theory, which is required as part of the MA State Curriculum Frameworks for both middle and high school students. Since Sizer School is a public school, students will be required to learn the material in accordance with the State Frameworks.

Teaching about evolution encourages powerful skills of analysis and evaluation. These critical skills play an essential role in better understanding and solving future problems students will encounter regardless of their eventual career path and professional orientation.

### **SCIENCE LABORATORY**

In order to ensure the safety and privacy of Sizer students in the science lab, all students and guardians are required to sign and adhere to a Lab Safety Agreement before participating in science labs. In addition, the Sizer School Review Panel will provide ethical and regulatory oversight of all experiments involving humans, vertebrate animals, and potentially hazardous substances.

### **SUMMER SCHOOL (P2505)**

Students who do not pass a course of English or math during the school year may need to make up the coursework in order to move on to the next grade level. Summer school will be offered at Sizer School when resources allow, and Sizer School students are expected to participate if summer school is being recommended or required. Only students enrolled at Sizer School, including incoming 7<sup>th</sup>-10<sup>th</sup> graders, may participate in the Sizer School summer school program. Only one course may be made up via Sizer summer school.

### **SIZER SCHOOL WELLNESS POLICY (P5501)**

In accordance with Federal Law, Sizer School has a Wellness Policy. Sizer recognizes that wellness is an important aspect to all members of the Sizer Community. Sizer is committed to addressing all aspects of health and wellness: physical, psycho social/emotional, social, intellectual, sexual, community, spiritual, and environmental health. Sizer School continues to promote life-long health and wellness through collaboration between curriculum, after school activities, and community connections.

Please refer to the copy of the policy P5501 online under Current Students/Handbook and Policies for detailed information and regulations regarding each of the dimensions of health and wellness.

## **RESTRAINING ORDERS/CUSTODY ISSUES**

Parents who have court issued custody or restraining orders need to provide a copy to administration to ensure compliance by school personnel.

## **SUBSTANCE USE PREVENTION AND SUBSTANCE ABUSE EDUCATION POLICY (P5509)**

In accordance with Mass. Gen. Laws chapter 71, section 96 (as amended by St. 2016, c. 52, s. 15, *An Act Relative to Substance Use, Treatment, Education and Prevention*), Sizer School has a comprehensive substance abuse education unit which is covered during the health class.

In addition, Screening, Brief Intervention, and Referral to Treatment (SBIRT) screenings are conducted yearly for targeted grades, and as determined beneficial to students with at-risk behaviors.

This policy shall be posted on Sizer's website and shall be provided to all students and parents in accordance with the state law. Sizer will file a copy of this policy with the Department of Elementary and Secondary Education and will review this policy every three years, or earlier, when appropriate.

## ***ATTENDANCE POLICIES and PROCEDURES***

Each day school is in session, students are expected to be present at Sizer School and attend every minute of their scheduled classes. Families are strongly discouraged from scheduling vacations during regularly scheduled school days. Teachers may provide guidance around curriculum during the period the student is out of school due to vacation. It is the responsibility of the student to coordinate with their teachers regarding any missed assignments. Absences incurred due to a family vacation will not be considered exempted for any reason.

Sizer policy reflects our beliefs that every minute of academic time matters, absences hinder learning, school is important, and being present in school is required to fully access the rigorous learning opportunities afforded students at Sizer. Please read carefully the following important information regarding school attendance. A student is considered to be attending Sizer School if they are physically present at the start of the school year or within 2 weeks if during the school year.

Sizer has many resources available to help students and families' problem-solve when unusual circumstances interfere with a student's attendance. Students who are frequently absent or tardy (more than 5 times during a single grading block) will be required to attend, with their guardian, a Family Group Decision Making Conference. The purpose of these conferences is to work with families to ensure students are receiving instruction and to discuss consequences of missing school such as loss of academic credit, attending make-up classes, and maintaining eligibility for extra-curricular activities.

### **ATTENDANCE EXPECTATIONS AND DEFINITIONS (P2506):**

- a. Students must be present in school and in classes from 7:55 AM to 2:45 PM each day of the week.
- b. Sizer School recognizes that students may need to be absent for a variety of reasons. It is typical for a student to be marked absent up to 5 school days per year. (3% of the year). Students who are marked absent 5 or fewer days per year are considered as having **normal attendance**.
- c. Students marked absent for 10% of the school year from the date they started attending Sizer School are considered **chronically absent** from school.
- d. Students marked tardy for 10% of the school year from the date they started attending Sizer School are considered **chronically tardy** to school.
- e. In order to prevent students from becoming chronically absent, students who are marked absent 5 days during a single grading block will be required to attend, with their guardian, a Family Group Decision Making Conference to address the issue.
- f. Students make up missed work.

### **Being Absent from School:**

- a. Definition of Absent from School:
  - i. Arrival after 11:00 is considered an absence from school.
  - ii. Dismissal before 11:00 is considered an absence from school
- b. Procedure to report a student absent from school
  - i. The parent/guardian must call the school office at (978) 345-2701 ext. 1 as early as possible. If an absence is not called in by 2:00 PM on the day of the absence, the absence is considered unexcused.
  - ii. The parent/guardian must leave a return telephone number and a reason for the absence. No one except a parent or guardian may excuse an absence for a student.

- iii. Excused absences should be called in as early as possible. After 9:00 AM, the school will begin calling parents and guardians of all students who are absent from school without a call-in from home. Whenever possible, parents/guardians will be notified when a student has an unexcused absence.
  - iv. It is the student's responsibility to follow up with the teacher regarding missed work if they have missed a class.
- c. Excused (E) versus Unexcused (U) Absences:
- i. Excused absence is defined as a parental excusal from school. Reasons for this may include illness of the student, death in the family, legal obligation (verified), recognized religious holidays, medical appointments, family emergencies (as approved by the Principal), and court appearances. Unexcused absences are defined situations where the student is absent, but the school has not been notified by the parent of the reason for the absence.
  - ii. Students are responsible for making up missed work regardless of whether the absences are excused by the parent/guardian or not.
  - iii. Excessive excused absences may still result in Family Group Decision Making conferences as well as referrals to outside agencies, including Fitchburg Juvenile Court.
- d. Exempted (X) Absences
- i. Exempted absences are absences substantiated by a physician's note or other agency documentation per verification by school nurse leader
- e. Sizer School will follow Massachusetts General Laws Chapter 76, section 1, in regards to filing in court for repeated violations of this policy. Pertinent sections of the law are copied below.

### **Being Tardy to School:**

School begins at 7:55am each school day with a 7:52 courtesy chime indicating the time. Sizer School students must arrive to school each day on time (before 7:55am) and are prepared to begin their academic day. Tardiness to school is problematic for several reasons, including:

- A student who is tardy increases their risk for academic difficulty due to missed and *irretrievable* instructional time. This loss can result in lack of academic progress, not passing the course(s), necessity for break/summer school, and/or not being promoted.
- Our ability to properly supervise a student who is not where they are supposed to be is compromised.
- A tardy student entering class often creates interruption and disturbance for everyone else.
- Teachers and other students lose valuable time assuming responsibility for catching up a student who arrives late for class.
- The school must use valuable resources to ensure proper check-in, recording and tracking of late students. Staff must also supervise tardy students who lose lunch privilege.
- In addition to being impolite, it is illegal:
  - a. Definition of Tardy to school:
    - i. Arrival after 7:55 am and before 11:00am is considered tardy to school. Arrival after 11:00am is considered an absence from school.
  - b. Procedure:
    - i. Upon arrival at school, students must check in at the Main Office to receive a pass to class.

- ii. Tardiness must be explained by a note from home which is to be presented to the main office no later than the day following the date of tardiness. This note must contain the date of the tardy, reason, and the signature of the parent/guardian.
  - Students will be subject to all academic and behavioral consequences absences may result in, including but not limited to loss of learning, missed work, affected grades, loss of academic credit and non-promotion. Students who are tardy may have to make up lost class time at a time determined by the school. This may include extended Fridays or Saturday School or loss of lunch privileges in the cafeteria.
- c. Excused versus Unexcused Tardiness:
  - i. Students are responsible for making up missed work regardless of whether the reasons for being tardy are excused by the parent/guardian or not. Reasons accepted by the Sizer School for excused tardies are the same as listed for excused absences.
- d. Sizer School will follow Massachusetts General Laws Chapter 76, section 1, in regards to filing in court for repeated violations of this policy. Pertinent sections of the law are copied below.

### **Being dismissed from school:**

- a. Definition of Absent from school
  - i. Dismissal before 11:00am is marked as an absence.
  - ii. A return to school in less than three hours after a dismissal is marked as a dismissal only.
- b. Procedure:
  - i. Once the school day has begun and a student is in attendance, they may be dismissed via a parent/guardian phone call or note. Students may NOT contact their parents and request dismissal without approval of a Sizer adult. Failure to comply with this may result in school disciplinary action, including loss of cell phone privileges.
- c. Students are responsible for making up missed work regardless of whether the dismissals are excused by the parent/guardian or not.

### **Consequences for being absent from school and/or class, tardy from school and/or class, or dismissed early:**

Sizer's attendance policy expects that students be in attendance during each class period for the entire period.

- a. A student who is absent from school 5 or more times during a single grading block shall be required to meet with their Advisor and members of the Student Services Team in a Family Group Decision Making Conference to address attendance issues and academic consequences.
- b. A student is considered tardy to class if they are not in the room and ready to learn when the bell rings
- c. If a student misses all or part of 5 or more CLASSES of a single subject during a grading period, the teacher may request a Family Group Decision Making Conference to be held with members of the Student Services Team in order to address attendance issues and academic consequences.
- d. Please note that all times a student is out of school and/or class count towards the five days, regardless of whether they are excused by the parent, guardian or school.
- e. Making up missed instruction time outside of the regular school day may be required in order for a student to receive academic credit for their classes.
- f. Eligibility for Extracurricular Activities and Independent Learning Period for Seniors

- i. Any student dismissed early, absent or arriving to school after 11:00am will be ineligible to participate in any extra-curricular activity for that day, except in extraordinary circumstances with special permission from the Dean's Office.
- ii. Students who are suspended may not participate during the period of suspension.
- iii. Students referred for a Family Group Decision Making Conference, may risk becoming ineligible for any extra-curricular activities.
- iv. SENIORS: Seniors who violate this attendance policy during the first semester will forfeit the privilege of Independent Learning Period.

### ***Massachusetts General Laws Pertaining to School Attendance***

#### **School Attendance**

Chapter 76, section 1 of the Massachusetts General Laws states that all children between the ages of six and sixteen must attend school. A school may excuse up to seven day-sessions or fourteen half-day-sessions in any period of six months. In addition to this law, each school may have its own attendance policy with which parents and guardians should be familiar.

#### **What is a Child Requiring Assistance?**

A "CRA" (Child Requiring Assistance) petition may be filed in court by a school if a child between the ages of six and sixteen persistently and willfully fails to attend school or persistently violates lawful and reasonable regulations of their school. The Court's authority pursuant to a CRA petition includes the power to place the child in the custody of the state agency known as the Department of Children and Families.

#### **Parental Responsibility**

Parents or guardians are legally responsible for ensuring that a child under their control attends school daily. It is a crime for a responsible parent or guardian not to cause such a child to attend school. If a child fails to attend school for seven day sessions or fourteen half day sessions within any six-month period, the school may file a criminal complaint in court against the responsible parent or guardian. This is a CRIMINAL OFFENSE and you will be summoned to court as a parent/guardian.

#### **Inducing Absences**

It is a crime to induce or attempt to induce a minor to miss school, or unlawfully to employ or to harbor a minor who should be in school. This is a CRIMINAL OFFENSE and you will be summoned to court as a parent/guardian.

#### **Notification and Contact Information**

Chapter 76, Section 1A of the Massachusetts General Laws states that parents/guardians must be provided each year with the instructions for calling a designated phone number at a designated time to inform the school of the absence of a student and the reason for the absence. In addition, parents/guardians must provide the school with a home, work or other emergency telephone number so that they may be contacted during the school day so the school may call and inquire about said absence.



## ***STUDENT SERVICES***

The Sizer School Student Services Team promotes and preserves the safety of the school environment and the integrity of curriculum and instruction.

### **COUNSELING (P2507)**

Comprehensive counseling services are available to all students in school. Students may receive assistance from the school counselor upon request. Also, referrals may be made to the school counselor on behalf of students by parents, staff, and other student allies. Many resources are available, including career and college resources, financial aid and scholarship information, military information, Occupational Outlook Handbooks, ACT & SAT registration and study materials, and summer program information. Many of these resources are available in Spanish and English.

Sizer School Counselors are sensitive to the needs of, and resourceful in assisting, students who have historically faced barriers to post-secondary education or opportunities, such as students with disabilities, students with limited English proficiency, first generation college-bound and/or low income students, and students interested in occupations that are nontraditional for their gender. Students are encouraged to consider programs of study, activities and future opportunities on the basis of their many strengths and interests.

Sizer School is a trauma sensitive school and has been recognized by the state as a Safe and Supportive Learning Environment.

### **HEALTH SERVICES and REGULATIONS (P5504)**

The School Nurse Leader is available to all students for a wide range of health services, including first aid care, health education and referrals to local resources.

- Students must turn in completed emergency forms, health forms and other forms as indicated below prior to school. ***All medications, prescription and over-the-counter, must have a signed doctor's order, written parental consent and must be in an original container. Epi-pens and inhalers may be carried by a student under special circumstances, with a physician's order and permission by the school nurse. Medications must be brought to the school by an adult and must be picked up at the end of the year or they will be disposed of properly.*** (Massachusetts General Laws c.71 s.54B & c.94C & related regulations 105 CMR 700.000)
- The School Nurse Leader may delegate the authority to administer medication without the written authorization of the student's parent or guardian for the named trained school staff personnel to administer the medication. A school nurse shall be on duty in the school system while prescription medications are being administered by designated unlicensed school personnel and be available for consultation. Additionally, in accordance with standard nursing practice, the school nurse may refuse to administer or allow to be administered any prescription medication which, based on the school nurse's individual assessment and professional judgment, has the potential to be harmful, dangerous or inappropriate. In these cases, the parent/guardian and licensed prescriber shall be notified immediately by the school nurse.
- **Unless religious or medical exemptions apply, proof of immunizations are needed: diphtheria, tetanus, pertussis (DTaP), tetanus- diphtheria (Td), 4 doses oral polio (OPV) or inactivated polio (IPV), measles, mumps, rubella (MMR), hepatitis B-3 doses (HBV), meningitis A vaccine (MCV4) one does into 7<sup>th</sup> grade and booster at 16 years, documentation of chicken pox or varicella vaccine.**

**If the vaccination documentation is not provided, the student will be subject to exclusion from school.** (Massachusetts General Law c. 76 s.15 & 15C and related regulations 105 CMR 220.000 - 220.600)

- *Physical examinations* are required upon entry to a new school. Additionally, Physical exams are required every 4 years.
- When a student begins a special education evaluation, a medical evaluation by the student's primary care is required to be submitted to the nurse.
- *Sports physicals* are required yearly for any student playing a school sponsored sport.
- *Yearly Screenings* include:
  - Vision & hearing - Grades 7 and 10
  - Height & Weight - Grades 7 and 10
  - Scoliosis/Postural - Grades 7 through 9

(Massachusetts General Law's c.71 s.57 and related regulations 105 CMR 200.000 - 200.920)

**Over the Counter:** Parents may opt out of the topical over the counters, including hydrocortisone, hand sanitizer, sugar free cough drops, aloe, bacitracin and lip ointment by providing a signed note to the nurse.

**EpiPen and Stock Albuterol:** In the event of anaphylaxis of a pupil or adult, an EpiPen will be administered by the school nurse or trained unlicensed personnel according to the established anaphylaxis protocol. Stock EpiPens in adult and pediatric doses are located in the unlocked waiting room in front of the Nurse's office. All staff are training yearly on the administration of EpiPens.

**Narcan:** In the event of an overdose of a student or adult, Naloxone Hydrochloride Nasal Spray (Narcan) 4mg via nasal spray will be administered by the school nurse. The nurse only may administer this medication.

#### **HIV Policy Statement - Students/Employees with AIDS/HIV Infection (P5505):**

Students with AIDS/HIV Infection have the same right to attend classes or participate in school programs and activities as any other student. Furthermore, any employee of the Sizer School with AIDS/HIV Infection has the same rights as any other employee.

#### **HOME and HOSPITAL INSTRUCTION (P2508)**

Upon receipt of a Licensed Independent Practitioner's\* (LIP) written order that a student must remain at home or in the hospital for a period exceeding fourteen days, the school will arrange for providing appropriate educational services, as long as these services do not interfere with the medical needs of the student. Requests for tutoring must be submitted to the school using the state form: *Physician's Statement for Temporary Home or Hospital Education Form*, and must be filled out completely by the treating LIP, prior to any school approval.

**\*Definition:** licensed independent practitioner defined as an individual, as permitted by law and regulation, and also by the organization, to provide care and services without direction or supervision within the scope of the individual's license and consistent with the privileges granted by the organization. (Joint Commission) For Example: CNP, DO, MD, PhD, etc.

## **NON-DISCRIMINATION DUE TO PREGNANCY OR RELATED CONDITIONS (P2004)**

Consistent with the requirements of Title 34 CFR 106.40, Sizer School follows a policy of nondiscrimination with regard to pregnant students. Sizer School does not exclude any student from classes, extracurricular activities, school functions or other school-related matters on the basis of pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery there from. In addition, Sizer School makes requests for medical certification that a pregnant student is physically and emotionally able to participate in school activities only to the extent that such certification is required of all students for other physical or emotional conditions requiring the care of a physician. A student is entitled to leave relating to the student's pregnancy, childbirth, false pregnancy, and termination of pregnancy as determined medically necessary by the student's physician, and at the conclusion of the leave, is permitted to return to the same academic and extracurricular program the student was participating in when the leave began.

## **HOMELESSNESS**

Sizer School addresses the educational rights and protections of students experiencing homelessness in accordance with the provisions of the *McKinney-Vento Homeless Assistance Act* which affirms that homeless children have equal access to all educational programs and services offered at Sizer School. Children who become homeless have the right to continue attending their school of origin or enroll in the school of the district in which they are residing. Students and families who become homeless as defined by McKinney-Vento should contact the school's homelessness liaison for information regarding their rights and resources available to them. Homeless students are defined as:

- Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, campgrounds, or trailer parks due to lack of alternative adequate accommodations; are living in shelters; are abandoned in hospitals; or are awaiting foster care placement.
- Children and youth who have a primary nighttime residence that is a private or public place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
- Children and youth who are living in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting.
- Migratory children living under the conditions described above. Children are considered to be in transition for as long as they are in a living situation described above.

Any questions regarding homelessness can be addressed by Sizer School's homelessness liaison, Lyndsie Currallo at 978-345-2701 ext. 421.

## **PEER MEDIATION**

Sizer School has a very active Peer Mediation Program. The peer mediation program is managed by student services and is staffed by students who have been trained at length to help peers resolve conflicts peacefully. Referrals for mediation may be made by students, staff, parents, or other concerned parties. This has proven to be an effective way for students as well as staff to resolve conflicts that may otherwise lead to further disciplinary actions.

## **PHYSICAL RESTRAINT OF STUDENTS (P2022)**

Sizer School complies with the Massachusetts Department of Elementary and Secondary Education's (DESE) restraint regulations, 603 CMR 46.00 to the extent required by law. Regulations apply not only at school but also at school-sponsored events and activities, whether or not on school property. School staff may use physical restraint only when non-physical interventions would be ineffective and the student's behavior poses a threat of imminent, serious harm to self and/or others. The regulation does not prevent a teacher, employee or agent of

the school from using reasonable force to protect students, other persons or themselves from assault or imminent serious harm or from restraining students as otherwise provided in the regulations. Students, parents or guardians who have a complaint regarding physical restraint procedures may request a meeting with the Principal to discuss their concerns. If the parent's/guardian's issues are not resolved at this level, they may request a meeting with the Executive Director. Additional information, including a copy of the school's policy, can be obtained from the Business Office Manager at (978) 343-2172. A copy of the regulations may also be obtained at: <http://www.doe.mass.edu/lawsregs/603cmr46.html>.

## **SECTION 504 and SIZER SCHOOL (P2511)**

It is the policy of Sizer School not to discriminate on the basis of ability in educational programs, activities or employment policies as required by Section 504 of the 1973 Rehabilitation Act. Inquiries regarding compliance with Section 504 may be directed to the Principal, Director of Student Services or the Director of the Office for Civil Rights, Department of Health and Human Services, Washington D.C. 20201. In the event that a student enrolled in Sizer School or an employee hired by Sizer School feels that they have been or is being discriminated against on the basis of ability, they should file a statement of grievance, in writing, with the Section 504 Coordinator. Once filed, that grievance will be processed by the Coordinator through administrative channels for resolution and will ultimately arrive before the Board of Trustees if the grievance cannot be resolved.

## **STUDENT INFORMATION (P2512)**

Under Massachusetts Department of Elementary and Secondary Education regulations, the school may, from time to time, release for publication certain information concerning students without obtaining their or their parents' consent unless they have notified us that we should not do so. The information that may be released for publication includes only students' names, classes, participation in extracurricular activities, degrees, honors and awards, and post high school plans. If you do not wish this information concerning yourself or your child to be released for publication without prior consent during the year, please contact the Registrar.

- **Photography/Videotaping:** Be aware your child may be photographed or videotaped participating in school activities throughout the year. In general, separate permission and talent release forms are sent out at the beginning of each school year.
- **Electronic Monitoring:** Video and audio monitoring may be used throughout the school premises and on buses to assist in maintaining a safe learning environment. Other types of monitoring are also possible.

## **STUDENT RECORDS (P2514)**

Sizer School follows and is in compliance with MA Education Laws and Regulations, 603 CMR 23.00: Student Records.

## **WITHDRAWALS and TRANSFERS (P2513)**

Students withdrawing from school must obtain a withdrawal form from the front office and follow the instructions on said form, which includes:

- All school material must be returned or paid for in order for the student withdrawal to be completed.
- A conference will also be scheduled with the appropriate Principal, Director or designee, student and parents.

Students transferring to Sizer School from another school will not be enrolled until academic, discipline and health records are on file at Sizer School. Exceptions are made only in accordance with the McKinney-Vento Homeless Assistance Act. Students must schedule a pre-enrollment appointment with their advisor, counselor and parent. Grades of transfer students will assume a credit value closest to the Sizer School equivalent. Students who have attained the age of sixteen who are unexcused absent for ten (10) or more consecutive days may be removed from the school's register.

## ***STUDENT CONDUCT & EXPECTATIONS***

### **SIZER SCHOOL Make It Right Approach (MIRA): A Guide to Behavior, Discipline and Expectations (P2401)**

A small school relies heavily on all members of the community holding up the values of the community. Misconduct is not simply a violation of the rules of the school, but it is a violation against people and relationships at Sizer School and/or the wider community. Harm done must be explored reflectively through *Conferencing* and made right through *Restorative Circles & Action*.

Discipline will be consistent and will support the safety and educational environment of the school community. Establishing, maintaining, and restoring relationships are essential to the discipline process. When behavior interferes with the integrity of learning or the collaboration of relationships, Restorative Circles & Action is expected and required. All staff members will teach and model essential social skills and all students will have the opportunity to learn and practice skills necessary for social development. All disciplinary practices and interactions must promote and teach responsibility and accountability, foster respect, and maintain dignity of one's self and others.

Based on this philosophy, and consistent with the philosophy of the school, the GOALS of disciplinary interventions are to strengthen each student's:

- Readiness to learn (*Purpose*)
- Capacity to reflect, restore, and resolve to do better (*Responsibility*)
- Self-management skills (*Safety*)
- Pro-social expression of thoughts and feelings (*Voice*)
- Ability to identify choices, make decisions, and accept consequences (*Integrity*)
- Care and respect for oneself and others (*Community*)

***All school rules apply before, during and after the school day, at school sponsored events, and on school buses. For disciplinary purposes, Sizer School maintains the right to impose school disciplinary measures for conduct which occurs during travel to and from school for any offense committed that is in violation of the Student Handbook. All Sizer School rules apply on both school property and any property associated with a school event. Students found to be in violation of school rules at any school sponsored or school associated event being held off site will be subject to the same disciplinary measures imposed on school property, up to and including expulsion from school.***

### **DISCIPLINARY INTERVENTIONS (P2402)**

- **Classroom Management:** Teachers, in collaboration with the Dean's office, School Counselors and Principals and/or Directors, carry out discipline just about every moment of every day. They do this through the curriculum, their grouping strategies, and the thousands of restorative responses they give to the behaviors and actions happening around them. Most interventions will happen within the learning environment and under the teacher's supervision. Teachers have discretion to use a variety of strategies to address student infractions. These include calls for support with conferencing, lunch conferences, parent/guardian phone calls, meetings with parents/guardians, restorative action plans, after-school conference, etc. which they will facilitate.
- **Disruption of the Learning Environment, Serious Disrespect for another, Refusal to follow a Directive:** When a student's behavior makes it impossible for others to learn, action will be taken. If a student is formally referred, the student will be provided an opportunity to Make-It-Right with those affected. The response to the behavior will be in direct proportion to the seriousness of the infraction as

determined by the school staff. The response may include but is not limited to the following:

- Restorative Conference
  - Restitution (including service)
  - Restorative Circles
  - Community Restrictions
  - Attendance beyond the regularly scheduled school day
  - Suspension/Expulsion
- **Physical Contact or Acute Crises:** Any aggressive, inappropriate, or unwanted contact must be reported to a school administrator immediately and will be dealt with swiftly and with minimal initial discussion. Other serious discipline issues involving weapons, drugs, alcohol, tobacco, or any other infractions that may require immediate responses for the health and safety of the general community should be reported immediately to the Dean's office. An involved student will be removed from the classroom, and a parent/guardian will be contacted. The school's Crisis Response Team may be brought in depending on the circumstances.

## **DISCIPLINARY CONSEQUENCES (P2403)**

The following are examples of disciplinary interventions used at Sizer School; however, this list is not exhaustive. Sizer School reserves the right to impose discipline interventions that are not described in these rules, provided that any interventions imposed comply with Massachusetts laws and regulations, where applicable. The Principal's designee for suspensions of up to 10 (ten) school days is the Dean of School Culture and Assistant Dean. The Dean of School Culture may be substituted for the Principal where applicable.

- **Conferences** are disciplinary exercises that are conducted during or after school. They may be assigned for a number of reasons from breaking school rules to attendance regulations. Students may be assigned a conference by either teachers or administration. Students are expected to be on time and participate during this time. Failure to meet those expectations or to report to the conference will result in further, more serious disciplinary actions.
- **Restorative Conferences** are a face-to-face meeting to determine harm done, its impact on all parties and the plan to make things right. At their core, these conferences are about restoring relationships. Students may be assigned a conference by either teachers or by administration personnel. Students are expected to be on time and participate actively during conference time. Failure to meet those expectations or to report to the conference will result in further, more serious disciplinary actions.
- **Restorative Circles** offer opportunities for safe and open communication, circles help resolve conflict, strengthen relationships between participants, emphasize respect and understanding, and empower all parties involved
- **Restitution** reflects a belief that, first, offenders should be made more aware of and responsible for their actions and for the harm that they have caused, and second, that victims of the injustice are entitled to compensation for the loss incurred.
- **Community Restrictions** involve loss of a student privilege and/or increased supervision.
- **Attendance beyond the regularly scheduled school day** may include extended Fridays or Saturday School. Other days during the week may be assigned.

- **Suspensions** are issued when other interventions are determined to be ineffective or inappropriate and it is deemed in the best interest of the student, school, and/or other students to remove a student from the school population. A student may be removed from the school immediately if they presence poses either a danger to persons or property or significantly disrupts the educational practices of the school. While under suspension, the student loses all privileges regarding athletics, co-curricular activities and school social activities. There are two types of suspensions; internal (In-House) and external (Out of School).
- **Internal (In-House) Suspension:** Students who are assigned in-house suspension will be under the supervision of the Dean's office. Students will complete school assignments and will not be able to leave the designated area unless supervised. Failure to comply with all regulations while in participating in internal suspension may result in additional days of suspension, either internal or external. In accordance with applicable regulations, the Dean, as the Principal's designee, 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 Dean determines that the student committed the disciplinary offense, the Dean must inform the student of the length of the student's in-school suspension, which shall not exceed 10 school days, cumulatively or consecutively, in a school year.

On the same day that the Dean's office decides to impose an in-school suspension, the Dean's office must make reasonable efforts to verbally notify the parent of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension.

The Dean's office 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 meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the Dean's office 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 verbally informing the parent of the in-school suspension.

The Dean's office shall deliver 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 Dean's office, if such meeting has not already occurred). The Dean's office shall deliver such notice on by no later than the end of the school day on which the suspension is to be served hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or by other method of delivery agreed to by the Dean's office and the parent.

- **External (out of school) Short Term Suspension:** Students placed on out of school suspension may not be on school grounds for the duration of the suspension, and are ineligible to participate or attend any extracurricular activity (including athletic events) for the duration of the suspension. All students serving suspension of ten (10) consecutive school days or less will be provided with the opportunity to complete assignments and other school work as necessary to ensure the student's continued academic progress while excluded from school. It is the student's responsibility to contact teachers for missed work. Students who have been suspended will be allowed the equivalent amount of time given to all students to complete any missed the assignments for full credit. Any additional time may be granted only at the discretion of the assigning teacher. Students on out of school suspension are prohibited from attendance at school for all activities.
- **Long Term External Suspension:** Long Term External Suspension proceedings which shall be defined as proceeding to consider the removal of a student from regular classroom instruction and related school activities for a period exceeding ten (10) school days, cumulatively or consecutively



within a school year.

## **DUE PROCESS FOR DISCIPLINARY REMOVALS and SERVICES DURING REMOVALS (P2405)**

Student disciplinary offenses resulting in removal from the classroom (i.e., suspensions and expulsions) are subject to due process procedures, including notices, hearings, appeals, and educational services during removals. The following sections provide you with information about these rights.

Please note that students have the right to be represented counsel or a lay person of the student's choice, at the student's/parent's expense, at any hearing to consider the student's long-term suspension or expulsion. If you wish to bring an attorney to a long-term suspension or expulsion hearing or meeting at the school, the parents/guardians are required to inform Sizer School immediately. If you fail to inform the school prior to bringing an attorney to a hearing or meeting, then Sizer School will exercise its right to reschedule the meeting to ensure that Sizer's attorney can attend. This rescheduling may delay the hearing or meeting, and if so, your child's disciplinary removal will be extended until a decision is rendered following the rescheduled hearing or meeting. Sizer School hereby notifies you that it may have its legal counsel present at any hearings and meetings involving student discipline at which the student and/or parents are represented by a legal representation.

### **A. NOTICE OF STUDENT AND PARENT RIGHTS UNDER G.L. c. 71 §37H**

This Notice of Student and Parent Rights applies to student misconduct that involves weapons, drugs, and/or assault on school staff. Specifically, any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife, may be subject to long-term suspension or expulsion from the school by the Principal. Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a controlled substance, including, but not limited to, marijuana, cocaine, and heroin, may be subject to long-term suspension or expulsion from the School by the Principal. Any student who assaults a Principal, assistant Principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to long-term suspension or expulsion from the School. Any student who is charged with any of the misconduct detailed above will be provided with the opportunity for a hearing before the Principal prior to the imposition of long-term suspension or expulsion. At the hearing, the student may have representation at their own expense, along with the opportunity to examine the evidence against the Student and to present evidence and witnesses at said hearing before the Principal. After said hearing, the Principal may, in their discretion, decide to suspend rather than expel a student who has been determined by the Principal to have committed the misconduct detailed above. Any student who has been expelled from a school district pursuant to GL c. 71 §37H shall have the right to appeal to the Executive Director. The expelled student shall have ten (10) calendar days from the date of the long-term suspension or expulsion in which to notify the Executive Director of their appeal. The student has the right to counsel, at their own expense, at an appeal hearing before the Executive Director. The subject matter of the appeal hearing shall not be limited solely to a factual determination of whether the student has violated any provisions of this section. Students who are suspended in excess of ten (10) consecutive school days or expelled in accordance with M.G.L. c. 71, §37H are entitled to receive educational services during the period of suspension or expulsion under Sizer School's Education Service Plan, which is described below in Section D. If the student withdraws from the district during the period of suspension or expulsion, the new school/district/district of residence shall either admit the student to its schools or provide educational services to the student under the new school or district's education service plan.

In accordance with the United States Supreme Court's decision in the matter of *Goss v. Lopez*, 419 U.S. 565 (1975) Sizer School reserves its right, were warranted, to immediately remove a student who has been charged with a violation of M.G.L. c. 71, §37H for up to ten (10) school days prior to the hearing to consider the student's possible long-term suspension or expulsion. Prior to any such removal, the student shall be provided to participate in a preliminary hearing with the Principal.

**B. NOTICE OF RIGHTS UNDER M.G.L. c. 71 §37H½**

This Notice of Student and Parent Rights applies to student misconduct that involves student felony or felony delinquency charges, findings, or admissions.

- **Suspension Following Criminal or Felony Delinquency Complaint:**

Upon the issuance of a felony charge or felony delinquency complaint against a student, the Principal may suspend such student for a period of time determined appropriate by the Principal if the Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student is entitled to receive written notification of the charges and the reasons for such suspension, the opportunity for a hearing with the Principal at which the student has the right to be represented by an advocate or attorney at private expense, and of the Principal's decision- prior to such suspension taking effect. The student shall also receive written notification of their right to appeal and the process for appealing such suspension provided that such suspension shall remain in effect prior to any appeal hearing conducted by the Executive Director.

In accordance with the United States Supreme Court's decision in the matter of *Goss v. Lopez*, 419 U.S. 565 (1975) Sizer School reserves its right, were warranted, to immediately remove a student who has been charged with the scope of M.G.L. c. 71, §37H1/2 for up to ten (10) school days prior to the hearing to consider the student's possible long-term suspension or expulsion. Prior to any such removal, the student shall be provided to participate in a preliminary hearing with the Principal.

The student shall have the right to appeal any long-term suspension imposed by the Principal to the Executive Director. The student shall notify the Executive Director in writing of their request for an appeal no later than five (5) calendar days following the effective date of the suspension. The Executive Director shall hold a hearing with the student and the student's parent within three (3) calendar days of the student's request for an appeal. Pending the Executive Director's appeal hearing and decision thereon, the sanctions imposed by the Principal shall remain in effect.

At the appeals hearing, the student shall have the right to present oral and written testimony on their behalf, and shall have the right to counsel, at private expense. The Executive Director shall have the authority to overturn or alter the decision of the Principal, including recommending an alternate educational program for the student. The Executive Director shall render a decision on the appeal within five (5) calendar days of the appeal hearing. The Executive Director's decision shall be the final decision of the School with regard to the suspension.

Students who are suspended on a long term basis in accordance with M.G.L. c. 71, §37H1/2 are entitled to receive educational services through the School during the period of long term suspension or expulsion under Sizer School's Education Service Plan, which is described below in Section D. If the student withdraws from Sizer during the period of suspension or expulsion, the new school/district/district of residence shall either admit the student to its school or provide educational services to the student under the new school or district's education service plan. All students suspended for ten (10) consecutive days or less shall be provided with the opportunity to

independently complete school assignments and to make up tested and quizzes to ensure the student's continued academic progress while suspended. M.G.L. c. 76, §21.

- **Expulsion Following Felony Adjudication or Admission:**

Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the Principal may expel said student if the Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall be provided with written notification of the basis for the student's possible expulsion, the opportunity for a hearing with the Principal at which the student may be represented by an advocate or attorney at private expense, and written notice of the Principal's decision prior to such expulsion taking effect. The student shall also receive written notification of their right to appeal and the process for appealing such expulsion; provided that the expulsion shall remain in effect prior to any appeal hearing conducted by the Executive Director.

In accordance with the United States Supreme Court's decision in the matter of *Goss v. Lopez*, 419 U.S. 565 (1975) Sizer School reserves its right, were warranted, to immediately remove a student who has been charged with a violation of M.G.L. c. 71, §37H for up to ten (10) school days prior to the hearing to consider the student's possible long-term suspension or expulsion. Prior to any such removal, the student shall be provided to participate in a preliminary hearing with the Principal.

The student shall have the right to appeal the expulsion to the Executive Director. The student shall notify the Executive Director, in writing, of their request for an appeal no later than five (5) calendar days following the effective date of the expulsion. The Executive Director shall hold a hearing with the student and the student's parent within three (3) calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on their behalf, and shall have the right to counsel. The Executive Director shall have the authority to overturn or alter the decision of the Principal or headmaster, including recommending an alternate educational program for the student. The Executive Director shall render a decision on the appeal within five (5) calendar days of the hearing. The Executive Director's decision shall be the final decision of Sizer School with regard to the expulsion.

Students who are suspended on a long term basis or expelled in accordance with M.G.L. c. 71, §37H1/2 are entitled to receive educational services through the School during the period of long term suspension or expulsion under Sizer School's Education Service Plan, which is described below in Section D. If the student withdraws from Sizer during the period of suspension or expulsion, the new school/district/district of residence shall either admit the student to its schools or provide educational services to the student under the new school or district's education service plan.

### **C. NOTICE OF STUDENT AND PARENT RIGHTS UNDER G.L. c. 71 §37H<sup>3/4</sup>**

This section governs all violations of school rules that *do not* involve dangerous weapons, controlled substances, assault on school staff, felony or felony delinquency charges, and/or felony delinquency findings or admissions, all of which are governed by M.G.L. c.71 §§37H and 37H<sup>1/2</sup>, as detailed above.

In every case of student misconduct for which suspension may be imposed, the Principal is required to exercise discretion in deciding the consequence for the offense; consider ways to re-engage the student in learning; and avoid using long-term suspension from school as a consequence until alternatives have been tried. The following document outlines student and parent rights when the Principal is considering and/or decides to implement a suspension school as a consequence for student misconduct. Students who are

suspended under §37H¾ are entitled to receive educational services during the period of suspension or expulsion under Sizer School's Education Service Plan, which is described below in Section D. If the student withdraws from Sizer School during the period of suspension, the new school/district/district of residence shall either admit the student to its schools or provide educational services to the student under the new school or district's Education Service Plan.

- **Notice of Suspension and Hearing under §37H¾**

Unless the Principal determines that an emergency removal is required (*see* Emergency Removals section below) or decides to implement an in-school suspension of ten or fewer consecutive days (and no more than 10 cumulative days per school year) (*see* In-School Suspension section below), the Principal may not impose a suspension as a consequence for a disciplinary offense without first providing the student and the parent with verbal 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 is required to provide this verbal 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 must set forth the following information:

- (a) the disciplinary offense;
- (b) the basis for the charge;
- (c) the potential consequences, including the potential length of the student's suspension;
- (d) 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;
- (e) the date, time, and location of the hearing;
- (f) the right of the student and the student's parent to interpreter services at the hearing if needed to participate;
- (g) if the student may be placed on long-term suspension following the hearing with the Principal, the student's short and long term suspension hearing rights and the right to appeal the Principal's decision to the Executive Director (*see* Hearing Rights section below).

The Principal is required to make and document reasonable efforts to notify the parent verbally of the opportunity to attend the hearing. The Principal is presumed to have made reasonable efforts, and therefore may conduct a hearing without the parent present, if the Principal has sent written notice (by hand delivery, first-class mail, certified mail, email, or any other method of delivery agreed to by the Principal and parent) and has documented at least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.

- **Emergency Removal – 603 CMR 53.07**

A Principal has the authority to remove a student from school temporarily when a student is charged with a disciplinary offense and the Principal determines that 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 judgment, there is no alternative available to alleviate the danger or disruption. The Principal is required to notify the Executive Director immediately in writing of an emergency removal and the reason for it, and describe the danger presented by the student. The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the Principal is required to:

- (a) 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 Hearing Rights outlined below;

- (b) Provide written notice to the student and parent;
- (c) Provide the student an opportunity for a hearing with the Principal that complies with the rights outlined below in the Hearing Rights section, as applicable, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days following the date of emergency removal, unless an extension of time for hearing is otherwise agreed to by the Principal, student, and parent.
- (d) Render a decision orally on the same day as the hearing, and in writing no later than the following school day.

The Principal 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.

- **Hearing Rights:**

**\*For purposes of the following provisions “Principal” shall mean the building Principal or the Principal’s designee.**

***Principal's Hearing under §37H<sup>3/4</sup>: Short-term Suspension***

Short-term suspension means the removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less or ten cumulative (10) school days or less within the school year. The purpose of the hearing with the Principal is for the Principal to hear and consider information regarding the alleged incident; to provide the student an opportunity to dispute the charges and explain the circumstances of the alleged incident; and determine if the student committed the disciplinary offense and if so, to determine the consequences for the infraction. At a minimum, the Principal is required to discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student and parent both shall have an opportunity to present and offer information, including mitigating facts, that the Principal should consider in determining whether other remedies and consequences may be appropriate. The student and parent shall also have the right to examine the evidence against the student including all witnesses presented by the School. Under applicable regulations, students do not have the right to be represented by an attorney at a short-term suspension hearing.

Based on the preponderance of evidence presented at the hearing, and in consideration of any mitigating circumstances, the Principal shall determine whether the student committed the disciplinary offense, and, if so, the remedy or consequence to be imposed.

The Principal shall provide written notification to the student and parent of the Principal’s final determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and of the opportunity to make continued academic progress while suspended. M.G.L. c. 76, §21. If the student is in grades pre-K through 3, the Principal is required to send a copy of the written determination to the Executive Director and explain the reasons for imposing an out-of-school suspension, before the short-term suspension takes effect.

***Principal's Hearing under §37H<sup>3/4</sup>: Long-term Suspension***

Long-term suspension means the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year. The purpose of the long-term suspension 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 during a long-term suspension hearing:

1. In advance of the hearing, the opportunity to review the student's record and the documents upon which the Principal 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 their behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so;
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, and to receive a copy of the audio recording upon request. If the student or parent requests an audio recording, the Principal 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 shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Principal should consider in determining consequences for the student. Based on preponderance of evidence presented at the hearing, the Principal shall determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension, the remedy or consequence to be imposed, in place of or in addition to a long-term suspension. The Principal 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 any other method of delivery agreed to by the Principal and the parent. If the Principal decides to suspend the student, the written determination will:

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;
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;
5. Inform the student of the right to appeal the Principal's decision to the Executive Director or designee (only if the Principal 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:
  - a) the process for appealing the decision, including that the student or parent must file a written notice of appeal with the Executive Director within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the Executive Director an extension of time for filing the written notice for up to seven (7) additional calendar days; and that
  - b) the long-term suspension will remain in effect unless and until the Executive Director 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 shall send a copy of the written determination to the Executive Director and explain the reasons for imposing an out-of-school suspension, whether short-term or long-term, before the suspension takes effect.

- **Executive Director's Appeal Hearing under §37H<sup>3/4</sup>:**

A student who is placed on long-term suspension for a violation of School rules in accordance with M.G.L. c. 71, §37H<sup>3/4</sup> following a hearing with the Principal has the right to appeal the Principal's decision to the Executive Director. In order to appeal the Principal's decision to impose a long-term

suspension, the student or parent must file a written notice of appeal with the Executive Director within five calendar days of the effective date of the long-term suspension (in the alternative, within five (5) calendar days of the effective date of the long-term suspension the parent may request and receive from the Executive Director an extension of time for filing the written notice for up to seven (7) additional calendar days). If the appeal is not timely filed, the Executive Director may deny the appeal, or may allow the appeal in their discretion, for good cause.

The Executive Director shall hold the hearing within three (3) school days of the student's/parents request for appeal, unless the student or parent requests an extension of up to seven (7) additional calendar days, in which case the Executive Director shall grant the extension. The Executive Director must make a good faith effort to include the parent in the hearing, and will be presumed to have made a good faith effort if the Executive Director has attempted to find a day and time for the hearing that would allow the parent and Executive Director to participate. The Executive Director shall send written notice to the parent of the date, time, and location of the hearing.

The Executive Director will conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence will be. An audio recording of the hearing will be made, a copy of which shall be provided to the student or parent upon request. The student and parent shall have all of the rights afforded them at the Principal's hearing for long-term suspension. The Executive Director shall issue a written decision within five calendar days of the hearing. If the Executive Director determines that the student committed the disciplinary offense, the Executive Director 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 decision. The decision of the Executive Director shall be the final decision of Sizer School.

- **In-School Suspension under §37H<sup>3/4</sup>**

The Principal may use in-school suspension as an alternative to short-term suspension for disciplinary offenses. Prior to imposing an in-school suspension, the Principal is required to inform the student of the disciplinary offense charged and the basis for the charge, and to provide the student an opportunity for a hearing to dispute the charges and explain the circumstances surrounding the alleged incident. If the Principal determines that the student committed the disciplinary offense, the Principal must inform the student of the length of the student's in-school suspension, which shall not exceed ten (10) school days, cumulatively or consecutively, in a school year. On the same day that the Principal decides to impose an in-school suspension, the Principal must make reasonable efforts to verbally notify the parent of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The Principal 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 meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the Principal 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 verbally informing the parent of the in-school suspension. The Principal 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, if such meeting has not already occurred). The Principal 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 by other method of delivery agreed to by the Principal and the parent.

- **Removal from Privileges and Extracurricular Activities**

The Principal may remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on the student's misconduct. A removal from privileges and/or extracurricular activities is not subject to the disciplinary due process procedures set forth above.

- **Education Services and Academic Progress for Students Suspended or Expelled**

Students serving an in-school suspension, short-term suspension, long-term suspension, or expulsion have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of their removal from the classroom or school. Student who are expelled or suspended from school for more than ten (10) consecutive days, whether in school or out of school, have an opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide Education Service Plan.

#### **D. SERVICES DURING REMOVALS AND SCHOOL-WIDE EDUCATION SERVICE PLAN**

Students who are suspended from school for ten (10) or fewer consecutive school days, whether in or out of school, have the opportunity to independently make academic progress during the period of suspension; make up assignments; and earn credits missed including, but not limited to, homework, quizzes, exams, papers and projects missed.

In accordance with M.G.L. c. 76, §21, Sizer School has developed a school-wide Education Service Plan for all students who are expelled or suspended from school for more than ten (10) consecutive school days, whether in or out of school. Sizer School's Education Service Plan is subject to change, and may include, but is not limited to, tutoring, alternative placement, Saturday school, and online or distance learning. If Sizer School expels a student or suspends a student for more than ten (10) consecutive school days, the school is required to provide the student and the parent or guardian of the student with a list of alternative educational services. Upon selection of an alternative educational service by the student and the student's parent or guardian, Sizer School will facilitate and verify enrollment in the service.

#### **DISCIPLINARY SUBJECTS of CONCERN/CONSEQUENCES for VIOLATIONS (P2404)**

The following are examples of disciplinary subjects of concern; however, this is not an exhaustive list. Sizer School reserves the right to impose discipline for conduct that is not described in these rules. Sizer School will not be limited by the provisions of our rules in imposing discipline as long as the decision was not made arbitrarily or capriciously. These policies are to protect the integrity of the learning environment and any disruptions to this environment will be addressed as an issue of school conduct.

<b>ALCOHOL</b>	The use, distribution, consumption, being under the influence, or possession of any alcoholic beverage while coming to school, on school property, or at school functions, is prohibited. <i>School suspension, parent contact, and possible long term suspension of up to ninety (90) school days may result from this behavior. Violations of this policy maybe referred to the appropriate legal authorities for further action.</i>
----------------	---



<b>BULLYING</b>	<p>Bullying is defined by the repeated use by one or more students or school staff member of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, 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 themselves or of damage to their property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; (v) or materially and substantially disrupts the education process or the orderly operation of a school. This also includes cyber-bullying. Cyber-bullying is bullying through, without limitation, electronic mails, cellular phones, instant messages, text messages or websites.</p> <p>Bullying will not be permitted on school grounds or at school sponsored events. Bullying often occurs outside of the school's physical grounds, yet these actions affect the safety of our students as though they have occurred on school grounds. The school will address any bullying behavior demonstrated at school or outside of school affecting our school community. If you believe that you are being bullied, or have witnessed any act of bullying, you should inform the nearest adult, the Dean's office, Principal or Counselor. Failure to inform an adult may result in disciplinary action including suspension. Many options are available to try and solve these matters before it becomes bullying here at Sizer School such as Conferencing and Peer Mediation. School suspension and parent/guardian contact may result from this behavior. Violations of this policy will be referred to the police and appropriate legal authorities for further action</p>
<b>CELL PHONES</b>	<p>At Sizer School, we understand that cell phones are a part of everyday life for many students; however, Sizer does not permit students to use cell phones during academic learning times to eliminate disruptions to the learning environment.</p> <p>Students will only be permitted to use cell phones before school, once they are outside of the building after dismissal, lunch time, and at after school or sports activities. Absolutely no photographs or videos may be taken inside the school building without permission. Students may not make phone calls or send text messages during class, and cell phones may not be used during transitions between classes. Students should expect to be coached by Sizer Staff and have community decisions around the reasoning as to why these policies are in place. A student who violates the cell phone policy will have their phone confiscated, and the phone may not be returned until a parent/guardian comes to school. In addition, the student may lose the privilege of having their cell phone in the building for the remainder of the school year. <b>We ask that parents/guardians do not contact their child on their cell phone during the school day. In case of emergency, parents/guardians can contact the main office to reach their child during the school day by calling the school's number (978-345-2701) and using Ext. 0 to speak with Sizer's Front Office Administrative Assistant.</b></p>
<b>CHEATING, FORGERY AND/OR PLAGIARISM</b>	<p>Integrity is one of the Sizer School 6. It reads: "Be truthful and honest. Do the right thing." By committing plagiarism or cheating, a member of the community is not acting with integrity. Academic penalties will be enforced during these types of situations. Parent contact as well as <i>possible suspension may result from this infraction.</i></p>
<b>CLASS CUT</b>	<p>Students at Sizer School are expected to be where they are supposed to be, when they are supposed to be there. Teachers take attendance for each class period. When a student is not in the class, and is not on the absence list, the teacher calls down to the office. The student services team then searches for that student. If the student is found they will be returned to class <i>with teacher-facilitated discipline</i>. If the student has cut multiple times, they may be referred to the Dean's office. <i>Possible suspension may result from this infraction.</i></p>
<b>DISRUPTING THE LEARNING ENVIRONMENT</b>	<p>When a student's behavior makes it impossible for others to learn, action will be taken. A student may be referred to the Dean's office for conferencing. <i>Suspension from school may result from continuous disruptions.</i></p>

<b>DRESS CODE</b>	<p>While dress is a form of individuality and expression, nearly every public environment, from the workplace to the golf course, has set expectations about the appropriateness of attire. The basic guidelines of decency, modesty, good taste, cleanliness, and practicality should prevail in all issues of student dress. No pajamas and/or slippers are allowed. Dress for an environment of learning. Students who dress inappropriately will be spoken to and/or sent home. Continued inappropriateness will result in further disciplinary actions. <i>Students may be given clothes to cover up, have their parents contacted, as well as face possible suspension.</i> Administrative decisions in interpreting the above mentioned will be final.</p>
Brief and Revealing Clothing	<p>The community must recognize that brief and revealing clothing are not appropriate apparel for the learning environment. The following guidelines are examples and do not cover all situations. All garments must fit closely under the arms and have no torso or midriff visible. Students should not wear halter tops, tank tops strapless tops, or “see through” garments. Skirts and shorts must be at an appropriate length (stand with arms by side, shorts must be longer than fingertips reach). All undergarments must not be visible. Students should not wear pants that expose undergarments when standing.</p>
Violent, Vulgar, Offensive Messages	<p>Students shall not wear items of clothing that contain messages that are vulgar, offensive, obscene, or that denigrate others on the basis of race, color, religion, gender, gender identity, sexual orientation, or disability. All items of clothing that promote alcohol, drug use, violence, or that are otherwise contrary to the school’s common principles and values are prohibited.</p>
Accessories	<p>Sunglasses are not permitted to be worn in the school building except for medical purposes. Students may wear headbands, but shall not wear headbands that cover the face. Students shall not wear bandanas that are hung or displayed from pants, or wigs except for medical or religious purposes. Any items that cover the majority of the head, including scarves and other items previously listed are out of compliance with the Sizer School dress code. Bedroom slippers and blankets are not appropriate school attire. Chains worn on pants, protruding studs from clothing, or sharp objects on clothing or jewelry will not be permitted due to the potential of damage, safety, and/or injury. Multi-finger rings connected by a metal bar are prohibited from school; possession of these types of rings may result in disciplinary action. Shoes are to be worn at all times.</p>
Hats	<p>Students may wear hats and hoods; however, no distracting headgear, including costume wear, will be allowed in the school building except for medical or religious purposes.</p> <p>Students wearing hats and hoods must keep a majority of the face clearly visible throughout their school day.</p>
<b>DRUG POLICY</b>	<p>Any student who possesses, distributes, is under the influence of and/or sells drugs will be subject to suspension/expulsion. For the purpose of this policy, drugs include but are not limited to: prescription medications, marijuana, as well as all drugs defined by M.G.L. c. 94C of Mass. General Laws. <i>Suspension and/or expulsion may result and the appropriate legal authorities may also be contacted for further action.</i> Regardless of what the current law may be, students found in possession of substances including, but not limited to, “synthetic marijuana” (“Spice” or “K2”), Salvia Divinorum,” “bath salts,” inhalants or over the counter drugs will be subject to potential suspension from school. Students who are abusing substances may use Sizer School counseling resources to obtain information and referrals for help. At Sizer School, we are all responsible for keeping the learning environment as safe and orderly as possible. Anyone involved with drug activity is not working towards that goal.</p>
<b>ELECTRONIC DEVICES</b>	<p>Students are allowed to bring electronic devices (MP3 players, IPODs, game systems, headphones, etc.) to school, and allowed to use them before or after the school day, or with teacher permission. At all other times, these items should be kept in backpacks or lockers and turned off. Sizer School is not responsible for the loss or damage of any such devices. Continued abuse of this policy will result in confiscation of the device, parent contact, and possible revoking of the privilege of having electronic devices here at Sizer School.</p>

<b>FAILURE TO COMPLY WITH DISCIPLINARY INTERVENTIONS</b>	Sizer School disciplinary interventions are designed to hold students accountable and/or to provide students with the opportunity to learn and develop new skills. Any student who refuses or fails to comply with any disciplinary intervention imposed by the school will be subject to further disciplinary action, up to and including suspension from school for a period of up to ninety (90) days.
<b>FIGHTING</b>	Any student that is involved in a fight will be brought to a suspension hearing immediately. Fighting will not be tolerated in our community. <i>The student involved may also face potential suspension of up to 90 (ninety) days.</i> Physical contact is taken seriously by all members of Sizer School and has a direct impact on our ability to keep the school a safe and orderly learning environment.
<b>FIREARMS/WEAPONS</b>	Bringing any weapon to school (knowingly or unknowingly), using a weapon on school grounds or at a school activity, or having a weapon in a locker or on the bus are grave offenses, are against school rules and regulations, and are against the law. <i>Suspension and/or expulsion and contact with legal authorities may be a result of this behavior.</i>  <i>Weapons can include knives, guns, razors, chains, or any other object sharpened into a blade and any item used to cause injury or threaten injury. Students found in possession of any knives, guns, bats, bottles, explosives, fireworks, etc. or realistic facsimiles thereof, will be subject to the penalties stated above. Under Massachusetts law, the Principal shall exercise discretion and authority in determined whether an item or material constitutes a weapon.</i>
<b>GAMBLING</b>	Students are prohibited from any type of gambling while at school. This includes, but is not limited to, playing of cards with wagers and participation in pools.
<b>GANG AFFILIATIONS</b>	Gang issues are a priority concern of all public schools. Any gang activity is strictly prohibited on school grounds or at any school activity. A gang is defined as an organization, either formal or informal, of three or more persons that <i>have a common name, identifying sign(s), and members who individually or collectively engage in criminal activities.</i> (See MA General Laws, Chapter 265, Section 44).  Gang criminal activity includes, but is not limited to, intimidating others, threatening others, or participating in, and/or enticing others to participate in any form of physical violence involving persons or property. Other activity could be the display or possession of gang symbols, soliciting others for membership, requesting payment of dues, bullying, harassing, degrading, disgracing, or any other activity that may cause harm to another in the community.  Gang identifiers, which may change periodically, will not be allowed to be displayed by any member of the Sizer School community at any time during school, at school sponsored activities, or at school events. Students may not display any sign, gesture, handshake, insignia, symbol, color, combinations of colors, apparel or accessories which have been designed as gang identifiers. Examples of gang identifiers include but are not limited to: 5-6 point stars, arrows, pitchforks, crowns, identifying numbers, or groups of names or initials, certain articles or combinations of clothing. This list of identifiers may be updated at any time. We realize that students may become involved in gang activities without fully understanding the consequences of such membership. Gang violence and prevention information shall be made available to all students as appropriate. Notification of parents, suspension from school, and parent conferences can all result from this type of activity.
<b>HABITUAL SCHOOL OFFENDER</b>	At Sizer School we expect all students to manage themselves and their behaviors in accordance with school expectations. Any student who habitually violates the Sizer School code of conduct may be subject to suspension from school for a period of up to ninety (90) school days. Sizer School may also file a Habitual School Offender CRA Petition with the juvenile court.

<b>HARASSMENT</b>	Harassment of any kind does not belong at Sizer School. This type of behavior not only can have disciplinary consequences, but legal consequences as well (see Appendix). Any student found to be harassing anyone in the community may be suspended from school. At Sizer School we expect all individuals to treat each other with respect and dignity. We are committed to creating and maintaining an atmosphere in which no members of the community are subjected to such treatment.
<b>SEXUAL HARASSMENT</b>	Sexual harassment in any form is not allowed at Sizer School. Sexual Harassment is defined, in part as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct which interferes with work performance or creates a hostile environment. A hostile and intimidating environment can include the use of profanity, name-calling, telling off-color jokes, making sexist comments and innuendoes, or showing explicit or offensive pictures. The range of behaviors includes leering, pinching, grabbing, suggestive verbal comments, spreading sexual gossip, pressure for sexual activity and any unwanted physical conduct of a sexual nature. Violations of this policy may result in initiation of parent contact and restorative action planning. <i>Possible suspension may result from this behavior.</i>
<b>HAZING</b>	“Hazing” is defined by law as; any conduct or method of initiation into any student organization whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress. This also includes extended deprivation of sleep or rest or extended isolation. Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action. This type of behavior is against the law in Massachusetts (Chapter 269, Section 17 of General Laws). Anyone who is found to be hazing another student shall be brought forth to the appropriate legal authorities, as well as face school disciplinary action.
<b>HORSEPLAY</b>	Horseplay is any behavior that is perceived as unsafe either by a participant or an observer. Sharing space with others requires us to be thoughtful about how our behaviors affect those around us. We are each responsible for behaving in ways that demonstrate respect for ourselves and for others. All members of the community should be able to move around school without concern of being accidentally bumped or pushed over. Horseplay is behavior that is, or has potential for becoming, unsafe to you, others, or to your surroundings. Some examples of horseplay are: picking up other students, hitting, biting, knocking students against the wall, fooling around near breakable objects, etc. <i>Possible suspension may result from this referral.</i>
<b>INSUBORDINATION/ REFUSAL TO FOLLOW DIRECTIONS</b>	One of the Sizer School 6 is Voice. While all students are encouraged to speak their minds and be themselves, students must be aware of the appropriate time, place and circumstance to do so. A directive by any adult in the building must be followed. This ensures that we can keep a safe and orderly school. By not following a directive (being insubordinate), a student compromises that safety. <i>Possible suspension may result from this referral.</i>
<b>LEAVING SCHOOL BUILDING/PROPERTY</b>	While in school, the student is the school’s responsibility. Leaving the building/property during the school day is unacceptable because the school cannot ensure the student’s safety. Any student needing to go outside for any reason must have permission from an adult in the building. Once a student is dropped off on school property, the student must remain on the premises. No student will be allowed to leave school grounds and then return without proper permission. Any student leaving the building/property without permission may be referred to the Dean’s office. <i>Possible suspension may result from this referral.</i>
<b>MAJOR LAB SAFETY VIOLATION</b>	Sizer School science labs are a place for learning and exploration of scientific concepts. Maintaining the safety of these environments is critical so that students and teachers do not become injured as a result of misbehavior. Any inappropriate behavior that results in injury to a Sizer School student or staff member may be referred to the Dean’s office. <i>Possible suspension may result from this referral.</i>

<b>PUBLIC DISPLAYS OF AFFECTION</b>	Students will be expected to use discretion and good judgment regarding the ways in which they physically behave with one another in school or at a school sponsored event. It is each student's responsibility to learn to behave appropriately in the company of others. Students are expected to refrain from behaviors that they expect, or that they have been told, create discomfort or distraction for others. <i>Possible suspension may result from this referral.</i>
<b>COMPUTER ACCEPTABLE USE POLICY</b>	In order for a student to use the Sizer School Internet connection, they must read and sign the Technology Policy document. The most important prerequisite for someone to receive access is to take full responsibility of their actions while on the internet. All users shall assume full liability: legal, financial, or otherwise for their actions. Sizer School will not be liable for anyone connecting to the internet through this hookup. Failure to abide by the regulations set forth by the technology policy or any other inappropriate use of school computers shall result in the loss of the student's computer account pending administrative review and possible disciplinary action (see Student Acceptable Use Policy for more detail).
<b>THEFT</b>	Sizer School strives to be a community of integrity, safety and responsibility. Theft has no place here. Lost or stolen items should be reported immediately to any adult in the building. If an item is found by a student, it should be brought to the main office for safe keeping. All efforts will be made and an investigation will take place in order to find the lost or stolen item(s). If a student is found to be in possession of stolen property, or in the act of stealing, the consequences will be serious. <i>Restitution and suspension may result from this behavior.</i>
<b>THREATS</b>	Sizer School will be a safe and orderly school environment. Threats made by any member of the community are taken very seriously. As a community, Sizer School will not tolerate any threats made either directly (verbal or written) or indirectly (through another party, on the computer, etc.). <i>Peer mediation may be able to solve some incidents; however, possible suspension may result from this referral. A threat against a member of the school staff which places the staff member in fear of imminent harm may constitute an assault and may result in the student's expulsion from school in accordance with M.G.L. c. 71, § 37H</i>
<b>TOBACCO</b>	Tobacco and nicotine delivery devices are not allowed on the Sizer School campus. Massachusetts State Law prohibits smoking or the use of smokeless tobacco or nicotine delivery devices in any part of the building, on school grounds, on school transportation, or on school sponsored trips by anyone. Students are not to be in possession of any type of tobacco products or paraphernalia while in school or at a school sponsored event. These items include but are not limited to: cigarettes, lighters matches, e-cigarettes, "vaping" devices, smokeless tobacco. Such items will be confiscated and returned to a parent/guardian upon request. Any student found to be in violation of this policy may be suspended from school.
<b>TRUANCY</b>	A student will be considered truant when they are absent from school for more than eight (8) days of unexcused absence in a quarter. Students who are continuously absent from school must participate in a Family Group Decision Making Conference. Students who are repeatedly truant, and their parents, will be referred to the juvenile court via a Child Requiring Assistance Petition or via a Failure to Cause Attendance criminal complaint.
<b>UNACCEPTABLE LANGUAGE</b>	While all students are encouraged to speak their minds and be themselves, students must also monitor their voices with regard to appropriate time, place and circumstance. Unacceptable language is not a part of the community here at Sizer School. Everyone interprets language differently, so it is important that students are aware of the language they use and how it may affect members of the community. Unacceptable language includes more than just being profane. Vulgar, derogatory, or belittling words are other examples of unacceptable language. <i>Possible suspension may result from this referral.</i>

<b>VANDALISM</b>	As a community here at Sizer School, we take pride in where we go to school. It is expected that all members of the community will treat all aspects of the school with respect. School vandalism is considered a community wide issue and responsibility. Any person(s) caught defacing, destroying, or altering any object of school property or property of any other person, will be reported to the owners. Those responsible will clean, repair, and reimburse for value of the objects that have been damaged. Parents may be called if the vandalism is serious enough, or if this has occurred more than once for this person(s). In keeping with the Sizer School value of community, if no one admits to the vandalism, advisories may be chosen at random to assist in the cleanup efforts. <i>Possible suspension may result from this referral.</i>
<b>VERBAL ASSAULT</b>	We strive to keep your learning environment at Sizer School safe and orderly. Verbal Assault is defined as unprovoked or unwarranted spoken speech that is violent, hostile, attacking, threatening, profane, antagonistic, intimidating, and/or loud, or any combination of these. Generally, the more of these elements that are present, the more severe the assault; however, any one element alone or in combination with others may constitute verbal assault. <i>Possible suspension or, in cases involving assaults of a member of the school staff, expulsion may result from this referral.</i>

## DISCIPLINE AND STUDENTS WITH DISABILITIES (P2405)

Students with disabilities are entitled to heightened due process protections when subject to disciplinary removals or exclusions that will result in a disciplinary change in placement. These requirements shall apply to the following groups of students:

1. Students who have been determined to be eligible for special education in accordance with the Individuals with Disabilities Education Act and/or M.G.L. c. 71B;
2. Students currently undergoing an evaluation of eligibility for special education in accordance with the Individuals with Disabilities Education Act and/or M.G.L. c. 71B;
3. Students who have been found eligible for the protections set forth in Section 504 of the Rehabilitation Act of 1973
4. Students whom the District has reason to know may be eligible for special education services:
  - The parent of the child expressed concern in writing to supervisory or administrative personnel of the District or to a teacher of the child, that the child is in need of special education and/or related services;
  - The parent of the child requested an evaluation of the child's eligibility for special education services which has not yet been completed; or
  - The teacher of the child, or other District personnel, have expressed specific concerns about a pattern of behavior demonstrated by the child directly to the director of special education of the agency or to other supervisory personnel of the agency.

The following procedures apply to the suspension of students with disabilities when suspensions exceed ten (10) consecutive school days or when a student with a disability has been subjected to a pattern of short-term disciplinary removals exceeding ten (10) cumulative days ("disciplinary change in placement"):

- A suspension of longer than ten (10) consecutive school days in a school year or a pattern of short term suspensions that exceed ten (10) school days in a school year and constitute a pattern of removal and are considered to constitute a disciplinary change in placement. Within ten school days of decision to impose a disciplinary sanction that would result in a disciplinary change in placement of a student with a disability, building administrators, the parents and relevant members of the student's IEP/504 Team will convene to determine whether the violation for which the student is subject to a disciplinary change in placement was caused by or

directly and substantially related to the student's disability or was the direct result of a failure to implement the student's IEP or Section 504 Plan.

- If the Team determines that the behavior is NOT a manifestation of the disability, the student may be disciplined in accordance with the policies and procedures applicable to all students except that students eligible for special education services under the Individuals with Disabilities Education Act shall be entitled to a free appropriate public education as of the eleventh (11<sup>th</sup>) day of disciplinary exclusion in the school year. Where appropriate, the Team may recommend a functional behavior assessment of the student.
- If the Team determines that the behavior IS a manifestation of the student's disability, the student will not be suspended or expelled for the violation. The school will promptly convene the Student's IEP or Section 504 Team to develop a functional behavior assessment plan or to review any existing behavior intervention plan.

Regardless of the manifestation determination, the school may place the student in an interim alternative setting (as determined by the Team) for up to forty-five (45) school days if the behavior involves weapons or illegal drugs or another controlled substance while at school or at a school function or if the student causes substantial bodily injury to another at school or a school sponsored event. The school may also, with authorization from a Bureau of Special Education Appeals Hearing Officer or a court of competent jurisdiction, remove a student to an interim alternative educational setting for 45 school days upon a showing that the student is substantially likely to injure themselves or others if the student remains in the current placement.

The parent and student shall have the right to appeal the Manifestation Team's determination, the imposition of a disciplinary change in placement, and/or the student's placement in an interim alternative educational setting. The student will remain in the disciplinary placement determined by school authorities pending a decision on the appeal or until the expiration of the disciplinary sanction, whichever comes first.

Where an eligible student with a disability has been subjected to repeated disciplinary action which does not rise to the level of a disciplinary change in placement, the student's section 504 Team or IEP Team will be convened to consider the student's conduct and the need for additional evaluations of, or services to, the student.

If a request is made for an evaluation of a child during the time period in which the child is already subject to disciplinary measures, the evaluation must be conducted in an expedited manner. Until the evaluation is completed, the child remains in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.

## **SEARCH and SEIZURE (P2407)**

School officials maintain the right to search students and their belongings (book bags, purses, vehicles, etc.) when the school has determined that reasonable suspicion exists that the student possesses any item in violation of school policy or in violation of the law. Lockers (P2031) are assigned to students but the school maintains ownership and maintenance of all lockers. Lockers and other areas/items (flash drives, desks, parking lots, etc.) owned and/or controlled by the school are subject to inspection by school personnel at any time. Sizer School may also search students' electronic devices (iPods, cell phones, flash drives, etc.) if school personnel have reason to believe the device is being used in violation of school rules. Sizer School reserves the right to use other means to search school property, including, but not limited to, use of a hand

held metal detector if there is reasonable suspicion that a student may be concealing a weapon or other illicit item. Sizer School partners with law enforcement and may employ the use of drug sniffing dogs to deter illicit possession of drugs in any area over which the school maintains responsibility.

Examples of items subject to this policy include, but are not limited to, drugs, weapons (real or facsimile), pornography, counterfeit or stolen goods, fireworks, explosives, and/or alcohol.



## ***SCHOOL ACTIVITIES***

The following are examples of Sizer School activities, clubs and sports:

Baseball	Yearbook Advisory	Track
Fitness Club	Community Service	Cross Country
Peer Mediation	Basketball	Soccer
Student Ambassadors	Field Hockey	Drama Club / Chorus
Photography Club	Lacrosse	Softball

*Students must meet eligibility requirements in order to participate in extra-curricular activities such as those listed above.*

A variety of other activities are also available through the Sizer School After-School Program.

### **ATHLETIC ELIGIBILITY - MIAA RULES (P2101)**

Students who wish to participate on a school-sponsored athletic team must meet Massachusetts Interscholastic Athletic Association (MIAA) eligibility requirements. The violation of any eligibility rules may result in a forfeiture of a game won or the elimination of a player from participation for one year. MIAA rule 58.1 requires that students be passing the appropriate number of courses **per quarter** (not semester) in order to be eligible to participate in sporting events. Sizer School requires that student athletes pass four courses each quarter. If, in your opinion, there is any doubt concerning your eligibility, consult with the athletic director. The rules apply to all teams: varsity, junior varsity, sophomore and freshman; all grades, and to both girls' and boys' sports. The Board of Control of the MIAA will resolve all questions on eligibility. Please reference their website for additional information: [www.MIAA.net](http://www.MIAA.net).

### **DANCE POLICY (P2102)**

All school rules apply at all school sponsored events, including a dance. Dress code, behavior and the Sizer School Six are all applicable during such events. All disciplinary actions regarding behavior will be handled according to the student handbook.

- No drugs, alcohol, mind altering substances or weapons of any kind. If a student arrives under the influence they will be sent home immediately when appropriate. Parent contact will immediately be initiated as will school disciplinary process. Sizer School reserves the right to contact appropriate law enforcement agencies.
- Students not currently enrolled at Sizer School who have completed the appropriate paperwork ahead of time will be admitted at the discretion of the administration.
- Keep to designated areas. If students leave the dance they will not be readmitted. Students will not be allowed to loiter outside the event.
- No overtly sexual behavior or unwanted touching.
- Breaking a rule will be cause for immediate removal from the dance.

## ***GENERAL INFORMATION***

### **HOLIDAYS**

**The following holidays are observed by Sizer School. Classes will not be held on the day the holidays are observed.**

- Columbus Day
- Veterans Day
- Thanksgiving
- Christmas
- New Year's Day
- Martin Luther King Jr. Day
- Presidents Day
- Patriots Day
- Memorial Day
- Juneteenth

### **BEFORE AND AFTER SCHOOL (P2103)**

- **Before School Procedures:** The school building opens for students at 7:25 a.m. Students who arrive at school earlier than 7:25 must have made previous arrangements to do so. Students wait in the designated locations until 7:52 when they are allowed to head to class. Students will only be allowed to access other areas of the building if they have made an appointment with a particular staff member or are in a school activity that is meeting before school. Detailed procedures may be found below:

#### **All Students**

- The doors to the school will open at 7:25AM each morning. We are asking that parents drop their child off at school after 7:25 or remain with their child inside their vehicle until 7:25. All students must immediately enter the building once the doors open.
- Food may be consumed only in the cafeteria. When the bell rings at 7:52AM, all food must be eaten, put away or thrown away. Food may not exit the cafeteria.
- Upon entering the building:
  - Middle School students must report to and remain inside the Cafeteria until 7:52.
  - High School students must report to and remain inside the gymnasium until 7:52.
  - High school students wishing to eat breakfast may report to the cafeteria
  - No students will be allowed to remain in the lobby/atrium area of the school.
- Students must put all electronic devices away prior to exiting the cafeteria or gymnasium.

#### **Middle School Students**

- Middle School Students must enter the school through door #2 (cafeteria door).
- Students must remain inside the cafeteria until 7:52.
- Students may not access any other area of the building without a pass from a Sizer adult.
  - Students may **NOT** walk around the building looking for teachers.
  - No students are allowed to be in the academic wing of the building without prior approval.

### **High School Students**

- High School Students eating breakfast must enter the school through door #2 (cafeteria door) and must remain in the cafeteria while eating. All other students must enter the school via the main entrance and report directly to the gymnasium.
- Students must remain inside the gymnasium until 7:52. Students who need breakfast in the morning may report to the cafeteria, but must transition to gymnasium upon finishing breakfast.
- Students may not access any other area of the building without a pass from a Sizer adult.
  - Students may **NOT** walk around the building looking for teachers.
  - No students are allowed to be in the academic wing of the building without prior approval.

Once on School Grounds, a student is **NOT** allowed to leave school grounds for any reason unless dismissed by a parent/guardian/administrator or until school is dismissed for the day.

***All school rules apply before, during and after the school day, at school sponsored events, and on school buses. For disciplinary purposes, Sizer School maintains the right to impose school disciplinary measures for conduct which occurs during travel to and from school for any offense committed that is in violation of the Student Handbook.***

#### **• After School Procedures:**

- **By 3:00PM all** students must have exited the classroom and common areas. The only exception is for students who remain after school for a pre-arranged activity with a staff member.
- Students' waiting for rides or for the subscription van must wait in the front outer lobby (AKA: Airlock) or outside and are responsible for meeting their ride without supervision.
- Students exiting the building should proceed directly to their ride, after school sports bus, the MART bus stop or home.
- School policies are in effect at all times for students riding buses and participating at off-site extracurricular activities.
- **All students not staying after school for a pre-arranged activity should be picked up no later than 3:00PM.** The only exception is for students who remain after school for a pre-arranged activity with a staff member.
- Students involved in extra-curricular activities (including after-school clubs) must be picked up promptly at the end of the activity. Students who are not picked up promptly may not be allowed to continue to participate.
- All students' after-school activities **MUST** have adult supervision.
- Once students have left the building at the end of the day, they will not be permitted back into the building unless participating in a scheduled school activity.

### **Extracurricular Time Guidelines**

1. Students must be in a program, sport, or supervised space if in the building after the school day ends (3:00pm).
2. Being in the building after the school day ends is a privilege and students will act accordingly.

3. Once a student leaves school property they will not be allowed to return until 15 minutes before their after school activity/sport begins.
4. Students who are out of compliance will be asked to leave the building and parents will be called. (A pattern of such behavior will result in that student being terminated from the after school program.)
5. Students staying for afterschool academic supports must make arrangements to be picked up by 3:30pm. It is not the teacher's responsibility to stay with the student following academic supports services.
  - a) Students' waiting for rides must wait in the front outer lobby (AKA: Airlock) or outside and are responsible for meeting their ride without supervision.
6. Families are responsible for making transportation options for picking up their student in a timely fashion at the completion of their program or sport.
7. For sport related questions, please contact the Athletic Director.
8. For Teacher Help questions, please contact that teacher via email. Last name, first name initial @sizerschool.org

Thank you in advance for your assistance in assuring that our students are receiving the most of their time at Sizer School. Families are responsible for making transportation options for picking up their scholar in a timely fashion at the completion of their program or sport.

## **DRIVING ON SCHOOL GROUNDS/STUDENT PARKING REGISTRATION (P2105)**

Seniors and Dual Enrollment students who have successfully obtained their driver's license may apply for a parking permit to park their vehicle on campus. All other students who have obtained a license and drive to school must park off campus on Whittemore Street or other public parking. If a student is found to be driving to school without the appropriate permits that student's vehicle will be towed at their expense. Permits must be displayed from the rear view mirror at all times the vehicle is parked on campus. Permits may be revoked for failure to comply with any school rules or regulations. Students are not allowed to park in teacher/faculty parking areas. For permits, please see student service. Permits must be returned at the end of the school year, or upon withdrawal. Students will be assessed a fee for lost permits.

Owners are responsible for their vehicles at all times, regardless of who may be driving. Students must register their vehicles if they will be parked on campus with the Dean's office. Caution should be used at all times when driving. Riding on the hood, bumpers, or any other exterior part of a vehicle is prohibited. In addition, blocking traffic, "live" parking in roadways or parking lots, speeds in excess of 15mph, hot-rodding, screeching tires, and other actions which are disruptive to the school and/or dangerous to people are prohibited. Sizer School is not responsible for any theft, damage, etc. that may occur.

Pedestrians, school vans, and school buses always have the right of way on campus.

## **LOCKERS AND OTHER SCHOOL PROPERTY (P2031)**

Each student is responsible for their own locker. Lockers are not to be shared. Lockers are the property of the school, and can be searched at the discretion of the Administrators at any time. Students are responsible for the contents of their lockers. We strongly suggest that lockers and combinations not be changed or shared with other students. Students should not 'rig' their lockers to stay unlocked either. Students who do so may have their locker privileges

revoked. Students who are having any type of difficulty with their lockers should go to the main office for help.

## **LOST AND FOUND (P2032)**

Students are requested to take any textbooks, clothing, and all other articles which they find to the main office. Here the articles may be claimed by owners. *The school directs that you do not bring valuables or large sums of money to school as the school cannot assume responsibility for these items if lost.* Items left in the lost and found area for more than 3 weeks will be removed from the school. *Sizer School IS NOT RESPONSIBLE FOR LOST OR STOLEN ITEMS.*

## **LUNCH/CAFETERIA/BEVERAGES**

The cafeteria is intended to be a pleasant place where students may eat lunch in a relaxed atmosphere. Students may bring their own lunch or purchase a school lunch. *Students are absolutely not allowed to order or to have take-out brought into or delivered school, except as allowed by senior lunch privilege.* Good behavior is expected at all times. In order for lunch services to be as efficient as possible, student cooperation is necessary. Students are expected to follow the guidelines listed below:

- Neatness and cleanliness are everyone's responsibility. Nothing should be left on the tables at the conclusion of lunch.
- Each division is responsible for cleaning up after the scheduled lunch time.
- Students may not take food or drinks from the cafeteria, except for water.
- No food or drinks are to be brought into hallways or classrooms by students.
- Students must go to the cafeteria only during their assigned lunch.
- All students will remain in the cafeteria during their lunch time. Students must ask for permission to leave the cafeteria during this time.
- Students are not permitted to leave the school grounds to pick up or order lunch without permission from school administration.

Students in Division I and Division II may bring water to class in a sealable container with the permission of their teacher. Students in Division III may bring other beverages such as tea or coffee into classes with the permission of their teacher. Any beverages purchased at commercial restaurant may not be consumed in the cafeteria during lunch period.

## **SENIOR LUNCH PRIVILEGE**

Eligible seniors will be permitted to leave campus on designated days to eat lunch off site or to pick up lunch and return to school. Only seniors who are passing ALL courses are eligible for senior lunch privilege. Seniors are expected to follow the guidelines listed below:

- Any outside lunch ordered from a restaurant may not be eaten in the cafeteria
- Seniors are expected to return to school on time for their next assigned period
- Once a senior arrives back into the building, they will not be allowed to leave again without permission from the main office

## **PROBLEM/CONCERN PROTOCOL**

A student or parent/guardian who may be experiencing difficulty or problems with a particular course or staff member *should first speak with the staff member.* If the result is not satisfactory,

the student or parent/guardian should then speak with the appropriate Principal/Director. The next route of appeal is the Executive Director and finally the Board of Trustees.

## **RELEASE OF STUDENT NAMES AND ADDRESSES (P2011)**

The release of student record information without written parental consent is generally prohibited by the federal Family Educational Rights and Privacy Act (FERPA), which applies to all schools that receive federal funds, and the Massachusetts Student Records Regulations (Mass SRR). Both FERPA and the Mass SRR allow schools to release the names and addresses of students, as well as other "directory" information, without prior parental consent, provided they give notice that it is their policy to release such information and they notify parents and eligible students of their right to request that this information not be released without their prior written consent.

In order to comply with the mail house provision of the charter school statute, M.G.L. c. 71, § 89(g), all schools must include in their student handbook, or the routine information letter the school publishes under section 23.10(1) of the Mass SRR, notice that the school will release the names and addresses of students to a third party mail house, upon request, unless the parent or eligible student objects to such release. The release will occur upon the request of a school district.

At Sizer School you are given an opportunity to opt your child out by checking the appropriate box on the opt-out form in the registration packet. If you later decide to opt your child out, please contact the front office for instructions.

## **SCHOOL BUS RULES and REGULATIONS (P2106)**

Bus transportation is available to eligible students and is a privilege for our students. The school day begins when the student boards the bus and ends when the student exits the bus. During this entire period the student is under the jurisdiction of the school administration. All school rules apply when students ride the buses. Misconduct of any kind on a bus may result in suspension from the bus as well as other disciplinary action.

## **SECURING OUR BUILDING: ALICE PROGRAM and FIRE DRILLS**

In the event of a drill or real emergency, our school community will practice the use of skills developed in the ALICE (Alert Lockdown Inform Counter Evacuate) Program. In the event of an evacuation of Sizer School, students and staff will re-locate to a rally point. At this location, decisions regarding parent pick-up and reunification will be made and communicated. Everyone is to adhere to all rules and regulations set forth within this handbook with regard to behavior when a fire alarm, drill or actual emergency takes place. The signal for a fire drill is the alarm continuously sounding. For your protection and that of others, you must observe the Fire Drill Procedures posted in every classroom. The following procedures must be followed:

- Walk quickly and quietly to a safe distance from the building. Students must report to the adult responsible for them that period. If the drill occurs in between classes, students should report to the adult of the class to which they were going.
- When the drill is over, re-enter the building promptly and quietly. Proceed directly to the class you were in when the alarm sounded unless otherwise directed.
- The school community will be alerted to any situation requiring an ALICE response. This alert may come from a variety of means, including public address system, text messages, person to person contact, etc.

## **SHARING PERSONAL ITEMS (P2036)**

Students must be aware that if they share personal items, such as cell phones, lockers, hats, music devices, etc., they are still responsible for those items. This applies if loaned items are confiscated from someone else.

## **SKATEBOARDS/IN-LINE SKATES/BICYCLES (P2104)**

Skateboarding, in-line skating, and bicycles, like other activities in which wheels are substituted for feet, can lead to serious injuries. The risk of injury can be reduced by certain precautions:

- Parents should understand and be willing to accept the risk of injury.
- Students are required to wear, at minimum, a helmet while on school grounds. Other protective gear is encouraged, but not required.
- Responsible behavior on the part of the skaters/bikers is the most important factor in avoiding injury. No horsing around, no pushing or interfering with other skaters/bikers, and always stay in control.
- Never skate around traffic or in crowded areas. This includes the streets and walkways, and special caution must be used while on school grounds.
- Students **MUST** arrange for appropriate adult permission and supervision.
- Bicycles/equipment should be secured during the day. Sizer School is not liable for lost or stolen property.
- Skateboards/equipment should be put in lockers and cannot be carried around the school from classroom to classroom.
- **Sizer School is not liable for any injury related to these activities**

## **VISITORS**

Parents and community leaders (the Sizer School family) are encouraged to visit the school. All visitors must sign in at the main office and receive a visitor pass that must be worn and visible during their time in the school. **NO ONE, INCLUDING A PARENT/GUARDIAN, IS ALLOWED TO WALK THROUGH THE SCHOOL WITHOUT AN ESCORT.** This includes before and after school hours. We encourage parents to volunteer when they can and appreciate any and all assistance we get from the Sizer School family.

Students from other schools, not accompanied by adults, may visit Sizer School only through prior arrangements. These visits are designed as informational visits/shadows. Appropriate parental/guardian consent is required for shadow visitors.

### Title IX Sexual Harassment Grievance Procedure

#### OVERVIEW

Sizer School is committed to maintaining school environments free of sexual harassment.

Sexual harassment in any form or for any reason is prohibited. This includes sexual harassment by administrators, personnel, students, vendors, and other individuals in school or at school related events.

Sizer School does not discriminate on the basis of sex in its educational programs or activities and is required by Title IX not to discriminate on the basis of sex. Such non-discrimination also extends to admissions and the employment application process. Retaliation against any individual who has brought sexual harassment to the attention of school officials, or against an individual who has participated, or refused to participate, in the investigation thereof is unlawful and will not be tolerated by Sizer School.

#### SCOPE

The Title IX Sexual Harassment Grievance Procedure has been developed in accordance with the revised Title IX regulations, 34 CFR Part 106, effective August 14, 2020, which established a new definition of sexual harassment under Title IX and which mandate specific procedures for responding to and investigating allegations of sexual harassment under Title IX.

The Title IX Sexual Harassment Grievance Procedure applies only to allegations of sexual harassment under Title IX, which includes harassment based on sex, sexual orientation, and/or gender identity, and is defined in the Definitions section below.

The Title IX Sexual Harassment Grievance Procedure applies to conduct that occurs within the United States in an education program or activity of Sizer School, regardless of whether such program or activity is conducted on or off school grounds. A Sizer School education program or activity includes locations, events, or circumstances over which Sizer School exercised substantial control over both the respondent and the context in which the sexual harassment occurred.

Allegations of conduct that meet the definition of sexual harassment under Title IX will be addressed through the Title IX Sexual Harassment Grievance Procedure. Allegations of conduct that meet the definition of sexual harassment under Title IX, and simultaneously meet the definitions of sexual harassment under Title VII of the Civil Rights Act of 1964 (employees), M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will also be addressed through the Title IX Sexual Harassment Grievance Procedure.

Allegations of conduct that do not meet the definition of sexual harassment under Title IX, but could, if proven, meet the definition(s) of sexual harassment under Title VII (employees), M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will be addressed through Sizer School's Civil Rights Grievance Procedure. (See exception under Section II, Part 4, Step 4



below). The definitions of sexual harassment under Title VII, M.G.L. c. 151B, and M.G.L. c. 151C are set out in the Civil Rights Grievance Procedure.

Sizer School's Civil Rights Grievance Procedure is available at:  
<https://www.sizerschool.org/content/policies>

## **CONFIDENTIALITY**

Sizer School will keep the identity of complainants, respondents, and witnesses confidential, except as permitted by the Family Educational Rights and Privacy Act (FERPA), as otherwise required by law, and/or as necessary to carry out this Procedure.

## **DEFINITIONS**

**Complainant:** An individual who is alleged to be the victim of conduct that could constitute sexual harassment under Title IX. Parents and/or legal guardians of a complainant are not considered a complainant but may file a Formal Complaint on behalf of a minor child and act on behalf of the minor child in any Title IX matter. For the purpose of this Procedure the terms "complainant" and "alleged victim" shall have the same meaning.

**Formal Complaint:** A document or electronic submission filed by a complainant, that contains the complainant's physical or digital signature or otherwise indicates that the complainant is the person filing the Formal Complaint, or a document signed by the Title IX coordinator, that:

- (1) alleges sexual harassment against a respondent; and
- (2) requests that the School investigate the allegation of sexual harassment.

At the time of filing a Formal Complaint, the complainant must be participating in or attempting to participate in Sizer School's education program or activity with which the Formal Complaint is being filed.

**Sexual Harassment:** Under Title IX, the term "sexual harassment" includes three (3) types of misconduct based on sex:

- (1) any instance of quid pro quo harassment by a school employee;
- (2) unwelcome conduct on the basis of sex, including unwelcome conduct based on sex stereotyping or on the basis of traditional notions of masculinity and femininity, that is sufficiently severe and pervasive and objectively offensive conduct, effectively denying a person equal educational access; or
- (3) any instance of sexual assault, dating violence, domestic violence, or stalking as defined below.

**Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system and set out below:

- Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity. In Massachusetts, pursuant to M.G.L. c. 265, § 13B, a child under the age of 14 is incapable of giving consent to indecent touching.

- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent. In Massachusetts, pursuant to M.G.L. c. 265, § 23, the statutory age of consent is 16 years of age.

For the purposes of the definition of sexual assault, the term “consent” shall be defined in a manner consistent with Massachusetts laws.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

**Domestic Violence:** A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Stalking:** Engaging in a “course of conduct” directed at a specific person that would cause a “reasonable person” to fear for the person’s safety or the safety of others or suffer “substantial emotional distress.”

For the purposes of this definition:

- “*Course of conduct*” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveys, threatens, or communicates to or about a person, or interferes with a person’s property.
- “*Reasonable person*” means a reasonable person under similar circumstances and with similar identities to the victim.
- “*Substantial emotional distress*” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

**Party or Parties:** The complainant and/or respondent.

**Principal:** The Principal or Principal’s designee.

**Respondent:** An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**Executive Director:** The Executive Director or Executive Director’s designee.

**Supportive Measures:** Individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the Complainant or Respondent, while designed to ensure equal educational access, protect safety, and/or deter sexual harassment. Supportive Measures may be offered before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Supportive measures available to complainants and respondents include, but are not limited to: counseling; extensions of deadlines or other course-related adjustments; modifications of work or class schedules; campus escort services; mutual restrictions on contact between the parties; changes in work locations; leaves of absence; increased security and monitoring of certain areas of the building and/or campus; and other similar measures. Violations of the restrictions imposed by supportive measures may be considered a violation of school rules and may also be considered in determining whether sexual harassment has occurred.

**Title IX Coordinator:** Employee(s) designated by Sizer to coordinate its efforts to comply with Title IX

## **I. REPORTING SEXUAL HARASSMENT**

- A. **Who May Report Sexual Harassment:** Anyone may report an allegation of sexual harassment.
- B. **How to Report Sexual Harassment:** Individuals are encouraged to report allegations of sexual harassment to the Title IX Coordinator or the Principal, but any Sizer School employee who receives a report of sexual harassment will respond to the report as outlined below.
- C. **Internal Reporting:** Any Sizer School employee who receives a report of sexual harassment shall respond by promptly informing the Principal or Title IX Coordinator of the report. Any Sizer School employee who observes sexual harassment of a student should intervene to stop the conduct and shall promptly inform the Principal or Title IX Coordinator of the incident. If a report involves an allegation against the Principal or Title IX Coordinator, the Sizer School employee shall instead report the allegation to the Executive Director.

Any Principal who receives a report of sexual harassment shall promptly inform the Title IX Coordinator of the report.

- D. **Response to Report:** Sizer School will respond to all reports of sexual harassment promptly and equitably, and in a manner consistent with this Procedure and any other relevant Sizer School procedures and policies. Upon receipt of a report, the Title IX Coordinator shall:
  - (1) Promptly and confidentially contact the complainant to discuss the availability of supportive measures;
  - (2) Inform the complainant of the availability of supportive measures with or without the filing of a Title IX Formal Complaint;
  - (3) Consider the complainant's wishes with respect to supportive measures;
  - (4) If Sizer School does not provide the complainant with supportive measures, document the reasons why such response was reasonable; and

- (5) Explain to the complainant the process for filing a Title IX Formal Complaint. Only the filing of a Title IX Formal Complaint will trigger the Title IX Formal Complaint grievance process, outlined in Section II.

## **II. FILING A TITLE IX FORMAL COMPLAINT**

Only the filing of a Title IX Formal Complaint will trigger the Title IX Formal Complaint grievance process, outlined below.

- A. Who may file a Title IX Formal Complaint: Although anyone may report sexual harassment, only a complainant or a Title IX Coordinator may file a Title IX Formal Complaint. If a complainant chooses not to file a Formal Complaint, the complainant's choice to not initiate an investigation will generally be respected, unless the Title IX Coordinator determines that signing a Formal Complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances. The Title IX Coordinator will take into account concerns articulated by the parties, the best interests of the community, fairness to all concerned, and Sizer School's legal obligations under applicable state and federal laws. Where the Title IX Coordinator signs the Formal Complaint, the Title IX Coordinator is not a complainant or a party during the grievance process and must comply with the requirement to be free from conflicts or bias.
- B. Processing of a Title IX Formal Complaint: Title IX Formal Complaints will be investigated promptly and equitably by the Title IX Coordinator or designee, as follows:

### **Step 1:** Title IX Formal Complaint is filed:

- (1) A Formal Complaint shall state (if known to the reporter or alleged victim) the name(s) of the persons involved, witnesses to the conduct, if any, a description of the conduct, and to the extent possible, the dates and locations of the conduct. A Formal Complaint will not be dismissed solely because it was not completely filled out or it was filled out incorrectly.
- (2) A Formal Complaint may be filed at any time, including during non-business hours. Formal Complaints submitted outside of normal business hours will be deemed received on the following school working day.
- (3) At the time of the filing of the Formal Complaint, the alleged victim must be participating in or attempting to participate in the education program or activity of the school with which the Formal Complaint is filed.
- (4) A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information for the Title IX Coordinator listed in this Procedure, and by any additional method designated by the school.
- (5) Consolidation of Formal Complaints: Schools may consolidate Formal Complaints where the allegations arise out of the same facts.
- (6) Consideration of the use of the Informal Resolution Process with the consent of the parties. See Section II (D).

- (7) Throughout this process, there shall be a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

**Step 2:** Consider Supportive Measures for both the complainant and the respondent: Once a Formal Complaint is filed, the Title IX Coordinator will ensure that supportive measures are considered for both parties. See Section I (D).

**Step 3:** Written Notice of Allegations: Upon receipt of a Formal Complaint, the School shall send written notice of the allegations, including the identity of the parties, to both the complainant and the respondent, if their identities are known. The written notice must include: (1) a statement prohibiting knowingly submitting false information; (2) sufficient details known at the time to allow the respondent the opportunity to respond to the allegations; (3) a statement that the respondent is presumed not responsible for the alleged conduct; (4) that a determination regarding responsibility is made at the conclusion of the grievance process; (5) that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney; and (6) that the parties/advisors may inspect and review evidence in accordance with this Procedure. If in the course of the investigation, Sizer School decides to investigate allegations of sexual harassment that are not included in the initial written notice of allegations, the School shall provide notice of the additional allegations to the parties whose identities are known.

**Step 4:** Consider Whether Dismissal of Formal Complaint Warranted: Some Formal Complaints will be subject to mandatory or discretionary dismissal under Title IX.

- (1) Mandatory Dismissal of Formal Complaint: The Title IX Coordinator shall dismiss a Formal Complaint under Title IX when the conduct alleged:
  - a. even if proved, would not meet the definition of sexual harassment under Title IX;
  - b. did not occur in an education program or activity of Sizer School; or
  - c. did not occur against a person in the United States.
- (2) Discretionary Dismissal of Formal Complaint: The Title IX Coordinator may dismiss a Formal Complaint or allegations therein for purposes of Title IX at any time if:
  - a. the complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the Formal Complaint or allegations;
  - b. the respondent is no longer enrolled or employed by Sizer School; or
  - c. specific circumstances prevent Sizer School from gathering sufficient evidence to make a determination.
- (3) The Title IX Coordinator must provide the parties with written notice of any dismissal of a Formal Complaint and the reasons for the dismissal.
- (4) Dismissal of a Formal Complaint for purposes of Title IX shall not preclude the School from addressing the allegations under any other relevant School policies or procedure(s), including but not limited to, the Civil Rights Grievance Procedure, the Bullying Prevention and Intervention Plan, the Student Code of

Conduct, and/or a collective bargaining contract, nor will it preclude the School from addressing the allegations pursuant to the grievance process set out in Section II of this Procedure. The Title IX Coordinator shall have the discretion to make any such referrals and proceed as appropriate in regard to the allegations.

**Step 5:** Initial Investigation: All Formal Complaints will be investigated by the Title IX Coordinator or other individual designated to serve as the investigator by the Title IX Coordinator. The investigator shall be responsible for seeking and gathering evidence relative to the investigation. Any Formal Complaint against an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. During the Formal Complaint resolution process:

- (1) Standard of Proof: The investigator shall make factual findings based on a preponderance of the evidence standard.
- (2) The burden for gathering evidence and the burden of proof remains on the School, not on the parties.
- (3) Sizer School shall provide equal opportunity for the parties to present fact and expert witnesses and other inculpatory and exculpatory evidence.
- (4) Sizer School shall not restrict the ability of the parties to discuss the allegations or gather evidence (e.g., no "gag" orders).
- (5) Each party may have one (1) advisor of their own selection and at their own expense participate in this grievance process. In the case of a student under the age of 18, this advisor may be in addition to the student's parents/guardians. Any restrictions on the participation of an advisor will be applied equally to each party. The advisor may, but is not required to, be an attorney. Any evidence received by an advisor in this process is subject to confidentiality and may be used only for the purpose of the grievance process. Advisors are prohibited from disseminating or disclosing such evidence outside of the grievance process.
- (6) Sizer School shall send prior written notice to the parties of any investigative interviews, meetings, or hearings in which their participation is invited or expected.
- (7) Privacy of Medical Treatment and Mental Health Treatment Records: Sizer School may not access or use either the complainant's or the respondent's medical, psychological, or similar treatment records unless the School obtains the party's written consent to do so.
- (8) The investigator may impose reasonable timeframes on all parties as required to facilitate the timely completion of the investigation. The investigator may extend any of the timeframes beyond the time periods identified in this Procedure for good cause. If a complaint or report of sexual harassment is received within three (3) weeks of the end of the academic school year, the investigator will attempt to complete the investigation by the end of the school year. In the event that the investigation extends beyond the last day of school, the School will make reasonable efforts to complete the investigation within the above-referenced time frame, but may extend the investigation period to account for the unavailability of witnesses while school is not in session. If the investigator extends the investigation, the investigator will notify the parties of the extension and the reasons therefore in writing.

**Step 6:** Opportunity for Parties to Respond to Evidence: The School must send the parties, and their advisor(s) (if they have one) evidence directly related to the allegation,

in electronic format or hard copy. Parties shall be afforded ten (10) calendar days to inspect, review and respond to the evidence. The School shall not require, allow, rely upon, or otherwise use evidence that constitutes information protected from disclosure by a legally recognized privilege, unless it has been waived by the holder of the privilege.

- (1) Prior to providing evidence to the parties, the investigator may redact confidential information that is not directly related to the allegations or that is otherwise barred from use under Title IX or by privilege (e.g., treatment records), the Family Educational Rights and Privacy Act and/or 603 CMR 23.00. Information that is directly related to the investigation, and that is not expressly barred from disclosure under Title IX (e.g., treatment records), the Family Educational Rights and Privacy Act, and/or 603 CMR 23.00, must be made available for review by both parties.
- (2) The parties and their advisors shall be prohibited from dissemination of any of the evidence for any purpose not directly related to this grievance procedure.

**Step 7:** Completion of the Investigative Report: The School must send the parties, and their advisor, an Investigative Report that fairly summarizes relevant evidence but does not reach any conclusions regarding responsibility, in electronic format or hard copy, within twenty-five (25) school days of receipt of the Formal Complaint, unless otherwise extended for good cause. A copy of the Investigative Report will also be sent to the decision-maker.

**Step 8:** Parties' Opportunity to Respond to Investigative Report: The School shall provide each party ten (10) calendar days for the parties to respond to the investigative report. The Investigative Report will notify the parties of the opportunity to submit to the decision-maker directed questions of the other party and/or any witness within that same ten (10) calendar days. (See Step 9).

**Step 9:** Directed Written Questions from the Parties: After the Investigative Report has been sent to the parties, but prior to reaching a determination regarding responsibility, the decision-maker shall afford both the complainant and the respondent the opportunity to submit to the decision-maker written, relevant questions of the other party or any witness, provide the party with the other party's and/or witness's written responses to said written questions, and allow for additional, limited follow-up questions from each party in writing. Questions that seek disclosure of information protected under a legally recognized privilege, Family Educational Rights and Privacy Act, and/or 603 CMR 23.00 shall not be permitted, unless the person holding the privilege has waived the privilege.

- (1) The complainant shall be protected from answering questions about the complainant's prior sexual behavior unless offered to prove that someone other than the respondent committed the alleged misconduct or offered to prove the complainant's consent to the conduct under investigation.
- (2) Upon receipt of the Investigative Report, each party shall have ten (10) calendar days to submit directed relevant questions to the decision-maker in writing.
  - a. All questions must be posed in a respectful manner (e.g., without profanity and without attacking a person's character or motivations).
  - b. Questions that are not relevant will be excluded, and the decision-maker shall explain to the party posing the question the reason(s) for excluding any question.

- (3) Upon receipt of the directed questions from the School, each party and witness shall have five (5) calendar days to respond to those questions in writing.<sup>1</sup>
- (4) After receipt of the answers by the parties, any follow-up questions by the parties shall be submitted to the decision-maker in writing within three (3) calendar days, and those follow-up questions shall be responded to in writing within three (3) calendar days of receipt.
- (5) Each party will be provided a copy of the other party's or witness's written answers.

**Step 10:** Determination of Responsibility/Findings of Fact by the Decision-Maker:

- (1) The decision-maker shall issue a written determination regarding responsibility with a description of the procedural steps taken, findings of fact, conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation, the range of disciplinary sanctions to which the respondent may be subject, whether remedies will be provided to the complainant, and procedures and bases for appeal. The decision-makers written determination shall not be completed by the Title IX Coordinator or the investigator.
- (2) Standard of Proof: The decision-maker shall make factual findings based on a preponderance of the evidence standard.
- (3) The decision-maker's findings shall be based on an objective review of all relevant evidence, inculpatory and exculpatory, and avoid credibility determinations based on a person's status as a complainant, respondent, or witness.
- (4) The decision-maker shall not draw inferences about the determination of responsibility based solely on a party's failure or refusal to answer questions.
- (5) The written determination must be sent simultaneously to both parties.
- (6) This determination shall be sent within twenty (20) school days of the issuance of the investigative report unless an extension is agreed upon by the parties or if the process is otherwise reasonably delayed. Except where the parties have agreed to an extension of the timeline or where the process is otherwise reasonably delayed, the written determination shall be issued within sixty (60) school days of receipt of the Formal Complaint.

C. Remedies: If the decision-maker determines that sexual harassment has occurred, the School administration shall take steps to eliminate the harassing environment, which may include but not be limited to providing remedies to a complainant that are designed to restore or preserve the complainant's equal access to Sizer School's education programs and/or activities. These remedies may be the same individualized services as the supportive measures outlined in Section I (D) above and/or may consist of alternative interventions and/or punitive or disciplinary sanctions that burden the respondent.

D. Discipline: Persons who engage in sexual harassment or retaliation may be subject to disciplinary action, including, but not limited to, reprimand, suspension, termination, expulsion (if applicable under M.G.L. c. 71, §§ 37H or 37H ½), or other sanctions as

---

<sup>1</sup> The parent or guardian may act on behalf of the party in drafting questions and submitting written answers. In the case of young children, reasonable accommodation based on disability, and/or other good cause, either party and/or any witness may request and have their oral responses reduced to writing by the investigator or Title IX Coordinator.



determined by the School administration, subject to applicable procedural requirements.

(1) Although the respondent may, in accordance with Title IX, be subject to emergency removal at any time, the respondent may not be subject to disciplinary sanctions for the misconduct defined under this Procedure until after this grievance process has been completed.

E. Informal Process: Only after a Formal Complaint is filed may the School opt to offer and facilitate informal resolution options, such as mediation or restorative justice. Both parties must give voluntary, informed, written consent to attempt any offered informal resolution. Any informal resolution under this Procedure will be facilitated by trained personnel.

(1) The informal resolution process is not available to resolve allegations that an employee sexually harassed a student.

(2) The informal process is voluntary, and the alleged victim and/or respondent may terminate or decline any informal process at any time and resume the Formal Complaint grievance process.

(3) The informal process shall not exceed thirty (30) calendar days.

Participation in the informal process will stay the timelines of the Formal Complaint process.

F. Emergency Removal under Title IX: Sizer School may remove a respondent on an emergency basis at any time provided that the School: (1) undertakes an individualized safety and risk analysis; (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal and that there is no alternative to the respondent's emergency removal to mitigate the threat presented; and (3) provides the respondent with notice and the opportunity to challenge the decision immediately following the removal.

G. Anonymous Reports: The School may be on notice of an allegation of sexual harassment through receipt of an anonymous report. In cases of anonymous reports, Sizer School's obligation is to respond in a manner that is not clearly unreasonable in light of the known circumstances. If the anonymous reporter is the complainant and they request confidentiality, the School can and should offer supportive measures to the extent consistent with maintaining the request for confidentiality. If an anonymous report is received without a disclosure of the complainant's identity, the School will be unable to provide the complainant supportive measures in response to that report. Sizer School may in conformance with applicable state laws and regulations be required to report sexual harassment identified in an anonymous complaint to state and/or local authorities such as the Massachusetts Department of Children and Families in conformance with state statutes and regulations and/or take actions to protect the safety of the school community (contacting the police, for example) that may result in the identity of the reporting person being disclosed. Although the School shall respond to anonymous reports of sexual harassment in accordance with this Procedure, a Formal Complaint cannot be filed anonymously.

- H. Appeals: The complainant or respondent may appeal from a determination regarding responsibility and/or from the School's dismissal of a Formal Complaint or any allegations therein, only on the following bases:
- (1) procedural irregularity that affected the outcome of the matter;
  - (2) newly discovered evidence that could affect the outcome of the matter; and/or
  - (3) Title IX personnel had a conflict of interest or bias that affected the outcome of the matter.

An appeal may be made to the Executive Director or designee within five (5) calendar days after receiving the determination of responsibility or dismissal. The Executive Director will decide the appeal no later than thirty (30) calendar days of the date of receipt of the written appeal. In cases in which it has been determined that a respondent student is subject to long-term suspension as a result of a finding of sexual harassment in accordance with this Procedure, the respondent may elect to exercise their appeal under the disciplinary due process requirements applicable to the circumstances (e.g., M.G.L. c. 71, §§ 37H, 37H ½ or 37H ¾) in place of this appellate procedure. Appeals must be made in writing (email is sufficient) to the Executive Director, Sizer School, 500 Rindge Road, Fitchburg, Massachusetts.

The Title IX Formal Complaint grievance process is deemed complete when either the time period for appeal has lapsed or upon the issuance of the Executive Director's decision on a timely filed appeal.

- I. Recordkeeping: Records related to this Procedure will be maintained for a period of seven (7) years.
- J. Employment Agencies: The contact information for state and federal employment discrimination enforcement agencies is as follows: (1) Federal: United States Equal Employment Opportunity Commission (EEOC); John F. Kennedy Federal Building; 15 New Sudbury Street, Room 475; Boston, MA 02203-0506; 1-800-669-4000; [EEOC Boston Area Office Website](#); and (2) State: Massachusetts Commission Against Discrimination (MCAD); Boston Headquarters; One Ashburton Place; Sixth Floor, Room 601; Boston, MA 02108; (617)-994-6000; [MCAD Website](#).
- K. Identification of key personnel involved in Title IX process for reports and/or Formal Complaints of sexual harassment:
- **Title IX Coordinator:** Dean of School Culture
  - **Investigator:** Dean of School Culture
  - **Decision-maker:** Principal or Assistant Principal
  - **Appeal Officer:** Executive Director
  - **Informal Resolution Facilitator:** Assistant Dean of Students

Sizer School will notify students, employees, applicants for admission or employment, parents and legal guardians of students, and unions of the name, title, office address, email address and telephone number of the Title IX Coordinator. This information will be prominently displayed on the School's website.

Legal Refs: Section 504 of the Rehabilitation Act of 1973; Title II of the Americans with Disabilities Act of 1990; Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act; Title IX of the Education Amendments of 1972; the Age Act; M.G.L. c. 151B and c. 151C; and M.G.L. c. 76, § 5; SC Policy JICFB, Bullying Prevention; SC Policy AC, Nondiscrimination.

**MASSACHUSETTS GENERAL LAWS and Federal Regulations indicated previously in the Handbook:**

- ***Chapter 282 of the Acts of 1993, General Laws Chapter 76/5 (Amends Chapter 622 Discrimination prohibition in the public schools of the Commonwealth of Massachusetts)*** 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 race, color, sex, religion, national origin, sexual orientation or sexual/gender identity.
- ***An Act Relative to Gender Identity. General Laws Chapter 199 of the Acts of 2011:*** 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 race, color, sex, gender identity, religion, national origin or sexual orientation.
- ***Title I of the Americans with Disabilities Act of 1990 Prohibits*** discrimination, exclusion from participation, and denial of benefits on the basis of disability in the areas of employment.
- ***Title II of the Americans with Disabilities Act of 1990 Prohibits*** discrimination, exclusion from participation and denial of benefits on the basis of disability in the areas of educational programming and activities.
- ***Chapter VI of the Civil Rights Act of 1964 Prohibits*** discrimination, exclusion from participation, and denial of benefits based on race, color, and national origin.
- ***Title IX of the Educational Amendments of 1972 (Prohibition of discrimination on the basis of sex.)*** No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activities receiving Federal financial assistance.
- **Chapter 269 of the General Law of Massachusetts (Prohibition of Hazing)**  
**Section 17:** Whoever is a Principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

The term “hazing” as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

**Section 18:** Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to themselves or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

**Section 19:** Each institution of secondary education and each public and private institution of post-secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen provided that an institution’s compliance with this section’s requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution’s recognition or endorsement of said unaffiliated student groups, teams or organizations.

Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgement stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full time student in such institution a copy of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall file, at least annually, a report with the board of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or

organizations and to notify each full time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its students. The board of higher education and, in the case of secondary institutions, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such report.

- **Chapter 265 Section 43A**

(a) 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 that person and would cause a reasonable person to suffer substantial emotional distress, shall be guilty of the crime of criminal harassment and shall be punished by imprisonment in a house of correction for not more than 2 1/2 years or by a fine of not more than \$1,000, or by both such fine and imprisonment. The conduct or acts described in this paragraph shall include, but not be limited to, conduct or acts conducted by mail or by use of a telephonic or telecommunication device or electronic communication device including, but not limited to, any device that transfers 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.

(b) Whoever, after having been convicted of the crime of criminal harassment, commits a second or subsequent such crime, or whoever commits the crime of criminal harassment having previously been convicted of a violation of section 43, shall be punished by imprisonment in a house of correction for not more than two and one-half years or by imprisonment in the state prison for not more than ten years.

- ***Section 703 of Title VII of the Civil Rights Act of 1964 and Chapter 151A and 151B of the Massachusetts General Laws (Prohibition of sexual harassment)*** Sexual harassment in any form is not allowed in this school. The prevention of harassment at Sizer School is critical to maintaining a safe, secure climate, which is conducive to learning.

- **Title VII of the Civil Rights Act and Title IX of Educational Amendments** of 1972 define sexual harassment as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature which interferes with work performance or creates an intimidating, hostile or offensive working environment. A hostile and intimidating environment can include using profanity, name-calling, telling of off-color jokes, making sexist comments and innuendo, or showing explicit or offensive pictures. The range of behaviors includes leering, pinching, grabbing, suggestive verbal comments, spreading sexual gossip, pressure for sexual activity and any unwanted physical conduct of a sexual nature.

If you believe you have been a victim of sexual harassment, talk to a teacher, guidance counselor or advisor. The complaint grievance should be as clear and specific as possible with an exact description of the behavior, including when and where it happened. You

may be encouraged to describe the incident in writing. The complaint will be dealt with in a timely manner (see timeframe and procedures in the Discrimination Grievance Procedures section). The adult will discuss the incident with the alleged harasser to gain additional information and will be determined if discipline is warranted. Several ways that the issue may be addressed are conflict resolution, peer mediation and guidance counseling. The course of action will be discussed with the student bringing the complaint and may result in a warning, detention or suspension. If you are dissatisfied with the results or progress of the investigation, you may discuss the dissatisfaction with the appropriate Principal. The school will work toward ensuring that the inappropriate behavior(s) stops.

Sizer School will not tolerate any retaliation against any person who files a complaint or who cooperates in any investigation into possible harassment. Disciplinary action may be taken against any student who engages in retaliation.