

Helen Y. Davis Leadership Academy Charter Public School

2020-2021 Community Handbook/Student Code of Conduct



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LETTER FROM THE PRINCIPAL

September 2020

Habari Gani (Welcome) Families!

What an exciting time to be in the business of unlocking genius: the start of the 2017-2018 school year is finally here! Our staff is extremely excited and more than prepared to go the extra mile for our scholars and their families. We know our students have the potential to be great, so we plan to cultivate a solid learning environment to support and nurture their talents and abilities.

We are so happy to have your family as a part of the Helen Y. Davis Leadership Academy Charter Public School (The Academy) community. The Academy is built on unity and togetherness and we welcome you to be an active participant in your child's education. We understand that you are the "expert" on your child and we appreciate any feedback to support learning. For this year to be successful, our community, which includes scholars, parents, teachers, administrators, and the Board of Trustees, must all work together to achieve The Academy's mission of developing "high-achieving students of good character."

This Community Handbook/Student Code of Conduct explains the school rules that all students are expected to follow, as well as the consequences they may face as a result of behaviors that violate the school's seven Core Values. Our expectation is that students of good character will exhibit these values at all times, even when no one is watching. The sign of a true leader is to meet and exceed expectations using self-discipline. We expect that all of our scholars are on the path to greatness and exhibit leadership outside of the schoolhouse as well, as our policies extend to field trips, school buses, after-school activities, and other school sponsored events.

Please pay close attention to specific policies regarding uniforms, attendance, and homework. These policies speak to our valuing college, career, and life readiness. The Academy has also adopted a strong anti-bullying policy that prohibits any form of bullying in our school. Strict consequences apply in all documented bullying incidents; a full version of the anti-bullying policy is available upon request. If students are unable to abide by these expectations, school administrators reserve the right to impose disciplinary actions as stated within the Academy's Code of Conduct. Our goal is to promote taking academic risk, and it starts with self-confidence. We always look to build up pride within our scholars and we take issue with interactions that go against strengthening them academically and socially. All of these rules are designed to keep our school environment safe. Scholars and parents/guardians are required to sign a statement indicating that they have received a copy of this Handbook/Code of Conduct and are aware of the explanation of rules it provides.

It is my honor and privilege to be responsible for your children's educational experience. I will make this school year rewarding, captivating, and safe as we strive to continue educating our scholars for learning today and leading tomorrow. Our formula for unlocking genius starts with high expectations, building a culturally relevant curriculum, emphasizing high achievement and valuing extra-curricular opportunities in sports, life skills and the arts. It is my goal to ensure that all children have an opportunity to grow and lead during their time here.

Thank you in advance for your commitment to the Academy!

Arturo Forrest
Principal

PURPOSE OF THIS HANDBOOK

This Handbook summarizes many laws, policies, regulations, and practices that are important to the Academy's students and their parents/guardians. However, it is not intended to be a complete directory of all laws and policies relating to students and parents. Federal and state laws, Academy policies, regulations, and practices are subject to change.

It is important that you read, understand, become familiar with, and comply with the policies described in the Handbook. Please talk with the Principal if you have any questions or need additional information. The Academy, in accordance with its non-discrimination policy, does not discriminate in its programs, activities, facilities, employment, or educational opportunities on the basis of race, color, age, disability, sex, religion, national origin, gender identity, or sexual orientation and does not tolerate any form of discrimination, intimidation, threat, coercion, and/or harassment that insults the dignity of others by interfering with their freedom to learn and work.

Please sign and return the Acceptance of Terms on the last page of this Handbook.

The *Acceptance of Terms* is a legal document that will be kept on file at the school. The Academy will provide a copy of this form for you to sign and return to your child's homeroom teacher within the first 3 days of receipt of the Handbook. Please ensure that you read this Handbook and understand the policies and laws that affect your children. Please contact the Principal, at 617-474-7950 with any questions.

ONE SCHOOL, ONE MISSION

Our mission is to develop high-achieving students of good character who use problem solving, communication, and interpersonal skills to inspire others and to catalyze educational, economic, and political advancement within their communities and the broader nation.

SEVEN CORE VALUES

THOUGHT LEADERSHIP

Creative problem solving, innovative thinking

PERSONAL EXCELLENCE

Doing your best at everything you do

INTELLECTUAL CURIOSITY

Insightful questioning, the desire to learn and know

INTEGRITY

Trustworthiness, reliability, honesty with yourself and with others

COMPASSION

Sympathy and empathy for others

COMMUNITY CITIZENSHIP

Acting to improve your community

RESPECT

To hold in high or special regard

RITUALS, CUSTOMS AND TRADITIONS

Morning Handshake: Each morning, every Academy student will be greeted with a personal handshake from school administrators. The morning handshake is a ritual that conveys respect for the individual and the personal relationships that we seek to build and maintain with each of our students.

Rite of Passage: Upon entering the Academy, all students shall undergo a rite of passage process that focuses on teaching them to live the Academy's Mission and Core Values. The rite of passage involves a series of assemblies aimed at developing a deeper understanding of the Core Values.

Community Circle: Following breakfast each morning, our students, teachers, administrators, and guests will participate in "Community Circle," a time to recite our Mission, reinforce our Core Values, and share inspirational short poems and readings as well as personal reflections.

We celebrate numerous holidays and special events, including Harvest Fest, Community Feast, Kwanzaa Celebration, Blacks in Wax/Juneteenth Celebration, and Homecoming Week.

Important Phone Numbers

| | |
|---------------------------------------|-----------------------|
| School Main Number | 617-474-7950 |
| School Fax Number | 617-474-7957 |
| School Nurse | 617-474-7950 ext. ### |
| BPS Transportation Hotline | 617-635-9520 |
| Boston City Hall | 617-635-4000 |
| Mayor's 24-Hour Line | 311 (617-635-4500) |
| Mayor's Health Line | 1-800-847-0710 |
| Boston CYF | 617-635-4920 |
| Housing Authority | 617-998-4000 |
| Immigrant Advancement | 617-635-2980 |
| Boston Public Library | 617-536-5400 |
| Massachusetts Department of Education | 781-338-3000 |

I. Teaching and Learning

School Calendar

The school calendar for the ensuing year will be prepared by the Executive Director and submitted the Board of Trustees for discussion and approval. The number of days and instructional hours scheduled for the school year shall comply with the Academy's governing charter as approved by the Department of Elementary and Secondary Education.

For the information of the Board of Trustees, the administration, employees, students, and parents/guardians, the calendar will set forth the days schools will be in session, indicating when a school day may be a half-day; holidays and vacation periods; in-service or professional development/release days; teacher orientation days; and parent/guardian conferences.

The Academy shall comply with all applicable laws and regulations, as well as all applicable guidance issued by the Department of Elementary and Secondary Education.

The length of the school year shall be 170 days. Typically, instructional days start the third Thursday in August and runs through the last Tuesday of June (pending no additional make-up days are required due to inclement weather), and consists of 935 hours of annual structured learning time

School Day

School hours begin at 8:20 a.m., Monday through Friday. On Mondays, Tuesdays, Wednesdays, and Thursdays, school is in session until 4:20 p.m. On Fridays, students are dismissed at 12:20 p.m. During times of inclement weather, the building will open at 7:45 a.m. as long as the appropriate personnel is in the building per number of students. Temperatures must be below 32 degrees, rain, snow, etc.

Emergency School Closing

The Academy's Executive Director may close the Academy or dismiss students from school early in the event of hazardous weather or other emergencies that threaten the health or safety of students and personnel. While it may be prudent, under certain circumstances, to excuse all students from attending school, to delay the opening, or to dismiss students early, the Academy's Executive Director has the responsibility to see that as much of the administrative, supervisory and operational activity is continued as possible.

In making the decision to close school, the Academy's Executive Director shall consider many factors, including, but not limited to:

- Weather conditions, both existing and predicted;
- Driving, traffic, and parking conditions affecting public and private transportation facilities;
- Pedestrian safety;
- Actual occurrence or imminent possibility of any emergency condition that would make the operation of school difficult or dangerous; and

- Inability of teaching personnel to report for duty, which might result in inadequate supervision of students.
- Boston Public Schools delays/cancellations.

The Academy's Executive Director shall weigh these factors and take action to close the school. Students, parents and staff will be informed via telephone and email regarding all delays/cancellations. Additionally, Boston Public School delays/closures will be broadcast on television as well as posted online. When the Academy is closed for emergency reasons, staff members will comply with administrative directives in reporting for work.

Organization of Instruction and Curriculum

The Academy offers a diversified educational program in compliance with its approved charter and applicable state laws and regulations and compatible with the needs of the community. The organizational plan is designed to promote and implement the innovative philosophy of the Academy and to facilitate the education of educate every student to his/her fullest potential.

The structure consists of a standalone grade 6th-8th middle school.

Special education services and supports for English language learners are integrated across each grade level and are provided in compliance with all federal and state laws and regulations.

Other structural elements include a culturally responsive curriculum, learning environment, and school norms, a student leadership program, and community service and advocacy initiatives that are aligned to the Academy's mission and core values.

The organization is designed to meet the standards established by the Curriculum Frameworks as required by the Department of Elementary and Secondary Education.

Basic Instructional Program

The Academy shall comply with all applicable federal and state laws and regulations, as well as its charter concerning the basic instructional program delivered to its students. At a minimum, the Academy shall instruct its students on the following subjects:

English Language Arts (6th, 7th, 8th);

Mathematics – 6th and 7th Grade (ratios and proportional relationships, the number system, expressions and equations, geometry, statistics and probability);

Mathematics – 8th Grade (the number system, expressions and equations, functions, geometry, statistics and probability);

World Geography – 6th Grade;

Ancient Civilizations I and II – 7th Grade;

United States and Massachusetts Government and Civic Life – 8th Grade;

Science and Technology/Engineering – 6th Grade (structure and function);

Science and Technology/Engineering – 7th Grade (systems and cycles);

Science and Technology/Engineering – 8th Grade (cause and effect);

English Language Arts Enrichment (6th, 7th, 8th Grade);

Mathematics Enrichment (6th, 7th, 8th, Grade);

Physical Education;

Art and Ethics;

Leadership Program/Rites of Passage; and

Community Service and Advocacy Initiatives.

Physical Education

General

The Academy shall provide all students with a physical education program in compliance with all applicable laws and regulations. The only exception for participation in the physical education program is for students who provide written certification from their physician that participation in physical education would be injurious to the student.

With respect to physical education, the following guidelines shall apply:

- The Academy shall promote physical education at each grade level and integrate with health, nutrition wellness education;
- The Academy shall promote physical education across all of the curriculum, where applicable;
- Physical education shall be implemented to impress upon each student the importance of integrating his/her body, mind, and attitude; and
- All students in grades shall participate in physical education for 60 hours per week;

Physical education shall be included as part of the Academy's structured learning time.

Excuses from Classes

Any student who is unable to take part in a physical education class must bring a note, signed by his/her parent or guardian, stating the reason for the student's inability to participate.

A written excuse from a physician will be required if the student will be unable to participate in these classes for an extended period of time.

Proper Attire

All students will be required to wear the proper attire for class in order to participate as described in the Academy's uniform policy.

Health Education and Exemptions

The Academy acknowledges that good health among the students, employees, and the Academy community depends upon continuous attention to scientific advances and the acquisition of new knowledge.

Therefore, the Academy shall strive to promote and sustain effective health education for all students because the Academy has the potential to reach children at the age when positive, lifelong health habits are best engendered and because the Academy is equipped to provide qualified personnel to conduct health education programs.

The Academy is committed to a sound, comprehensive health education program as an integral part of each student's general education. Health education will be taught as a component of physical education.

The health education program will be taught using effective research proven programs and be based on the Massachusetts Health Frameworks and the Academy's education programs as set forth in its charter. Students will be presented with information regarding complex social, physical and mental health problems, which they are likely to encounter as members of society.

In an effort to help students make intelligent choices on alternative behavior of serious personal consequence, health education will examine the potential health hazards of social, physical and mental problems existing in the larger community environment.

Exemptions to Health Education

The Academy will provide students with exemptions from a specific portion of the health education curriculum on the grounds that the material taught is contrary to the religious beliefs and/or teachings of the student or the student's parent/guardian.

A request for exemption must be submitted in writing to the principal in advance of instruction in that portion of the curriculum for which the exemption is requested. The request must state the particular conflict involved.

The principal will confer with the teacher to determine the length of time a student will be exempt. The teacher will develop an alternative activity for which the student will receive credit. The principal will inform the parent/guardian of disposition of the request within a reasonable number of school days of receipt of the request.

Title I

The Academy acknowledges and complies with Title I, Part A of the Elementary and Secondary Education Act of 1965.

Specifically, the Academy acknowledges that Title I provides additional resources and instruction to improve the educational performance of low achieving children in high poverty schools. The purpose of Title I is to help those children meet the challenging state academic content and performance standards. Services are provided in either reading, mathematics or both areas in some schools depending on their needs assessment. Grade level placement is also contingent upon a school's particular needs. Title I provides a school wide program model. A school wide program school has a poverty level greater than 40% and a goal of helping all students in the school. A comprehensive needs assessment and a year of planning are necessary to establish a school wide

plan that will lead to improving the overall instructional program of a school. The “co-teaching” model may be used in a school wide program. Under this system, Title I and classroom teachers make mutual decisions about who will provide direct instruction to whom. Some children may receive more in-depth services, such as Reading Recovery, small group in-class or small group “pull-out” instruction.

Homebound and Hospital Instruction

General

In accordance with governing laws and regulations, the Academy offers homebound instruction to any student who is unable to attend classes because of prolonged illness. Specifically, upon receipt of a written order from the student’s personal physician verifying the student enrolled the Academy or placed by the Academy in a private setting must remain at home or in a hospital on a day or overnight basis or any combination of both for medical reasons and for at least fourteen days in any school year, the principal or designee shall arrange for homebound instruction for those students. Students with chronic illnesses who have recurring home/hospital stays of less than 14 consecutive school days, when such recurrences have added up to or are expected to add up to more than 14 school days in a school year, are also eligible for home or hospital educational services if they are requested and the medical need is documented by the physician

The physician’s order shall include the following in order for the principal or designee to evaluate the request:

- Date that the student was admitted to the hospital and/or confined at home;
- Medical reason(s) for confinement;
- Expected duration of confinement; and
- Medical needs of the student that need to be considered in planning homebound instructional services

Home and hospital educational services must begin without undue delay after the principal or designee receives appropriate written notice from the student’s physician that such services are necessary. The Academy shall not wait 14 days before providing home or hospital services if it is likely that the student will be absent from the school-based program for 14 school days or more in the school year.

The instruction shall be provided with sufficient frequency to allow the student to continue his/her educational program, as long as such services do not interfere with the student’s medical needs. All decisions concerning instructional hours and content for students receiving home/hospital instruction shall be individualized, and not pre-set.

Homebound / hospital instruction shall enable the student to keep up in his/her course work and minimize the educational loss that might occur while the student remains home. Specifically, and depending upon the individual circumstances and needs of each student, the Academy may deliver homebound/hospital instruction as follows:

- Providing services directly to the student using Academy employees; or

- Contracting with the hospital to provide the needed services; or
- Contracting with another charter school or public school to provide the services; or
- Contracting with another agency to provide the services.

Special Procedures for Special Education Students Likely to be Out of School for 60 or More Days

If, in the judgment of the student's physician, a student with an IEP is likely to remain at home, in a hospital, or in a pediatric nursing home for medical reasons and for more than sixty (60) school days in any school year, Principal and/or the Special Education Director shall **without undue delay**, convene an IEP Team meeting to consider evaluation needs and, if appropriate, to amend the existing IEP or develop a new IEP suited to the student's unique circumstances.

The Principal and/or Special Education Director shall convene the IEP Team meeting within 10 school days after the Academy is notified that the student is likely to remain at home or in the hospital for more than sixty days.

Community Service, Advocacy Initiatives, and Leadership Development Program

General

The Academy requires its students participate in community service, advocacy initiatives, and a leadership development program. The Academy believes that these programs offer the same rigorous course of study and standards as a core academic subject. These programs are contained within the regularly scheduled school year, and are performed under the direction of Academy staff. Student participants receive a grade for each aspect of the program.

The Academy offers students with the opportunity to design and participate in these programs so that they may pursue topics of special interest, contribute to their community and a broader nation, and develop a strong sense of self, and good character.

The principal or designee shall develop procedures and guidelines explaining the process which hours spent by students participating in these programs will be verified for the purposes of structured learning time.

Requirements

- Facilitate and present at school assemblies and/or rites of passage programming (earn a 70% or higher based off the oral presentation/project rubric).
- Complete ten (10) efficacy workshops (earn a 70% or higher based off of the participation rubric).
- Engage in 8 hours of community service prior to graduation (earn a 70% or higher on the oral presentation/project rubric).
- Engage in an advocacy initiative (earn a 70% or higher on the oral presentation/project rubric).

School Volunteers

The Academy encourages encourage volunteer efforts wherever possible with respect to school sponsored activities, both on and away from the school premises.

Parents/guardians, family members, business representatives, senior citizens, and other community volunteers are recognized as important sources of support and expertise to enhance the instructional program and vital communication links with the community.

The security and safety of all students is a primary concern for the Academy. Therefore, the Academy requires all volunteers who will have any contact whatsoever with students to complete a CORI background check and comply with the school's CORI Policy

Volunteers shall adhere to all school rules, policies, procedures, and protocols when volunteering at a school sponsored event. Volunteers shall not discuss students/school related issues in the outside community, and shall not access confidential information, files or records. Volunteers who violate confidentiality will be barred from further volunteer work.

Prior to being eligible to serve as a volunteer, the individual shall complete an orientation provided by the principal or his or her designee and demonstrate an understanding and agreement to comply with such rules, regulations and protocols to the principal's satisfaction.

The Academy acknowledges that all volunteers acting within the scope of their volunteer responsibilities shall be immune from any liability arising from their volunteering, other than any injuries caused by the operation of a motor vehicle and/or through their gross negligence or reckless misconduct.

Grading Systems

The Academy operates on a quarter grading system. Students shall receive report cards at the end of each quarter. The Academy shall send warning notices to parents/guardians of all students who are in danger failing by the middle of each quarter.

Each grade is comprised of the following components:

- Cumulative Tests and Projects: 40%
- Quizzes: 30%
- Homework: 20%
- Class Participation: 10%

The grade scale is as follows:

| Letter Grade | Range of Score | Description |
|--------------|----------------|---------------|
| A+ | 98-100 | Distinctive |
| A | 94-97 | Superior |
| A- | 90-93 | Outstanding |
| B+ | 87-89 | Excellent |
| B | 84-86 | Very Good |
| B- | 80-83 | Good |
| C+ | 77-79 | Above Average |
| C | 74-76 | Average |
| C- | 70-73 | Below Average |
| F | 0-69 | Failing |
| NC | N/A | No Credit |

Honor Roll Policy

General

The Academy acknowledges the importance of recognizing and encouraging academic excellence. Therefore, the Academy has developed an honor roll system to recognize the academic achievement of its students.

High Honors: Awarded to students earning a 3.75, A- or above.

Honor Roll: Awarded to students earning a 3.5, B+ or above.

Honorable Mention: Awarded to students earning a 3.0, B or above.

Students who fail a subject or receive a No Credit, or similar “grade,” are not eligible to receive honors. All Incompletes must be converted to final grades before a student is eligible to be considered for honors.

National Junior Honor Society

Students who earn high honors for two consecutive quarters are eligible for National Junior Honor Society, which the Academy refers to Delta Lambda Alpha.

Academic Progress and Achievement

The Academy recognizes that all students have diverse capabilities and unique patterns of growth and learning. Therefore, each student’s academic achievement, as well as his/her social growth and development, will occur on its own schedule.

The Academy desires for its teachers to have as much and as accurate knowledge as possible concerning each student and his/her academic progress and development in order to assess his needs, his growth, and make instructional plans for him. To achieve this goal, the Academy deems it essential to engage in consistent sharing of information among parent/guardian, teacher, and student.

To further achieve this goal, the following academic progress and achievement measures have been put into place:

- Teachers shall inform parents/guardians as their student’s academic progress and achievement on a regular basis, and at least four times a year.
- Teachers shall notify parents/guardians as soon as possible when a student’s performance or attitude becomes unsatisfactory or shows marked or sudden deterioration. The teacher shall invite the parent/guardian to confer concerning these changes.
- When no grades are given but the student is evaluated informally in terms of his own progress, the school staff will also provide a realistic appraisal of the student’s standing in relation to his peers.
- When grades are given, the school staff will take particular care to explain the meaning of grades, marks, comments, and symbols to parents/guardians.

Progress Reports and Report Cards

General

The Academy understands the importance of open and direct communications with parents and guardians concerning the academic, emotional, and disciplinary progress of their students. The Academy also believes that all progress reports must be based upon complete and accurate information and honestly reported to parents and guardians in a confidential manner. To this end, The Academy shall provide parents and guardians with recognizes with periodic reports of their student(s)' progress.

Progress Reports

A progress report depicting the student's progress will be issued four (4) times per school year, at the mid-point of each quarter following an evaluation by the appropriate teacher, teachers, or other professional personnel. Parents and guardians will receive these reports via e-mail or standard mail.

Report Cards

A report card depicting the student's academic progress will be issued four (4) times per school year, at the conclusion of each quarter following the close of grades.

Special Notification

In addition to the periodic reports, parents/guardians will be notified when a student's performance requires special notification. Special notifications may be required where a student exhibits behaviors and/or academic performance that is not consistent with the student's past behavior and/or performance.

Parent/Teacher Conferences

In addition to progress reporting, each grade level shall hold individual conferences for parents and guardians to discuss their student(s)' performance shortly after report cards and/or grades are distributed. Teachers may make appointments to confer with students and parents/guardians during their preparation period or before or after school.

Homework Policy

Homework is a learning activity that should increase in complexity with the maturity of the student. With increased maturity, learning should become an independent activity. This should be established through consistent assignments which encourage students to investigate for themselves and to work independently as well as with others.

The purpose of homework is to:

- Improve the learning processes for students;
- Reinforce classroom instruction;
- Aid students in the mastery of skills and development of good work habits, responsibility, self-direction, and organizational skills;
- Create and stimulate interest on the part of the student; and
- Provide parents/guardians with the opportunity to become involved in their child's learning process.

Homework assignments shall be consistent in terms of the amount given each day and the time required for each assignment so that a pattern of meaningful homework can be established by the teacher and/or the student. The amount of homework assigned to students shall increase gradually from grade to grade.

Teachers are instructed to provide students with clear and specific guidance as to how homework assignments should be completed.

Homework assignments shall take into consideration individual differences of students such as health, ability, conditions at home, and educational resources at home. Homework shall not require the use of reference materials not readily available in most homes, school libraries, or the public library, and should require the use of those materials only when the student has had instruction in the use of them.

Homework is mandatory and typically assigned daily for all classes. Homework assignments are due the following day unless otherwise noted (e.g., a long-term assignment). Unless otherwise stated in a student's IEP/504 Accommodation Plan, teachers will not accept any homework assignments that are over a week (seven calendar days) past due from the original due date of the assignment. Make-up and/or extra credit assignments are at the discretion of the individual teacher.

Promotion Policy

It is our hope and plan that all students will thrive academically in our school community. However, there are some instances where promotion to the next grade is not guaranteed. Students' final grades will be computed based on an average of their grades for each of the four quarters as well as their grade on the final exam. Students must have an overall average of 70% (C-) to be promoted (i.e., to pass) to the next grade.

Additional elements of the promotion policy are listed below:

- If a student fails only one core academic class (below a 70%), they are promoted to the next grade.
- If a student fails two core academic classes (below a 70%), they must attend and complete the Academy's credit recovery program with a 70% or above (in order to be eligible for credit recovery program a student must have a grade threshold of 60%-69%).
- If a student fails two or more core classes, with at least one of those classes being below a 60%, or three or more core academic classes, regardless of percentage, they will not be eligible for the credit recovery program, and may be retained.
- Promotion decisions for students with disabilities and/or English language learners will be determined based on whether or not they have achieved the goals outlined in their IEPs.

In situations where retention is a possibility, the principal and/or designee will confer with the student's parent/guardian to determine if retention is in the best interest of the student both academically and socially.

The Principal is the final authority on promotion and retention of all students at the Academy. All appeals must be directed to the Executive Director.

Eighth Grade Graduation Requirements

The Academy recognizes that the completion of the Eighth-Grade marks a significant milestone in each student's development, both personally and academically. Accordingly, to mark this milestone, the Academy holds an Eighth-Grade graduation exercise for all students who have earned sufficient grades and credits to advance to the Ninth Grade. With respect to its graduation exercise, the Academy shall not discriminate against any student who is in a program other than the standard school program.

In light of the above, the Academy shall hold an Eighth-Grade graduation exercise for eligible Eighth Grade students. The graduation ceremony is considered a school-sponsored event.

The following reasons will prohibit a student from participating in the graduation ceremony:

- 8th grade students who fail two core academic classes (below a 70%) for the year will not be allowed to participate in the graduation ceremony.
- 8th grade students who have not met financial, disciplinary and other school-wide expectations will not be allowed to attend the moving on ceremony.

The principal shall disseminate information concerning the date, time, and location of the graduation exercise, as well as the number of guests that each student may invite, in advance of graduation.

The principal may remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on the student's misconduct. Such a removal is not subject to the procedures in M.G.L. c. 71, § 37H¾ or 603 CMR 53.00.

Credit Recovery Program

General

The Academy institutes a Credit Recovery Program during half-days in the month of June in place of a traditional summer school.

Eligibility

Students who fail two core classes (between a 60%-69%) are eligible for the Academy's Credit Recovery Program. Students who fail two core classes, with one of those classes being a 59% or lower (ex. 63% in English language arts, and 45% in mathematics), will not be eligible for the Credit Recovery Program. A student who fails 3 or more core classes regardless of percentage, are not eligible for the Credit Recovery Program.

Notification

Parents/guardians will be notified via electronic email and first-class mail as follows:

8thGrade – First week in June

6thand 7thGrade – Second week in June

Credit Recovery Assignment

Students receive a test (or project based) equivalent to a final in the classes they failed (this could be a re-take of the final test). Students have the opportunity to complete assignments electronically. Those students who do not have regular access to the internet may choose to receive a paper copy of the assignment.

8th Grade Credit Recovery Assignment Start Date: Second Monday in June
6th/7th Grade Credit Recovery Assignment Start Date: Third Monday in June

Deadline and Submission

All work must be submitted (either electronic, or hand delivered) on or before the second to last day of the school year.

Grading

Students who receive a passing grade (70 or above) on at least one the Credit Recovery Program assignments will be promoted. Students who receive a failing grade (69 or below) on both Credit Recovery Program assignments may be retained if the principal believes it is in the best interest of the student both academically and socially.

Notification of promotion/retention for those students participating in the Credit Recovery Program will be sent in writing on the last Friday of June.

Teacher Support

All students are able to stay with academic teachers between 1:30PM to 4:00PM to receive assistance on the Credit Recovery Program assignments.

Students with Disabilities and ELL

Students who have an IEP/504/ELL will receive all required accommodations and modifications in accordance with their IEP/504/ELL.

Massachusetts Comprehensive Assessment System (MCAS)

The Academy recognizes that Massachusetts state law requires the Academy to participate in statewide testing, including the Massachusetts Comprehensive Assessment System (MCAS). Furthermore, federal law as well as state regulations require student participation in statewide assessments as one of the criteria for determining adequate yearly progress for both individual schools and the school district as a whole.

The Academy further recognizes the requirements of federal legislation and state law and regulations make it necessary, unless an express statutory exemption applies, for all students in grades in which the examination is administered to participate in the MCAS.

Celebration and Observation of Religious Holidays

The Academy recognizes the responsibility of parents/guardians to address the religious needs of their children. In order to reinforce the family's values and to avoid isolation and discrimination against students, the Academy shall accommodate, to the extent practicable, established religious calendar holidays by ensuring that examinations and special activities are scheduled so as not to interfere with those established religious holidays.

Further, any student who is unable to attend class, take an examination, and/or participate in a school-required event due to a religious holiday or a religious belief shall be excused from class, examination, or school-required event. The student shall be provided with an opportunity to make up any such examination or school-required event. The student shall not be deemed absent from school if he/she does not attend school due to a religious holiday.

The Academy shall not punish or deliver any adverse actions towards a student who is absent from school due to a religious holiday and/or is excused from an examination or school required event due to a religious holiday and/or belief.

Notwithstanding the above and in compliance with federal and state law, the Academy shall not observe any religious holidays or promote any religious beliefs on the school campus and/or at any school sponsored or related event or activity, whether on or off campus.

II. Students

Attendance Policy

Tardiness

Students are required to be in school and on time every day. In order to be considered on time, students must be in line in their respective cohort lines at their designated area by 8:20 a.m. Students who arrive at school after 8:20 a.m. will be marked as “tardy”, and are required to report to the Main Office to check in with the Office Manager to receive a tardy slip. Students who are tardy, will report to community circle, homeroom, or their assigned class, and present the slip to the teacher.

Eight (8) tardies will count as the equivalent of one unexcused absence for the purposes of our attendance policy.

The Dean of Students will notify the student’s parent by telephone call, in writing, or email of their student’s tardies no later than the first unexcused absence created by student tardies. Students who exceed eight (8) tardies in any quarter will result in a parent/guardian and student conference with the Dean of Students to develop a plan around student punctuality.

Excused/Unexcused Absences

Students must bring in a note after each day they are absent.

1. The note must include the date absent, the reason for the absence, a phone number where a parent or guardian can be reached, and the parent or guardian’s signature.
2. The note must be received within seven school days after the absence.
3. Excused absences may include:
 1. An illness or injury that prevents that student from attending school. If the illness or hospitalization results in absence of five or more consecutive days, a note from a health care provider documenting the health problem or hospitalization should be attached to the parents’ note. Parents are not expected to have a note from a health care provider for an illness of fewer than five days.
 2. A death in the immediate family (parent, sibling, grandparent, aunt, uncle, cousin) or other significant personal or family crisis.
 3. Suspension from school is not an absence and should be coded as a “S” on the Information Management System. In case of suspension, the school will provide an opportunity for the student to maintain academic standing in school by being provided a list of assignments and such other services which might enable the student to use the time out of school constructively.
 4. Students assigned to an alternative placement shall be assigned work by the school of assignment and shall be marked “constructively present.”
 5. Court appearances: Students should present evidence of the requirement of the court appearance.
 6. Medical or psychological tests during the school day. The parent must show evidence (such as a

- note from the health center) that the tests could not be scheduled after school.
7. Religious holy days: In order to accommodate the religious beliefs of students, such absences will be marked “constructively present” upon submitting a valid note signed by a parent or guardian.
 8. Visits to special education schools in some cases for students with disabilities.
 9. Students on visits, interviews, or shadow days to potential high schools will be marked “excused absent”.
 10. Other situations: From time to time, situations over which the school, parent, and student have little or no control may cause an absence (for example, transportation that does not operate during inclement weather). These absences are excusable. The principal may determine that the student so impacted shall be marked “constructively present”.

Unexcused absences may include:

1. Family vacations: School vacations and holiday periods allow ample time for family vacations. Each day of absence for this reason is unexcused. Make-up work is at the discretion of the individual teacher.
2. Babysitting, or other childcare related responsibilities.
3. Cutting class.
4. Other situations: From time to time, situations such as “illness of members of an extended family”, or “conflicts with parent’s work schedule” may develop. These should be viewed as unacceptable excuses for absences.

Unexcused Absence Referral – Attendance Conference

If a student exceeds 3+ unexcused absences in a quarter, a teacher or principal will refer the student to the Academy’s Student Support Team (SST), which will review the case. The SST will notify the parent in writing of the referral, and request an Attendance Conference. An Attendance Conference will allow for the development of strategies to reduce tardies and/or unexcused absences.

Unexcused Absence Referral – Massachusetts Department of Children and Families

If a student exceeds 3+ unexcused absences in a quarter, the Principal or Designee reserves the right to refer the case to the City of Boston Truancy Officer and/or Massachusetts Department of Children and Families.

No Credit Status

Any student with more than three unexcused absences in a quarter – or more than 12 unexcused absences for the school year – will receive a grade of “NC” (no credit) if the student otherwise earned a passing grade. The following guidelines apply:

1. If a student has earned a passing grade, he or she may change the “NC” to a letter grade by passing the final exam (or equivalent assessment) at the end of the year.
2. If a student has not earned a passing grade, he or she will receive an “F”.
3. If a student receives an “NC” for one or more quarter, but does not exceed 12 unexcused absences for the school year, the “NC” will be converted at the end of the school year to the grade the student would have otherwise received.

In all cases of absence, a student will be given the opportunity and responsibility to make up the work missed within a reasonable time period.

Students who exceed 12 days or more of school over the course of the year are automatically considered for grade retention.

Waivers

Only the Principal and Executive Director has the authority to grant a waiver from the attendance requirement. A waiver for attendance may be granted for the following reasons:

1. Extended documented personal illness or injury
2. Modification to a student's IEP
3. Any other documented circumstance approved by the Principal or Executive Director

Upon the request of a student, a Principal or Executive Director must review the merits of a student's case for the granting of a waiver. Requests for waivers may also be made by teachers on behalf of students.

Waivers are granted ONLY at the end of each quarter and at the end of the school year. All request for waivers and documented evidence of the action taken must be kept on file at the Academy.

Exemptions

Absences due to suspensions for a verified transportation problem may not be counted as an absence and/or tardy for the purpose of the attendance requirements for students. When recording attendance Students who are not able to attend the Academy while suspended from school-based transportation will be marked as "excused".

Absences caused by homelessness or foster care/DCF custody will not be counted as an absence and/or tardy for the purposes of the attendance requirement for students.

Safety Concerns

There are times when a parent has wrongly assumed a child has reached the Academy, such as when a student misses a bus and returns home unsupervised. Given this situation, stranger, child-abuse offenders, and motor vehicles present a potential danger, particularly for our young students.

In order to maximize protection and safety under the circumstances noted above, the Academy takes the following measures:

1. Sends an automated absences phone call to all parents/guardians whose child arrives after 9:00 a.m.
2. Encourages parents/guardians to make arrangements to be sure that their children reach the bus/MBTA stop on time every morning and that they actually board the bus/MBTA.
3. Encourages parents/guardians to notify the school by telephone each day that their children will be absent due to illness, etc.
4. Requires that all parents/guardians supply the Academy with accurate and up-to-date home and emergency telephone numbers and indicate the place their children should go if they miss the bus, i.e., the home of a relative, friend, neighbor, etc. These emergency numbers are updated as necessary.

Early Dismissal

Students who need to be dismissed early must provide a written note signed by the parent/guardian stating, the date of the early dismissal, the reason for the early dismissal, a phone number where a parent or guardian can be reached, and the parent or guardian's signature.

Students will only be released to their parent/guardian or the person(s) listed as the Emergency Contact; Academy office staff will require the Emergency Contact to show identification. Students being dismissed early must be signed out in the Main Office. As noted above, please try to schedule appointments outside of school hours. Early dismissals that result in the child not being in attendance for at least half the school day will be marked as “absent”.

Truancy

A student’s absence from school without knowledge or permission of the parents/guardians is considered truancy. Absences from a class without permission shall also be regarded as truancy. The student’s parent or guardian will be notified when a student is truant. Truancy is a violation of Academy’s code of conduct. Additionally, in accordance with state law, the Academy may seek a truancy application for any student between the ages of six and sixteen. The principal or designee may as a matter of law, may excuse cases of necessary absences for other causes up to 7 absences from a full day of school or the equivalent of 14 half day absences in any period of six (6) months before filing a truancy application.

Further, in order to reduce unexcused absences and truancy, the principal shall implement a process to verify the absences of students each morning they are absent. The Academy shall provide this information to students and parents/guardians on an annual basis, and the Executive Director, in consultation with the Board of Trustees, shall review this procedure at the end of each school year.

Verification of Student Residency

As set forth in the Academy’s charter, only residents of the state of Massachusetts may attend the Academy. The Academy requires two (2) proofs of residency at the time admission is offered. Utility bills and the following documents can be used as proof(s) of residence:

- Utility Bill (not water or cell phone) dated within the past 60 days
- A deed or mortgage payment dated within the past 60 days, or property tax bill dated within the last year
- A current lease, section 8 agreement or landlord affidavit
- A W-2 form dated within the year or a payroll stub dated within the past 60 days
- A bank or credit card statement dated within the past 60 days
- A letter from an approved government agency dated within the past 60 days (*approved government agencies include Department of Revenue (DOE), Children and Family Services (DCF), Transitional Assistance (DTA), Youth Services (DYS), Social Security, any communication on Commonwealth of Massachusetts letterhead.*)

For information regarding the verification of student residency for homeless students, foster care students, and military families, please refer to the Homeless, Foster Care, and Military Families Policies and Procedures.

Homeless, Foster Care, and Military Families Policies and Procedures

Homeless Students: Enrollment Rights and Services

To the extent practical and as required by law, the Academy will work with homeless students and their families to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided district services for which they are eligible, including

Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs and school nutrition programs.

The Academy will eliminate enrollment delays caused by requirements of immunization and other health records; residency requirements; lack of birth certificates, school records, or other documentation; guardianship issues; or uniform or dress code requirements [42 U.S.C. § 11432(g)(1)(H)].

The Academy will enroll children and youth experiencing homelessness immediately, and ensure they receive educational and related services for which they are eligible [42 U.S.C § 11432(g)(6)(A)(iii)], even if they are unable to produce records normally required for enrollment, or have missed application or enrollment deadlines during any period of homelessness [42 U.S.C. § 11432(g)(3)(C)(i)].

The Academy will contact the school last attended by the student immediately to obtain relevant academic and other records [42 U.S.C. § 11432(g)(3)(C)(ii)].

If a child or youth experiencing homelessness needs to obtain immunization or other required health records, the Academy will immediately refer the parent, guardian, or unaccompanied youth to the homeless liaison, who will assist in obtaining necessary immunizations or screenings, or immunization or other required health records [42 U.S.C. § 11432(g)(3)(C)(iii)].

Homeless students are defined as lacking a fixed, regular and adequate nighttime residence, including:

1. Sharing the housing of other persons due to loss of housing or economic hardship;
2. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Being abandoned in hospitals;
5. Awaiting foster care placement;
6. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings;
7. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings;
8. Migratory children living in conditions described in the previous examples.

The Executive Director shall designate an appropriate staff person to be the district's liaison for homeless students and their families.

To the extent feasible, homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing. Instead of remaining in the school of origin, parents or guardians of homeless students may request enrollment in the school in the attendance area in which the student is actually living, or other schools. Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are available to homeless families on the same terms as family's resident in the district.

If there is an enrollment dispute, the student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parent or guardian shall be informed of the district's decision and their appeal rights in writing. The district's liaison will carry out dispute

resolution as provided by state rule. Unaccompanied youth will also be enrolled pending resolution of the dispute.

Once the enrollment decision is made, the school shall immediately enroll the student, pursuant to district policies. If the student does not have immediate access to immunization records, the student shall be admitted under a personal exception. Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible, and the district liaison is directed to assist. Records from the student's previous school shall be requested from the previous school pursuant to district policies. Emergency contact information is required at the time of enrollment consistent with district policies, including compliance with the state's address confidentiality program when necessary.

Homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. If the school of origin is in a different district, or a homeless student is living in another district but will attend his or her school of origin in this district, the districts will coordinate the transportation services necessary for the student, or will divide the costs equally.

The district's liaison for homeless students and their families shall coordinate with local social service agencies that provide services to homeless children and youths and their families; other school districts on issues of transportation and records transfers; and state and local housing agencies responsible for comprehensive housing affordability strategies. This coordination includes providing public notice of the educational rights of homeless students in schools, family shelters and soup kitchens. The district's liaison will also review and recommend amendments to district policies that may act as barriers to the enrollment of homeless students.

Educational Opportunities for Military Children

In an effort to facilitate the placement, enrollment, graduation, data collection and provision of special services for students transferring into or out of the district because of their parents/guardians being on active duty in the U.S. Armed Services, the District supports and will implement its responsibilities as outlined in the Interstate Compact on Educational Opportunity for Military Children. The Academy believes it is appropriate to remove barriers to educational success imposed on children of military families because of their parents'/guardians' frequent moves and deployment.

Definitions

Children of military families means school aged children, enrolled in kindergarten through 12th grade, in the household of an active duty member of the uniformed service of the United States, including members of the National Guard and Reserve serving on active duty.

Deployment means the period one month before the service members' departure from their home station on military orders through six months after return to their home station.

Education(al) records means official records, files, and data directly related to a student and maintained by the school including, but not limited to, records encompassing all the material kept in the student's cumulative folder.

The requirements, applicable to eligible students, which must be fulfilled, are listed below. Eligible students are those who are children of active duty personnel. Children are eligible to receive services for one year following discharge due to severe injury, retirement or death of an active

military parent. Students are not eligible for the provisions of the Compact if they are children of inactive Guard or Reserves, retired personnel, veterans not included above or U.S. Department of Defense personnel and other federal civil service employees and contract employees.

The District's responsibilities to eligible children include the following:

- Sending schools must send either official or unofficial records with the moving students and district receiving schools must use those records for immediate enrollment and educational placement.
- Simultaneously, the receiving school must request official records and the sending schools shall respond within 10 days with the records.
- Immunization requirements of the district may be met within 30 days from the date of enrollment (or be in progress).
- Receiving schools must initially honor placement of students in all courses from the sending school. These include, but are not limited to, Honors, International Baccalaureate, Advanced Placement, vocational-technical, and career pathway courses if those courses are offered in the receiving school and space is available. The receiving schools must also initially honor placement of like programs to those of the student in the sending state, including, but not limited to, Gifted and Talented programs, and English as a Second Language programs. Receiving schools are not precluded from performing subsequent evaluation to ensure the appropriate placement and continued enrollment of the student in courses and programs.
- In compliance with federal law, special education students must be placed by the existing IEP with reasonable accommodations in the receiving school.
- The district will exercise, as deemed appropriate, the right to waive prerequisites for all courses and programs, while also maintaining its right to re-evaluate the student to ensure continued enrollment, as deemed appropriate.
- Students of active duty personnel shall have additional excused absences at the discretion of the district for visitations relative to leave or deployment.
- An eligible student living with a noncustodial parent or other person standing in loco parentis shall be permitted to attend the school in which he or she was enrolled while living without the custodial parent/guardian without any tuition fee imposed.
- The District high school will accept exit or end-of-year exams required from the sending state, national norm-referenced tests, or alternate testing instead of testing requirements for graduation in the District (receiving state.) If this is not possible, the alternative provision of the Interstate Compact shall be followed in order to facilitate the on-time graduation of the student in accordance with Compact provisions.
- Include the military student identifier question in their student enrollment procedure.

Educational Opportunities for Children in Foster Care

The purpose of this policy is to ensure the educational stability of students in foster care and their equal access to the same free and appropriate public education through high school graduation as provided to other students as required by law. Educational stability has a lasting impact on students' academic achievement and wellbeing, and the Academy is committed to supporting district and community efforts to ensure that students in foster care have access to high-quality, stable educational experiences.

The law requires that foster care students continue to attend their school of origin, unless after a collaborative decision-making process it is determined to be in the student's best interest to enroll in and attend school in the district in which a foster care provider or facility is located (if different). The law also requires that when it is not in the student's best interest to remain in the school of

origin, the student is immediately enrolled and attending in a new school district, even if records normally required for enrollment cannot be quickly produced. Additionally, the law requires the Department of Children and Families (DCF), The Department of Elementary and Secondary Education (DESE), and the school district to designate points of contact; and also, that the district collaborate with DCF to ensure that students will receive transportation to the school of origin if needed.

Best Interest Determination

Decisions about whether a student in foster care should continue to attend the school of origin should be made collaboratively by DCF, the student (as appropriate), the student's family and/or foster family (and if different, the person authorized to make educational decisions on behalf of the student), the school and district of origin, and (when different) the local district where the student is placed. Best interest determinations should focus on the needs of each individual student and take into account a variety of factors. Every effort should be made to reach agreement regarding the appropriate school placement of a student in foster care. However, if there is disagreement regarding school placement for a student in foster care, DCF will finalize the best interest determination.

The district can seek review of DCF's decision by utilizing a Foster Care School Selection Dispute Resolution Process established by DESE and DCF. Decisions made through this process are not subject to review. Under the law, to promote educational stability, students should continue to attend their schools of origin while best interest determinations are being made.

Transportation

The district of origin must collaborate with DCF on how transportation will be provided and arranged to ensure that students in foster care who need transportation to remain in their school of origin will receive such transportation while they are in foster care.

Transportation options may include using Title I funds, establishing regional collaborations among districts, coordinating with existing routes for transportation, seeking help from foster parent(s), etc. Absent other agreements between the district and DCF, the district of origin is responsible for providing transportation to and from the school of origin.

Immediate Enrollment

If it is in the best interest of a student in foster care to leave the school of origin, the student must be enrolled in school in the local school district immediately. To minimize disruption of the student's education, the law requires the district to enroll the student in a new school right away, without waiting to receive the typical student enrollment documentation (other than emergency contact information). The enrolling school must immediately contact the child's school and district of origin to obtain the relevant records and documentation, and the school and district of origin should immediately transfer those records.

To facilitate enrollment, DCF representatives will present the district with a form that indicates that the student is in foster care, along with their state-agency identification badge, when enrolling students.

Uniform Policy

Philosophy

School uniforms create an environment conducive to learning by removing distraction and promoting a unified community. The Academy's school uniform policy is designed to allow students to focus their attention on academics. The dress code is in effect for the entire school day, except on specially scheduled "dress down" days. The dress code applies to field trips, High School visits, and other school-related activities, unless the Building Administrator or Designee informs students otherwise. Students are required to be in full dress code prior to entering the building.

To ensure that the school's uniform policy has the desired effect, it is mandatory that it be implemented consistently. As such, Academy faculty and staff perform dress code checks daily during attendance. Students who are not in compliance with the Academy dress code may receive a detention. Families are expected to support the school when a dress code issue is determined.

Dress Code Options

| Item | Style | Color | Comments |
|---|---|--|--|
| Pants | Traditional Chino Khaki Pants/Shorts/Skorts | Khaki | All students must wear traditional khaki colored chino pants. No cargo pants, or khaki colored joggers. Students are permitted to wear traditional khaki colored chino/Bermuda shorts/skorts in August-September as well as May-June. Shorts must be loose fitting and fall at least one inch above the knee. No cargo shorts. |
| Shirts | DLA Logoed Polo Shirt (Long Sleeve or Short Sleeve | Navy Blue | All students must purchase shirts with the Academy logo. All shirts must be buttoned and tucked in. A navy blue, or white long-sleeved shirt may be worn underneath a short-sleeved shirt. No logos or designs should be visible beneath shirts. All shirts must be clean and wrinkle-free without holes. |
| Fleece Jacket/Vest, Crewneck Sweatshirt | DLA logoed zip-up fleece jacket/vest, DLA logoed hoodies, or crewneck sweatshirt | Navy Blue | Students have the option of wearing a DLA logoed navy-blue fleece jacket/vest, hoodies, or crewneck sweatshirt. Hoods are not allowed to be worn in the building. No other hooded sweaters or sweatshirts, fleeces, vests, windbreakers, jackets, or any coats are allowed during the school day. |
| Shoes | Closed-toed and closed-back dress shoes, loafer, boots, or lace up style sneakers | Any Color | No open back, sandals, spiked heels, heels more than 2 inches, or open-toed shoes and no boots higher than the ankle. |
| Headwear | Headbands or head wraps | Navy Blue, Yellow, Gold, Black, White, or traditional African print. | No hats, scarves, or headgear may be worn inside the school building (except for religious reasons; parent/guardian note must be provided). No bandanas are allowed. Neutral headbands and/or head wraps can be worn (must be without visible logo). Colors are navy blue, |

| | | | |
|-----------------------|---|--|---|
| | | | yellow, gold, black, white, or traditional African print. |
| Hair, makeup, jewelry | Stud earrings and watches are appropriate | | Standard to be at the discretion of the administration. No visible chains. No makeup. Modest earrings (studs), watches, rings, and bracelets can be worn. |

Physical Education Uniform

Students are expected to wear the standard issued DLA gym uniform. Students must wear their gym uniform on the days they gym (once a week). Students are not permitted to wear their gym uniforms on days that they do not have gym. No student is permitted to wear the gym uniform on Friday's. The gym uniform consists of: black on black sneakers, and DLA logoed t-shirts, and sweatpants, and gym shorts (DLA logoed gym shorts can only be worn in August-September and May-June).

Purchasing Uniforms

School uniforms can be purchased online at www.bostonschooluniforms.com or by visiting:

L & M Bargain Store
640 American Legion Highway
Roslindale, MA 02131

L & M Bargain Store
745 Dudley Street
Dorchester, MA 02125

Uniform Assistance Program

The Academy offers uniform assistance for families in need. Request for uniform assistance should be made in writing to the Recruitment and Enrollment Coordinator.

Enforcement Guidelines

The Academy adheres to the following guidelines regarding uniform infractions:

First Offense: The Dean of Students will send notification in writing to the parent/guardian notify them that their child failed to adhere to the Academy dress code. The Dean of Students will provide the parent/guardian with a uniform information packet that includes:

- Information on the policy
- Options on articles of clothing, colors, etc.
- How to order uniforms, including the names and address of local vendors
- Costs and, the Academy's Uniform Assistance Program
- Enforcement guidelines.
- Exemptions from the policy

Second Offense: The Dean of Students will issue the student a detention, and notify the parent/guardian of the infraction [if infraction does not qualify for one of the Exemptions]. Additionally, the Dean of Students will provide the parent/guardian with a uniform information packet.

Third and Subsequent Offense(s): The Dean of Students will issue the student a detention, and notify the parent/guardian of the infraction [if infraction does not qualify for one of the

Exemptions]. Additionally, the Dean of Students will provide the parent/guardian with a uniform information packet, specifically highlighting the Uniform Assistance Program.

Exemptions

The Academy allows for the following exemptions to the dress code:

- Creates financial hardship (see Uniform Assistance Program)
- Violates religious belief
- Other personal reasons cited by the parent and approved by the Principal or Executive Director.

Dress Down Day Policy

The Academy uses dress down days as incentives for community wide initiatives, as well as a reward for school-wide accomplishments. The Principal or Designee will notify Parents/guardians in writing at least 24 hours in advance of any dress down day. In an effort to maintain a safe school environment conducive to learning, students are not permitted to wear the following:

- Any article of clothing that is imprinted with illustrations or message that are insulting or demeaning to fellow students, staff, parents, or community members.
- Any article of clothing that violates the Academy's Non-Discrimination Policy (see Section 16 of the Community Handbook).
- Any article of clothing that violates the Academy's Harassment Policy (see Section 14 of the Community Handbook).
- Any article of clothing that violates the Academy's Bullying and Prevention and/or Anti-Hazing Policies (see Section 15 of the Community Handbook).
- Any article of clothing that would violate the Academy's Code of Conduct (see Section 12 of the Community Handbook).
- Any article of clothing that depicts drugs, drug paraphernalia, illegal activity, weapons and/or violence.
- Any article of clothing that depicts alcohol, cigars, cigarettes (including e-cigarettes), or vapors.
- Any articles of clothing that reveals the shoulder, chest, or midriff area.
- Any article of clothing that is commonly associated with gang activity.
- Shorts, skirts, and/or dresses must be loose fitting and fall at least 1 inch above the knee (only permitted in August-September and May-June).

Non-Tolerance of Hate Crimes

The Academy and its Board of Trustees will not stand for hate crimes. The Academy recognizes that a hate crime occurs when a student is targeted for physical assault, threat of bodily harm, or intimidation, at least in part because of his/her race, color, religion, ethnicity, national origin, gender, gender identity, disability, and/or sexual orientation.

The Academy shall consider any incident at school or a school-sponsored event to be a hate crime, where the incident involved at least in part:

- Use of racial, ethnic, religious, sexual, or anti-gay slurs;
- Use of symbols of hate (e.g., swastika, burning cross);
- Similar behavior by the wrongdoer towards other student from the same racial, ethnic, or religious group or against students of the same sexual orientation, gender identity or gender; or

- The victim was participating an activity supporting a particular racial, religious, ethnic/national origin, disability, gender identity, sexual orientation.

The Academy shall report all instances of suspected hate crimes to the local law enforcement agency as soon as practicable upon learning of such a hate crime.

Teen Dating Violence

The Academy is committed to providing a learning and community environment in which dating violence is not tolerated. Accordingly, the Academy seeks to increase awareness of teen dating violence and help in responding to the needs of victims and children who are witnesses to such violence. Teen dating violence occurring in any setting is unlawful and teen dating violence occurring in any school setting will not be tolerated.

Further, retaliation against an individual who has complained about teen dating violence or cooperated in an investigation of teen dating violence will not be tolerated. The Academy will respond promptly to complaints and reports of teen dating violence or retaliation and corrective action will be taken where necessary, including disciplinary action where appropriate. The principal shall develop administrative guidelines consistent with this policy.

Defining the Issue of Teen Dating Violence

Dating violence (or relationship abuse) is a pattern of over-controlling behavior that someone uses against their girlfriend or boyfriend. Dating violence can take many forms, including mental/emotional abuse, physical abuse, sexual abuse and/or through the use of technology (i.e., cyberbullying). Someone may experience dating violence even if there is no physical abuse. It can occur in both casual dating situations and serious, long-term relationships.

Additionally, such conduct may also constitute harassment, a form of discrimination, that is prohibited by federal and state law; and/or such conduct may constitute bullying, including without limitation, cyberbullying, which is prohibited by state law.

Recognizing Warning Signs

Signs of abusive behavior include, but are not limited to, a student's acting unreasonably jealous when his/her boyfriend/girlfriend talks to others; one student trying to decide what the his/her boyfriend/girlfriend should do; a student blowing disagreements out of proportion; one student constantly threatening to break up; a student losing his/her temper verbally or physically; one student blaming the other for their own problems; one student physically and emotionally hurting their partner; engaging in acts of bullying or cyberbullying.

Signs of victimization include, but are not limited to, a student constantly cancelling plans for reasons that do not sound right; always worrying about making their boyfriend/girlfriend angry; a student giving up things that are important to them; showing signs of physical abuse, such as bruises or cuts; showing signs of emotional abuse; a student getting pressured into having sex or feeling like a sex object; a student having a boyfriend/girlfriend that wants them to be available all the time; a student becoming isolated from family or friends; or a student being bullied or cyberbullied.

Procedure for Reporting Teen Dating Violence

A student who believes that he/she has been a victim of teen dating violence, believes that he/she is in danger of teen dating violence, or has a restraining order against an individual, may report the

matter to any of the following individuals: principal or designee. The person who receives the report must immediately notify the executive director.

Additionally, any employee who observes an incident of teen dating violence on school property or at a school related event, must immediately notify the principal.

The principal must immediately do the following: (1) notify the parents/guardians of the victim, and (2) notify the appropriate authorities. When a report of teen dating violence is received, whether it occurred off school property or has occurred on school property, on the way to or from school or at a school related event, or a violation of a restraining order on school property, on the way to or from school or at a school related event is received, the principal will act promptly to notify the appropriate authorities of the alleged incident.

Reporting of any such incident will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. It is important to take third party information seriously where teen dating violence is concerned. It is recommended that an appropriately trained member of the school staff approach the student to discuss what has been heard and potential concerns. If abuse is acknowledged, a "safety plan" should be worked on, in addition to recommending and sharing referrals for counseling, support groups, and police/court assistance.

Additionally, school staff must remember to comply with all statutory reporting obligations for suspected abuse and neglect (51A reporting). Filing of 51A complaints should be done by following the Academy's Reporting Abuse and Neglect Policy, including notifying the principal of the suspected abuse and neglect. Furthermore, school staff also must remember to report all crimes to the police. Staff should notify the principal, who will coordinate notification to the police. Reporting of any such incident will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances.

Procedures When the Academy Is Provided with a Copy of Restraining Order

When a student has a restraining order against an individual and provides a copy of the order to the Academy, the principal should hold a meeting with the employee or with the student and his/her parents/guardians to review the restraining order and its implications. A "safety plan" should be drafted to address the victim's needs and concerns, including staff to whom the student may report if any concerns arise or any violation of the restraining order occurs while the student or employee is on school property or at a school related event. If the restraining order is against another member of the school community, a separate meeting should be held with that individual to review the restraining order and its implications, expectations and the consequences for violation of the order. The development of the "safety plan" will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances.

Disciplinary Action

If it is determined that inappropriate conduct has been committed, the Academy will take such action as it deems appropriate under the circumstances. Such action may range from counseling and/or discipline up to and including suspension or expulsion from school.

Co-Curricular and Extracurricular Activities

The Academy believes that student activities are a vital part of the total educational program and should be used as a means for developing the complete student. Therefore, the Academy will provide a broad and balanced program of activities geared to the various ages, interests, needs and

ability levels of students.

The following will serve as guides in the organization and development of student activities:

- The Academy will observe a complimentary relationship to the home and community, planning activities with due regard for the widespread facilities already available to students.
- The assistance of parents/guardians in planning activity programs will be encouraged.
- The goal for each student will be a balanced program of appropriate academic studies and activities to be determined by the school, the parents/guardians, and the student. This should be a shared responsibility.
- Guidance will be offered to encourage participation of all students in appropriate activities and to prevent over-emphasis on extracurricular activities at the cost of academic performance.
- All activities will be supervised; all clubs and groups will have a faculty or staff member advisor.
- Most activities should be an outgrowth of curriculum activities.
- All participation should be voluntary.

No student whose conduct or work in school is unsatisfactory shall be allowed to take part in any co-curricular and extracurricular activity. At all events that are under the jurisdiction of the Academy, and are attended exclusively by students of the Academy a member of the school staff shall be in attendance and shall be responsible for preserving order. He/she shall remain in charge until all students have left.

The Academy shall provide equal opportunity and equal access to all co-curricular and extra-curricular activities without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, ethnicity, disability, or genetic information of any student.

Student Fundraising and Public Solicitation

The Academy places limits on fundraising activities and public solicitation of students and staff within schools for the following reasons:

- The Academy should provide students, parents/guardians, families and employees some measure of protection from exploitation by commercial and charitable fundraising organizations.
- The Academy should not give the public the impression of generally endorsing or sanctioning commercial and fundraising activities.
- Commercial and fundraising activities may disrupt school routine and cause loss of instructional time.

Following these guiding statements, the Academy may permit the following occasional fundraising activities related to the objectives of the school:

- Sale of tickets to scheduled athletic events and school dramatic and musical performances are permitted.
- Sale of advertising space in school publications in accordance with the provisions of the Academy's policies related to marketing is permitted.
- Proposals to raise funds for charitable purposes or for benefit of the school or community (for example: scholarship funds, disaster relief or humane causes) provided such proposals have been individually approved by the executive director. In these cases, fundraising proposals must be student rather than parent/guardian, family or staff driven.
- Fundraising for field trips and school trips in accordance with the provisions of the Academy's policies.
- Professional fundraising organizations that raise funds for a fee shall **not be** utilized.

No money collections of any kind on behalf of students, teachers, and/or other staff may be held in the schools without the specific written consent of the executive director. Further, the Academy recognizes that student fundraising efforts should not be the responsibility of teachers and/or other school staff.

For purposes of this policy, parent-teacher organizations, school councils and groups representing employees of the Academy will be considered "school groups" and will be governed by this policy, as well as the Academy's policy on Gifts and Solicitations. Whenever fundraising is conducted, no pressure will be exerted to obtain contributions even if the drive is one that has been approved.

Interscholastic Athletics

The Academy believes that students will benefit from the experiences in leadership, mental toughness, and character development made possible through participation in interscholastic athletics.

The Academy's participation in interscholastic athletics will be in accordance with regulations and recommendations of the Academy's Student-Athlete Handbook, and the Massachusetts Charter School Athletic Organization. Students will be allowed to participate in individual sports on the basis of their abilities and desire. Additionally, intramural athletic activities may be offered as an outgrowth of class instruction in physical education.

No student whose conduct or work in school is unsatisfactory shall be allowed to take part in in any interscholastic athletics. All students desiring to participate in athletics must be examined by their primary care physician or other licensed health care professional and must provide documentation of all such physical examination to the school nurse at the appropriate time.

Any and all proposed out-of-state competitive activities to be engaged in by teams or individuals representing the Academy shall be submitted, for prior review, to the executive director. The executive director, after carefully reviewing said recommendations, shall either approve or disapprove of the proposed activity. If approved, the executive director shall forward a

recommendation to the Board of Trustees for final approval.

Student Health Services and Requirements

The Academy may provide student health services, such as identification and treatment of non-emergent student health needs, health screening tests (including vision, hearing and dental screening tests and body mass index), infectious disease prevention and control, promotion of the correction of remediable health defects, emergency care of the ill and injured, health counseling, health and safety education, and the maintenance of a healthy school environment.

The Academy recognizes that parents/guardians have the primary responsibility for the health of their students. The Academy will cooperate with appropriate professional organizations associated with maintaining individual and community health and safety. The Academy shall provide the services of a School Health Physician who shall render administrative consultative services for personnel responsible for school health and athletics.

Procedures for Emergency at School

Personnel who are not licensed by the Department of Public Health shall administer only emergency care to students who become ill or injured on school property, buses, or while under school supervision in the absence of a school nurse. Each year, parents/guardians shall supply information indicating where the student is to be taken in case of an emergency; the name, address, and phone number of an individual to be contacted in case the parent/guardian is not available; and any allergies or diseases the student might have.

The Academy shall maintain a Medical Emergency Response Plan, as required by law, which shall be utilized by school personnel for handling emergencies. Emergency procedures shall include the following:

- Provision for care beyond First Aid, which would enable care by the family or its physician or the local Emergency Medical Services agencies. In instances when Emergency Medical Services is required, every effort shall be made to provide Emergency Medical Services with a copy of the student's health information, including a list of any allergies or diseases the student might have.
- Information relative to not permitting the administration of any form of medicine or drugs to a student by licensed or unlicensed staff without written approval of the student's parents/guardians. Requests made by parents for such administration of medication shall be reviewed and approved in accordance with school policy.
- Provisions for reporting all accidents, cases of injury, or illness to the principal and school medical professionals in accordance with the procedures detailed in the school's Emergency Operations Plan.
- Prompt reporting by teachers and any other school staff to the principal or his or her designee and school medical professionals of any accident or serious illness and such reports will be filed with the school nurse.

Student Illness or Injury

In case of illness or injury, the parent/guardian will be contacted and asked to call for the student or provide the transportation. Transportation of an ill or injured student is not to be provided by

the school. If the parent/guardian cannot provide transportation of a student to the hospital and the student is ill or injured and in need of medical treatment, an ambulance may be called. Expense incurred as a result of ambulance use will not be borne by the Academy.

Educational Services to Students Excluded for Infectious Disease

The Academy is required to provide educational services to all enrolled students. By law, however, admission to school and continued enrollment may be denied to any child diagnosed as having an infectious disease whereby attendance could be harmful to the welfare of other students and staff, subject to the Academy's responsibilities to children with disabilities under the law.

Management of common infectious diseases shall be in accordance with Massachusetts Department of Health guidelines. In situations when one or more cases of a vaccine-preventable or any other infectious disease are present in school, all susceptible individuals including those with medical or religious exemptions are, in accordance with applicable Massachusetts Department of Public Health regulations, subject to exclusion. A student who exhibits symptoms of an infectious disease may be temporarily excluded from school attendance. The Academy reserves the right to require a physician's statement authorizing the student's return to school.

The educational placement of a student who is medically diagnosed as having an infectious disease shall be determined on an individual basis in accordance with this policy and state regulations regarding the provision of educational services in home and in the hospital. Decisions about the proper educational placement shall be based on the student's behavior, neurological development, and physical condition; the expected type of interaction with others in school setting; and the susceptibility to other diseases and the likelihood of presenting risks to others and in collaboration with school medical professionals, a student health care plan will be developed. A regular review of the placement decision shall be conducted to assess changes in the student's physical condition, or based on new information or research that may warrant a change in a student's placement.

In the event a student with an infectious disease qualifies for special education and related services under state and federal law, the procedures for determining the appropriate educational placement in the least restrictive environment shall apply.

Neither this policy nor the placement of a student in any particular program shall preclude the administration from taking any temporary actions including removal of a student from the classroom as deemed necessary to protect the health, safety, and welfare of the student, staff and others.

In all proceedings related to this policy, the Academy shall respect the student's right to privacy. Only those persons with a direct need to know shall be informed of the specific nature of the student's condition in accordance with the applicable provisions of federal and state law. The determination of those who need to know shall be made by the principal.

Administration of Prescription Medication

It is the policy of the Academy to have procedures in place for the safe and proper administration of prescription medications to students attending the Academy and for addressing issues relating to the management of life-threatening food allergies in the school setting. The procedures supporting this policy are set forth below.

Prescription Administration Program

The school nurse is designated as the supervisor of the prescription medication administration for the individual schools.

The administration of prescription medication may be delegated by licensed employees of the school to unlicensed school personnel, who may then disperse prescription medication under the supervision of school medical professionals. Unlicensed school personnel may include health aides, administrative and teaching staff. For the purpose of administering emergency prescription medication to an individual child, including parental administration of medication, school medical professionals may identify individual school personnel or additional categories. Said school personnel shall be listed on the medication administration plan in the administration of emergency medication to a specific child.

An individual in an approved category may be authorized to administer prescription medication if he/she meets the following criteria: (i) is a high school graduate or its equivalent; (ii) demonstrates sound judgment; (iii) is able to read and write English; (iv) is able to communicate with the student receiving the prescription medication or has ready access to an interpreter when needed; (v) is able to meet requirements of 105 C.M.R. 210.00 and is able to follow nursing supervision; (vi) is able to respect and protect the student's confidentiality; and (vii.) has completed training as required by applicable Massachusetts regulations.

A school medical professional shall be on duty in the school system while prescription medications are being administered by designated unlicensed school personnel, and available by telephone should consultation be required. The administration of parenteral medications may not be delegated, with the exception of epinephrine in a life-threatening situation where the child has a known allergy and there is an order for administration of the medication from a licensed prescriber and written consent of the parent or guardian.

Prescription medications to be administered pursuant to "as needed" orders may be administered by authorized school personnel after an assessment by or consultation with school medical professionals for each dose.

Student Self-Administered Prescription Medication:

Students with asthma or other respiratory diseases shall be permitted to possess and administer prescription inhalers; students with life threatening allergies shall be permitted to possess and administer epinephrine; students with cystic fibrosis shall be permitted to possess and administer prescription enzyme supplements; and students with diabetes shall be permitted to possess and administer a glucose monitoring test and insulin delivery system in accordance with the Department of Public Health's regulations concerning a student's self-administration of a prescription medication.

If a student and his/her parents/guardians wish for the student to be able to self-administer one of these prescription medications, the Academy must enter into an agreement with the student and parent/guardian, where appropriate, which specifies the conditions under which prescription medication may be self-administered.

Before reaching such agreement, the Academy and the student and parent/guardian shall develop a plan for medication administration. Further, the Academy shall first evaluate the student's health status and abilities and have deemed the self-administration of the prescription medication safe and appropriate. In this respect, the Academy and parent/guardian should be reasonably assured that the student is able to identify the appropriate prescription medication, knows the frequency

and time of day for which the prescription medication is ordered, and will and is able to follow the school self-administration protocols.

At its discretion, the Academy may require the following in relation to a student's self-administration of prescription medication:

- That the licensed prescriber must provide a written order for self-administration of the prescription medication before the Academy will allow the student to self-administer prescription medication.
- That the student follows a procedure for documentation of self-administration of prescription medication and that all documentation and/or recording requirements are fully met and satisfied.
- That a written authorization from the student's parent/guardian that the student may self-medicate is provided in advance, unless the student has consented to treatment permitting the student to consent to medical treatment without parental permission.
- That procedures for the safe storage of self-administered prescription medication are developed. As appropriate, the Academy may consult with teachers, the student and parent/guardian, if appropriate, to determine a safe place for storing the prescription medication for the individual student, while providing for accessibility if the student's health needs require it.
- That a plan to monitor the student's self-administration, based on the student's abilities and health status is develop and implemented with parental/guardian and student permission. As appropriate, the Academy may inform teachers and administrators that the student is self-administering a prescription medication.

An updated list of unlicensed school personnel who have been trained in the administration of prescription medications shall be maintained by the school medical professionals. Upon request, a parent or guardian shall be provided with a list of school personnel authorized to administer prescription medications.

Medication Orders

School medical professionals shall have final decision-making authority with respect to delegating administration of prescription medications to unlicensed personnel.

School medical professionals shall ensure that there is a proper medication order from a licensed prescriber which is renewed as necessary including the beginning of each academic year. A telephone order or an order for any change in prescription medication shall be received only by school medical professionals. Any verbal order must be followed by a written order within three (3) school days. Whenever possible, the medication order shall be obtained, and the medication administration plan shall be developed before the student enters or re-enters school.

In accordance with standard medical practice, a medication order from a licensed prescriber shall contain: (1) the student's name; (2) the name and signature of the licensed prescriber and business and emergency phone numbers; (3) the name, route and dosage of medication; (4) the frequency and time of medication administration; (5) the date of the order; (6) a diagnosis and any other medical condition(s) requiring medication, if not a violation of confidentiality or if not contrary to

the request of a parent, guardian or student to keep confidential; and (7) specific directions for administration.

Every effort shall be made to obtain from the licensed prescriber the following additional information, as appropriate: (1) any special side effects, contraindication and adverse reactions to be observed; (2) any other medication being taken by the student; (3) the date of return visit, if applicable.

Special Medication Situations

For short-term prescription medication, i.e., those requiring administration for ten (10) school days or fewer, the pharmacy-labeled container may be used in lieu of a licensed prescriber's order. For "over-the-counter" medications, i.e. non-prescription medications, school medical professionals shall follow the Board of Registration in Nursing's protocols regarding administration of over-the-counter medications in schools. Under no circumstance may school staff administer over-the-counter medications.

Investigational new drugs may be administered in the school with (1) a written order by a licensed prescriber, (2) written consent of the parent or guardian, and (3) a pharmacy-labeled container for dispensing. If there is a question, school medical professionals may seek consultation and/or approval from the school physician to administer the medication in a school setting.

School medical professionals shall ensure that there is a written authorization by the parent or guardian which contains: (1) the parent or guardian's printed name and signature and a home and emergency phone number; (2) a list of all medications the student is currently receiving, if not a violation of confidentiality or contrary to the request of the parent, guardian or student that such medication not be documented; (3) approval to have school medical professionals or school personnel designated by school medical professionals administer the prescription medication; and (4) persons to be notified in case of a medication emergency in addition to the parent or guardian and licensed prescriber.

Plan for the Administration of Medication

School medical professionals, in collaboration with the parent or guardian whenever possible, shall establish a medication administration plan for each student receiving a prescription medication. Whenever possible, a student who understands the issues of medication administration shall be involved in the decision-making process and his/her preferences respected to the maximum extent possible. If appropriate, the medication administration plan shall be referenced in any other health or educational plan developed pursuant to the federal or state law, including Massachusetts special education law, the Individuals with Disabilities Education Act (IDEA), or Section 504 of the Rehabilitation Act of 1973.

Prior to the initial administration of the prescription medication, school medical professionals shall assess the child's health status and develop a medication administration plan which includes: (i) the name of the student; (ii) a medication order from a licensed prescriber; (iii) the signed authorization of the parent or guardian; (iv) any known allergies to food or medication; (v) the diagnosis, unless a violation of confidentiality or the parent, guardian or student requests that it not be documented; (vi) any possible side effects, adverse reactions or contraindications; (vii) the quantity of prescription medication to be received by the school from the parent or guardian; (viii) the required storage conditions; (ix) the duration of the prescription; (x) the designation of unlicensed school personnel, if any, who will administer the prescription medication to the student in the absence of school medical professionals, and plans for back-up if the designated personnel

are unavailable; (xi) with parental permission, other persons, including teachers, to be notified of medication administration and possible adverse effects of the medication; (xii) when appropriate, the location where the administration of the prescription medication will take place; (xiii) a plan for monitoring the effects of the medication; (xvi) provision for prescription medication administration in the case of field trips and other short-term school events.

Every effort shall be made to obtain a school medical professional or school staff member trained in prescription medication administration to accompany students at special school events. When this is not possible, school medical professionals may collaborate with another responsible adult for medication administration. Written consent from the parent or guardian for the named responsible adult to administer the prescription medication shall be obtained. School medical professionals shall instruct the responsible adult on how to administer the prescription medication to the child.

Handling, Storage and Disposal of Prescription Medications

A parent, guardian or parent/guardian-designated responsible adult shall deliver all prescription medications to be administered by school personnel or to be taken by self-medicating students, to school medical professionals or other responsible person designated by school medical professionals.

The prescription medication must be in a pharmacy or manufacturer labeled container. The school medical professional or other responsible person receiving the prescription medication shall document the quantity of the prescription medication delivered. In extenuating circumstances, as determined by school medical professionals, the prescription medication may be delivered by other persons provided, however, that school medical professionals are notified in advance by the parent or guardian of the arrangement and the quantity of prescription medication being delivered to the school.

All prescription medications shall be stored in their original pharmacy or manufacturer labeled containers and, in such manner, as to render them safe and effective. All prescription medications to be administered by school personnel shall be kept in a securely locked cabinet used exclusively for medications, which is kept locked except when opened to obtain medications. The cabinet shall be substantially constructed and anchored securely to a solid surface. Prescription medications requiring refrigeration shall be stored in either a locked box in a refrigerator or in a locked refrigerator maintained at temperatures of 38° to 42° F.

Access to stored prescription medications shall be limited to persons authorized to administer prescription medications. Access to keys and knowledge of the location of keys shall be restricted to the maximum extent possible.

Parents or guardians may retrieve the prescription medications from the school with prior notice. No more than a 30-school day supply of the prescription medication for a student shall be stored at the school. Where possible, all unused, discontinued or outdated prescription medications shall be returned to the parent or guardian and the return appropriately documented.

Documentation and Record-keeping

The Academy shall maintain a medication administration record for each student who receives or who may require prescription medication during school hours. Such record, at a minimum, shall include a daily log and a medication administration plan, including the medication order and parent/guardian authorization.

The daily log shall contain: (i) the dose or amount of prescription medication administered; (ii) the date and time of administration or omission of administration, including the reason for omission; (iii) the full signature of school medical professionals or designated unlicensed school personnel administering the prescription medication. If the prescription medication is given more than once by the same person, he/she may initial the record, subsequent to signing a full signature; (iv) school medical professionals shall document in the medication administration record significant observations of the prescription medication's effectiveness, as appropriate, and any adverse reactions or other harmful effects, as well as any action taken; (v) all documentation shall be recorded in ink or in the electronic medical record and shall not be altered; (vi) with the consent of the parent, guardian or student where appropriate, the completed prescription medication administration record and records pertinent to self-administration shall be filed in the student's cumulative health record. When the parent/guardian or student, where appropriate, objects, these records shall be regarded as confidential medical notes and shall be kept confidential.

Medication errors shall be documented by school medical professionals on an accident/incident report form. These reports shall be retained in a location as determined by school policy and made available to the Department of Public Health upon request. All suspected diversion or tampering of drugs shall be reported to the Department of Public Health Division of Food and Drugs. All medication errors resulting in serious illness requiring medical care shall be reported to the Department of Public Health Bureau of Family and Community Health. The Academy shall comply with the Department of Public Health's reporting requirements for prescription medication administration in the schools.

Administration of Epinephrine

Properly trained school personnel, which may include health aides, administrative and teaching staff, cafeteria staff, school bus drivers, and school bus monitors, may administer epinephrine by auto injector in a life-threatening situation, when a school medical professional is not immediately available.

Administration of epinephrine in accordance with this policy and the regulations of the Massachusetts Department of Public Health also shall apply to before and after school programs, including athletic programs, special school events and other school-sponsored programs, that are supervised or directed by the Academy personnel or other persons hired or selected by the Academy to supervise and direct such programs. For the purpose of administering epinephrine, school medical professionals, in consultation with the school physician, will manage and have final decision-making authority about the epinephrine administration program and selection of persons authorized to administer epinephrine by auto injector. Any individual authorized to administer epinephrine by auto injector will be trained by a licensed physician or nurse and tested for competency in accordance with the standards and a curriculum approved by the Department of Public Health.

School medical professionals shall document the training and testing of competency and provide a training review and informational update at least twice a year and the training, at a minimum, shall include: (i) proper use of the device; (ii) the importance of consulting and following the medication administration plan; (iii) recognition of the symptoms of a severe allergic reaction; and (iv) requirements for proper storage and security, notification of appropriate persons following administration and record keeping.

Each school shall maintain and make available, upon request by parents/guardians or staff, a list of those school personnel authorized and trained to administer epinephrine by auto injector in an

emergency, when school medical professionals are not immediately available.

Epinephrine shall be administered only in accordance with a medication administration plan that is updated on an annual basis and which shall include: (i) a diagnosis by a physician that the child is at high risk of a life threatening allergic reaction, and a medication order containing indications for administration of epinephrine; (ii) written authorization by a parent/guardian; (iii) a home and emergency number for the parents/guardians as well as the name(s) and phone number(s) of any other person(s) to be notified if the parents/guardians are not available; (iv) identification of places where the epinephrine is to be stored, following consideration of the need for storage at places where the student may be most at risk. The epinephrine may be stored at more than one location or carried by the student where appropriate; (v) Consideration of the ways and places epinephrine can be stored so as to limit access to appropriate persons, which shall not require the epinephrine to be kept under lock and key;; (vi) A list of the school personnel who would administer the epinephrine to the student in a life threatening situation; and (vii) A plan for risk reduction for the student, including a plan for teaching self-management, where appropriate.

When epinephrine is administered, there shall be immediate notification of the local emergency medical services system followed by notification of school medical professionals, the student's parents/guardians or, if the parents/guardians are not available, any other designated person(s), and the student's physician.

The procedures, in accordance with standards established by the Department of Public Health, for the development of a medication administration plan shall be as set forth herein. The procedures, in accordance with the standards established by the Department of Public Health, for the proper storage of medication shall be as set forth herein. The procedures, in accordance with the standards established by the Department of Public Health, for recording receipt and return of medication by school medical professionals shall be as set forth herein. The procedures, in accordance with the standards established by the Department of Public Health, for documenting the date and time of administration shall be as set forth herein.

The procedures for notifying appropriate parties of administration shall be that school medical professionals, in accordance with procedures established by the Department of Public Health, shall notify appropriate parties, including classroom teacher, food service and transportation staff or other designated person(s) when a student has a medication administration plan or that plan has been implemented. The procedures, in accordance with the standards established by the Department of Public Health, for reporting medication errors shall be as set forth herein.

The procedures for reviewing any incident involving administration of epinephrine to determine the adequacy of the response and to consider ways of reducing risks for the particular student and the student body in general shall be in accordance with the standards established by the Department of Public Health, and followed by school medical professionals and the Academy. The procedures for planning and working with the emergency medical system to ensure the fastest possible response shall be in accordance with the standards established by the Department of Public Health.

Management of Life-Threatening Food Allergies

Food Allergy Program

In accordance with the Massachusetts Department of Education's Guidelines on Managing Life Threatening Food Allergies in Schools, the Academy shall have a food allergy program to ensure the

safety and well-being of any individual with life threatening food allergies. The principles of this program, which shall be overseen by school medical professional, shall be that: (i) all staff will be trained to recognize allergic reactions; (ii) all staff will be able to identify potential food allergens and assist children to avoid them; and (iii) all staff will know their role in responding to an allergic reaction.

The Academy recognizes that an effective food allergy program is a cooperative effort among school staff, parents/guardians and school medical professionals. In order to facilitate the cooperative effort and nature of a food allergy program, the following will occur:

- Schools will be expected to take the necessary steps to ensure that: (a) foods served to food-allergic students do not have any food allergens to which the student is allergic; (b) appropriate non-allergenic food substitutes are available; (c) medications such as EpiPen's are available; and (d) all staff will be trained annually to recognize symptoms of allergic reaction and to understand their role as a responder in the event of an allergic reaction
- Parents/guardians will be encouraged to: (a) inform school medical professionals, the principal and classroom teachers if their child has a food allergy; (b) work with school medical professionals, the principal and classroom teachers to develop and implement a plan for ensuring that their child is safe from potential allergens; and provide physician ordered emergency medications if indicated for their child's safety.
- The Academy will ensure that: (a) there will be a designated peanut-free table in each cafeteria, as needed; (b) all food service staff will be trained annually to recognize symptoms of allergic reaction and to understand their role as a responder in the event of an allergic reaction; (c) no food will be prepared with peanuts, peanut butter or peanut oil; and (d) peanut butter sandwiches will only be served as an alternative lunch item and must be specifically requested by a student.
- School medical professionals will: (a) provide annual training for school staff, food service and transportation staff that will include information on food allergies, how to recognize an allergic reaction and how to respond in the event of an allergic reaction, including the use of an EpiPen; (b) maintain an individual health care plan for each child with a documented food allergy, such plan to include an allergy action plan for addressing the management of anaphylaxis that contains the student's name, photo with the written permission of the parent/guardian, allergens, allergic reaction if known, risk reduction procedures, emergency procedures and required signatures; (c) maintain emergency medication as ordered by the physician of each child with a food allergy; and (d) work with parents and school staff to set guidelines for classroom concerns that relate to food allergy.

When an individual health care plan is developed for a student, a meeting shall be conducted by school medical professionals with the student's parents/guardians, the student (if appropriate), the school nurse, classroom teachers, food service manager and other school personnel as determined by the student's need to discuss measures to reduce exposure to allergens and the procedures to treat allergic reactions. School medical professionals also shall provide appropriate staff with training regarding a student's life-threatening allergens, symptoms, risk reduction procedures, emergency procedures and how to administer an epinephrine auto-injector.

School medical professional shall be authorized to administer epinephrine in order to manage anaphylaxis in individuals within unknown allergies. The Academy, in cooperation with the

Department of Public Health, will collaborate with emergency response systems to confirm their availability and use of EpiPen and will review EpiPen administration and transport incidents as needed.

Policy Review

The review and revision of this policy and any related procedures shall occur as needed but at least every two years.

Student Fees, Fines, and Charges

General

It is a responsibility of the Academy to assure that its students are provided with free public education. Therefore, no fee or charges may be required as a condition of school year attendance, credit in a required course, or for materials or activities that are part of a course requirement. Neither may a fixed activity fee be required of all students, nor class dues exacted.

Certain fees and charges, however, may be established under the following conditions:

- When established to pay for optional activities that are not part of the regular school program nor essential to success in a course;
- When established to pay for materials that are optional for use in a course, and grades or credit are not dependent on their use; or
- When established to pay for materials that will result in shop products, clothing or other items that the student will take home for personal use.

No student will be denied access into any program because of inability to pay these fees and charges. Students who are indigent are exempt from paying fees. However, indigent students are not exempt from charges for lost and damaged books, locks, materials, supplies, and equipment.

Certain other items or equipment required of students for personal use may be purchased by the Academy and rented to the student. When these items or equipment are no longer needed by the student, these items or equipment may be returned to the school, with a refund of the rental fee dependent upon their condition.

Damage to School Property

Every student who accidentally or otherwise damages any school property, whether fences, gates, trees or shrubs or any building or any part thereof, or breaks any window glass or damages or destroys books, instruments, apparatus, furniture or other equipment or property of the school shall be liable to pay in full for all damages.

Students are responsible for all books and materials that they borrow from school, and shall be charged for lost or damaged books and materials.

Any fee or charge due to the Academy and not paid at the end of the school year will be carried forward to the next succeeding school year, as such debts are considered to be debts of the student to the Academy.

Student Records

In order to provide students with appropriate instruction and educational services, it is necessary for the Academy to maintain extensive and sometimes personal information about students. It is essential that pertinent information in these records be readily available to appropriate school personnel, be accessible to the student's parents/guardians and/or to the student in accordance with law, yet be guarded as confidential information.

The recruitment and enrollment coordinator will provide for the proper administration of student records in keeping with state and federal requirements. The temporary record of each student will be destroyed seven (7) years after the student transfers, graduates, or withdraws from the Academy. Former students desiring information from their records may obtain it by requesting such information from the principal before the date of destruction.

The Academy wishes to make clear that all individual student records of the school system are confidential. However, consistent with federal and state law and regulations governing student records, the Academy designates the following information as "directory information" that may be released to the general public, third parties and outside organizations without the written consent of a student and/or his or her parents/guardians:

- student's name;
- major field of study;
- dates of attendance;
- class;
- participation in officially recognized activities and sports;
- degrees, honors and awards; and
- post--high school plans.

Students and/or their parents/guardians, however, may "opt--out" of the release of any element of directory information detailed above by notifying the recruitment and enrollment coordinator in writing by October 1 of each school year that such information shall not be released.

The principal shall ensure that procedures are in place to ensure that information regarding the Academy's Student Records Policy is distributed on an annual basis along with information regarding the right of both parents/guardians and students to "opt--out" of the release of directory information.

Student Transportation

General

The purpose of this policy is to ensure that, to the extent the Academy is offering or required to provide student transportation services, such services comply with the Commonwealth of Massachusetts General Laws and Regulations of the Department of Elementary and Secondary Education and Registry of Motor Vehicles pertinent to transportation of students.

Eligibility

All children in grades six who reside more than two miles from the Academy and the nearest school bus stop is more than one mile from their residence. Exceptions to this policy may be made when road conditions do not provide for the physical safety of the children and when the health of students make this service essential.

Riding Limits, Routes, and Bus Stops

Bus routes are established under the direction of the bus contractors.

Bus routes are structured so the total time a student spends on the bus is minimal.

Authorized bus stops are located at convenient intervals in places where students may be loaded and unloaded, cross highways, and await arrival of buses with the utmost safety allowed by road conditions.

Supervision of Riders

Bus drivers are responsible for the safety of children riding to and from school. Bus drivers have authority over the bus and its passengers in route to and from school and during loading and unloading.

Bus Rules for StudentsWaiting for the Bus

- Be on time for the bus but do not arrive at the stop earlier than 10 minutes before the time at which the bus usually arrives;
- Observe all safety precautions while waiting for the bus;
- Do not play in the roads;
- If possible, avoid crossing streets;
- Whenever you must cross a street, do so only if you are sure that no moving vehicles are approaching from either direction;
- Do not push, pull, or chase any other students;
- Avoid trespassing on private property and being noisy; and
- As your bus approaches, line up at least six feet off the highway, and do not approach the bus until it has stopped and the driver has opened the door. Again, avoid pushing others in the line.

Loading the Bus

- Get on your bus quickly and be seated at once (unless seats are not available);
- If seats are not available, proceed toward the rear of the bus, remain standing in the middle aisle, and grasp a seat bar firmly before the bus begins to move; and

- Listen carefully and obey any directions issued by the driver.

Unloading the Bus

- Do not leave your seat until the bus has come to a complete stop and the driver has opened the door;
- Again, obey any directions issued by the driver;
- Leave the bus quickly but in a courteous manner without pushing other students;
- If you must cross a street as leave the school bus, be sure to walk in front of the bus (never in back) at a distance of at least 12 feet away from the bus. If you are too close to the front of the bus, the driver will not be able to see you, and a serious accident could occur;
- Again, be sure to observe all safety precautions as you travel from your bus stop to your home; and
- Violation of the bus rules may result in loss of bus privileges.

Parents and Students

Parents/guardians shall be informed of all policies pertaining to student transportation.

Transportation of Children Eligible for Special Education and Related Services

The Academy shall adhere to any and all applicable statutes and regulations pertaining to transportation of students eligible for special education and related services. The Academy incorporates by reference its policies and procedures concerning transportation of students eligible for special education services.

National School Lunch Program

The Academy participates in The National School Lunch Program, which is a federally assisted meal program operating in public and nonprofit private schools and residential child care institutions. As part of the Community Eligibility Provision (CEP), all students at the Academy receive free USDA-approved and nutritionally sound breakfast and lunch, as well as afternoon snack. **School breakfast** is served Monday through Friday from 8:20 a.m. until 8:35 a.m. **School lunch** is served Monday through Thursday from 11:55 a.m. until 12:25 p.m. Please note that due to early dismissal, the Academy does not serve lunch or afternoon snack on Fridays. Breakfast and lunch menus are available online at dlacps.org.

Breakfast After-the-Bell

The Academy participates in the Breakfast After-the-Bell initiative, providing its students with a grab and go kiosk for students to eat breakfast until 9:30AM daily.

Outside Food

Outside breakfast must be eaten prior to entering school, including coffees. The school **does not** offer refrigeration and/or microwaves for student breakfasts and lunches. Students and their families/friends may not have take-out or fast food meals brought/delivered to the school. The Academy encourages those students who bring food from home to eat healthy, balanced meals

consisting of whole grains, vegetables, fruits, and lean meats, and to avoid sugary beverages containing high fructose corn syrup, carbonation, artificial flavors and/or colors.

Sale of Outside Food

The Board of Trustees recognizes that the Massachusetts Department of Public Health, in collaboration with the Massachusetts Department of Elementary and Secondary Education, developed nutrition standards for competitive foods and beverages sold or made available in public schools. The Massachusetts standards were revised to more closely align with USDA federal standards for competitive foods and beverages. The standards are focused on "competitive" foods and beverages sold or provided in public schools during the school day. The standards do not apply to school meals programs, which follow USDA national guidelines. Competitive foods and beverages are those provided in:

- The school cafeteria à la carte items (sold separately from school meals)
- The school store, snack bar, vending machines and concession stands
- School booster sales, fund-raising activities and other school-sponsored or school-related events
- The School building and any other location on school property, including classrooms and hallways

The standards apply to items sold or provided from 30 minutes before the beginning of the school day until 30 minutes after the school day ends. Foods and beverages sold in vending machines must meet the standards at all times.

The standards are codified in state regulation. The Board of Trustees mandates that school administration and officials comply with these standards at all relevant times.

III. Special Education

Child Find and Referrals

The Academy understands its obligation under federal and state laws and regulations to provide special education services to eligible students. For the purposes of this policy, and all of the Academy's special education policies, the term "special education" shall mean specially designed instruction to meet the unique needs of the eligible student or related services necessary to access the general curriculum and shall include the progress and services set forth in state and federal special education law.

As such, the Academy shall conduct an initial evaluation of a student who may need special education services upon receipt of a referral for an evaluation by a parent/guardian, any person in a caregiving position concerned about the student's development, any person in a professional position concerned about the student's development, and/or based upon the observations of any administrator, teacher, and/or qualified staff member who has concerns that a particular student may not be accessing the Academy's education program due to the need for special education services.

In compliance with the IDEA and associated state laws and regulations the Academy shall comply with its “child find” obligation to identify, locate, and evaluate all children enrolled in the Academy the possible need for special education services.

When the special education director, or appropriate designee receives a referral for an evaluation to determine eligibility for special education, the school shall send written notice to the student’s parent(s)/guardian(s) within five school days of receipt of the referral.

The written notification sent to the parent(s)/guardian(s) shall seek the consent of the parent(s)/guardian(s) for the evaluation to occur and shall provide the parent(s)/guardian(s) with the opportunity to express any concerns or provide information on the student’s skills or abilities. The written notification shall also comply with all federal and state laws, including but not limited to G.L. c 71B, § 3.

Prior to making any determination related to special education services, the Academy shall provide the student’s parent(s)/guardian(s) with the opportunity to consult with the Special Education Director or designee to discuss the reasons for the referral, the content of the proposed evaluation, and the evaluators used.

Initial Evaluation and Re-Evaluation Policy

Initial Special Education Evaluations

Upon receipt of the consent of a student’s parent/guardian, the Academy’s Special Education Director shall provide or arrange for the initial evaluation of the student by a multi-disciplinary team within 30 school days. The Academy shall use evaluations that are specifically adapted and tailored to the age and circumstances of a particular student, and all testing shall comply with evaluation requirements under state and federal law. At a minimum, the initial evaluation shall include:

- Assessment of all areas related to the suspected disability;
- An educational assessment by a representative of the school including:
 - History of student’s educational progress in the general curriculum;
 - Assessment of the student’s attention skills, participation behaviors, communication skills, memory, and social relations with groups, peers, and adults; and
 - Narrative description of the student’s educational and developmental potential

Initial evaluations may, but are not required to include:

- Comprehensive health assessment by a physician to identify the medical problems or constraints that may affect the student’s ability to access the educational program;
- Psychological assessment by a licensed school psychologist, licensed psychologist, or licensed educational psychologist; and
- Home assessment that may be conducted by a nurse, psychologist, social worker, guidance or adjustment counselor, or teacher to include information on pertinent family history and

home situation.

Each person who performs an assessment as part of the initial evaluation shall submit a written summary of his/her findings and recommendations. The Special Education Director shall consider all reports and findings in his/her analysis when determining whether special education services are appropriate. All such reports shall be made available to the parent/guardian of a student at least 2 days in advance of the Team meeting to determine whether the student is appropriate for special education services after the initial evaluation.

The Academy shall complete the initial evaluation within 45 school working days of the school's receipt of the parent/guardians' consent for evaluation. Completion of the evaluation includes conducting the appropriate evaluations, convening a team meeting to review the evaluation to determine eligibility, and developing an Individualized Education Program ("IEP") if deemed necessary. If an IEP is deemed necessary, the school shall provide the parent(s)/guardian(S) with two copies of the proposed IEP and proposed placement prior to the Team meeting.

Re-Evaluations

Unless otherwise agreed upon with the parent(s)/guardian(s) of a student receiving special education services, the Special Education Director shall re-evaluate all IEPs and the progress of each eligible student at least annually.

Every 3 years, if not sooner if necessary, the Special Education Director, with parental consent, shall conduct a full-three-year re-evaluation consistent with the requirements of federal law.

Individualized Education Program Development

The Academy shall complete the initial evaluation or re-evaluation within 45 school working days of the school's receipt of the parent/guardians' consent for evaluation or re-evaluation. Within this 45-day period, the Individualized Education Program ("IEP") Team shall develop an appropriate IEP, if the IEP Team determines that the student is eligible for special education.

The IEP shall be developed using the evaluation data provided from each assessment as a guide towards the development of goals and objectives for the student.

The proposed IEP shall be provided to the parent(s)/guardian(s) at least 2 days prior to the initial Team meeting. The IEP Team may delay in drafting and delivering the proposed IEP if the parent/guardian agrees because he/she disagreed with the initial evaluation and would like to complete an independent evaluation.

If the IEP Team drafts a partial IEP, the parent/guardian may consent to the proposed partial program prior to the completing of the full IEP. The partial IEP shall be implemented immediately, which is defined as within 3-5 days.

The agreed upon IEP shall indicate the services that the student shall receive and the student's placement, if appropriate. In addition, the IEP shall include:

- Specially designed instruction to meet the needs of the individual student and the related services necessary to allow the student to benefit from the specially designed instruction.

- The specially designed instruction and/or related services in the IEP must be designed to enable the student to progress effectively in the content of the general curriculum areas.
- Transportation services, if any to be provided to the student.
- Placement determination, if appropriate.

Parent(s)/guardian(s) shall have 30 days from receipt of the proposed IEP to accept or reject the IEP in whole or in part. Parent(s)/guardian(s) may request a meeting with the IEP Team to discuss the rejected portions of the IEP and/or the overall adequacy of the IEP.

Upon parental/guardian acceptance of the proposed IEP, the IEP Team shall implement the IEP without delay.

Procedural Safeguards

The Academy has adopted and shall implement the Parental Notice of Procedural Safeguards promulgated by the Department of Elementary and Secondary Education. For versions in languages other than English, the Academy shall further adopt those versions found at <http://www.doe.mass.edu/sped/prb/>.

The Academy shall review and revise this Policy from time to time and as directed by the Department of Elementary and Secondary Education.

The Academy shall provide parent(s)/guardian(s) with the Procedural Safeguards Notice at least once annually for each year during which the parent(s)/guardian(s)' student is identified as eligible for special education. Parent(s)/guardian(s) can also request a copy from the Academy at any time or from the Department of Elementary and Secondary Education.

Discipline of Students Receiving Special Education Services

Disciplinary Actions and Due Process

Whether or not a student receives special education, the Academy shall comply with its discipline policy if and when a student misbehaves and violates the school code of conduct. In all situations, discipline must be fair and even-handed.

In general, any student may be suspended or removed from school for disciplinary reasons for a short time, which is no more than 10 days. Before any removal or suspension, the principal or designee shall inform the student of the accusations against him/her. The student shall also provide the student with the opportunity to provide his/her side of the story. Unless an emergency situation that may affect the safety and well-being of the school, prior to any meeting with a student concerning disciplinary action, the principal or designee shall attempt to notify the parent(s)/guardian(s) of the student, both orally and in writing, of the disciplinary meeting and shall invite the parent/guardian to attend the meeting.

In every case of student misconduct for which suspension may be imposed, the principal or designee shall exercise discretion in deciding the consequence for the offense; consider ways to reengage the student in learning; and avoid using long-term suspension from school as a consequence until alternatives have been tried. Alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive interventions and supports

All notices to parent(s)/guardian(s) concerning short-term (less than 10 days) suspensions, shall be in the primary language of the home, if other than English and shall set forth:

- The disciplinary offense;
- The basis for the charge;
- Potential consequences, including potential length of a suspension;
- Notice of the opportunity of the student to have a hearing with the principal concerning the proposed suspension or disciplinary action;
- Notice of the date, time, and location of such hearing; and
- Notice of the right to have an interpreter service attend the hearing

If a student may receive a long-term suspension (more than 10 consecutive school days or a suspension that would amount to the 11th non-consecutive day of suspension during one school year), the notice must include those items listed above, **and** the following:

- Notice of the following rights at the hearing:
 - Opportunity to review the student's record and the documents upon which the principal may rely upon during the hearing, prior to the hearing;
 - Right to be represented by counsel or a lay person chosen by the student during the hearing (at the student's or parent/guardian's expense);
 - Right to produce witnesses on behalf of the student and to present the student's explanation of the alleged incident;
 - Right to cross-examine witnesses presented by the school; and
 - Right to request that the hearing be recorded by the principal and to receive a copy of the record.
- Notice of the right to appeal the principal's Decision to the Executive Director.

All disciplinary determinations shall be made in writing and sent to the parent(s)/guardians.

Manifestation Determination

The Academy shall follow the special disciplinary rules for students with disabilities who have been found eligible for special education. These special disciplinary rules apply as soon as a student is removed from his or her current education placement (whether at the Academy or off the premises) for more than 10 days in a row, or if a student is removed for disciplinary reasons for more than a total of 10 days in any school year and there is a pattern of removal for comparable behaviors. The principal or designee shall notify the student's parent/guardian as soon as the decision is made to remove the student from his or her education placement for more than 10 days.

Thereafter, the student's IEP Team shall meet within 10 days of the school's decision to impose the discipline. At this meeting, called a "*manifestation determination*," the IEP Team, including the student's parent(s)/guardian(s) shall determine if the misbehavior was caused by or had a direct relationship to the student's disability, or was the direct result of the school's failure to provide the services required by the student's IEP.

In making the manifestation determination, the IEP Team must consider relevant information from student's file, including the student's IEP, you and the teachers' observations of the student's behavior, and any relevant information that the parent(s)/guardian(s) provide.

If the IEP Team determines that the student's behavior **was not** caused by or directly related to the student's disability or the failure to properly implement the IEP, then a student with a disability can be disciplined in the same manner and for the same length of time as other students are disciplined for the same offense.

The IEP Team, however, must determine the interim alternative educational setting ("IAES") where the student will be placed and the educational services that will be provided. An IAES is a setting other than the student's current placement that enables the student to continue to receive educational services according to his or her IEP. School personnel may consider the student's unique circumstances in determining whether a change in placement is appropriate for a student with a disability.

If IEP Team determines that the student's behavior **was** caused by or directly related to the student's disability or the failure to properly implement the IEP, then the student must be returned to the last approved IEP placement unless the IEP Team decides on a different placement. The student shall also undergo a functional behavioral assessment. A functional behavioral assessment is a comprehensive assessment of behavior that provides the IEP Team with information about the student's behavior and identifies behavioral intervention services and program modifications that are designed to address the behavioral violation so it does not recur.

If the student has already had a functional behavioral assessment and has a behavioral intervention plan, then the IEP Team shall determine if any changes should be made to the behavioral intervention plan. If the behavior was caused by the failure to properly implement the IEP, the school shall immediate steps to remedy the deficiencies.

If the student possessed or used a weapon or drugs, or caused serious bodily injury to another person on school property or at a school event, the student may be placed by the principal in an IAES for up to 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability. The IEP Team will determine the IAES and the appropriate educational services that will be provided to the student while he or she is in the IAES.

Instruction Provided to a Student Removed from School

During a short disciplinary removal, the school is not required to provide instruction to a disabled student unless it does so for non-disabled students.

However, once a student with a disability has been removed from the school or from his/her placement for more than 10 cumulative days during the school year the student must receive educational services that will allow the student to continue to participate in the general education curriculum and to progress toward the goals set out in his or her IEP. The principal or designee

shall consult with at least one of the student's teachers to determine what services are necessary. These services shall begin on the 11th school day of a student's disciplinary removal during the school year and continue during the disciplinary removal.

Appeal of a Disciplinary Decision

If a parent/guardian disagrees with the principal's decision of a long-term suspension, the parent/guardian may appeal to the executive director. The executive director shall hold a hearing within three (3) school days upon receipt of the notice of appeal, unless the parent/guardian/student requests an appeal of up to 7 additional calendar days. The executive director shall send written notice of the time, date, and location of the hearing parent(s)/guardian(s).

During the executive directors hearing, the student shall all of the same rights and due process as enumerated in Section 1 of this Policy. The executive director shall issue a written decision within five (5) calendar days of the hearing. The decision of the executive director shall be the final decision of the Academy.

If a parent/guardian disagrees with the executive directors decision regarding placement of his or her student under the disciplinary provisions or disagrees with the manifestation determination, or if the Academy believes that maintaining the current placement of the student is substantially likely to result in an injury to the student or to others, either the parent or the Academy may appeal the decision by requesting a hearing with the Board of Special Education Appeals ("BSEA").

The BSEA will convene a hearing on a disciplinary placement or manifestation determination on an expedited schedule. During the appeal of a disciplinary placement or manifestation determination, the student must remain in the IAES until the hearing officer makes a decision or the disciplinary period is completed, unless the parent and the school district agree to a different placement.

Secondary Transition Policy

Secondary Transition is defined as the time when students receiving special education 14 years of age (or earlier, if the IEP Team agrees). From the time that the student turns 14 until he/she graduates or turns 22 years of age, the Academy shall provide these students with transition services.

The Academy adopts and hereby complies with the definition of transition services as defied under federal law. Transition services are "coordinated set of activities...designed to be within a results-oriented process,...to facilitate the student's movement from school to post-school activities." Transition services are based on the individual student's needs, taking into account his/her strengths, preferences, and interests. These services help young adults to live, work, participate in the community, and go on to further education or training as independently as possible when they leave high school.

The Special Education Director shall notify all students and their parents/guardians, in the language of the student's home, in advance of the receipt of transition services and expectations to follow.

Placement Policy

In-School Placement

The Academy shall make available a full continuum of in-school special education services to its

students with disabilities who have an IEP and a placement determination that is considered “in-school.” For the purposes of this Policy, the phrase “in-school” means special education services provided to the student on the Academy’s premises.

The Academy shall accept the most recent IEP of any student who transfers into the Academy and shall accept and implement all “in-school” services from that IEP until a new IEP is developed and accepted.

The Academy, where appropriate, shall coordinate and collaborate with the school district of residence that the student with an IEP would attend if not attending the Academy, to problem solve how to best serve the student in the charter school environment.

All efforts to provide each student with an IEP with “in-school” placement services shall be documented.

Out of School Placement

If the IEP Team determines that “in-school” services are not sufficient for a particular student, the IEP shall consider “out of school” placement. For the purposes of this Policy, “out of school” placement means a full day or residential special education program located in a building or facility outside of the general education environment located on the Academy’s premises. “Out of school” programs may be operated by private organizations, individuals, other public school districts, or an educational collaborative.

If the IEP Team determines that an “out of school” placement is necessary, the IEP Team must conclude the meeting during which that determination is made **without identifying a specific placement**. Instead, the IEP Team shall:

- Schedule another meeting of the IEP team within 2 school days to consider the student’s placement (this is known as the “Placement Meeting”). **Note: The Placement Meeting must be scheduled only within 2 days. The Placement Meeting shall be held within 10 school days of the initial meeting in which it was determined that an “out of school” placement may be appropriate.**
- The IEP Team shall invite a representative of the student’s sending district to participate in the Placement Meeting.
- The IEP Team shall provide the representative of the sending district with 5 school days’ notice of the Placement Meeting
- Prior to the Placement Meeting, the IEP Team and the student’s parent(s)/guardian(s) shall consider whether there are means other than “out of school placement” appropriate to serve the needs of the student “in-school.”
- The IEP Team and the student’s parent(s)/guardian(s) may consider “out of school” placement after the student’s sending district indicates that there are no existing in-district programs currently available for that student at the sending district.

At the Placement Meeting, the IEP shall:

- First consider whether the sending district has an in-district program that is available and appropriate.

- If such an in-district placement is available, then the IEP Team shall propose this placement to the parent(s)/guardian(s)
- If the parent(s)/guardians accept this in-district placement, the Academy **shall retain programmatic and financial responsibility for the student.**
- If the IEP Team, including the sending district, agree that the student cannot be served “in-school” or in district, then the IEP Team **shall** determine that the student requires “out of school” placement
- At this time, the IEP shall propose an approved public or private “out of school” day or residential school to the student’s parent(s)/guardian(s) that has been identified as capable of providing for the student’s special education services
- If the parent(s)/guardian(s) consent to this “out of school” placement, **the programmatic and financial responsibility for the student’s special education services revert to the sending district**

The Academy shall not act independently when offering an “out of school” placement unless the sending district declines to attend the Placement Meeting.

Parent Advisory Council

In compliance with G.L. c. 71B, § 3 and all relevant regulations, the Academy shall create and support a Parent Advisory Council (“PAC”) on special education. Membership shall be offered to all parents of students with disabilities, who are eligible to receive special education services, and any other interested person.

Duties of the PAC shall include:

- Advising the Special Education Director and the Board of Trustees on matters that pertain to the education and safety of students with disabilities;
- Meeting regularly with the Principal, Special Education Director, and any other member of the administration and/or faculty as necessary to participate in the planning, development, and evaluation of the school’s special education programs; and
- Participation in at least one workshop annually with the Board of Trustees, the Principal, the Special Education Director, and any other person deemed necessary concerning the rights of students and their parents/guardians under state and federal special education laws.

The PAC shall establish its own by-laws, concerning, among other things, the election of officers, meeting schedules, mission and operations, compliance with Open Meeting laws, fundraising, and conflicts of interest rules.

The Academy and the Board of Trustees shall provide assistance to the PAC, without charge, but subject to the availability of staff and resources.

Special Education Records, Content and Security

The Academy shall maintain a student's special education records in compliance with FERPA, IDEA, and all other relevant federal and state laws and regulations.

All special education records shall be confidential and shall not be disclosed unless authorized by law and only upon receipt of written consent for disclosure by the parent(s)/guardian(s) of a particular student for a particular purpose. The special education director or his/her designee shall be responsible for the privacy and security of all special education records, maintained at the school. Further, all Academy employees who collect or use personally identifiable information contained in special education records shall receive training regarding the confidentiality and safeguarding of special education records.

Special education records shall be maintained apart from general education student records. The Academy shall maintain a log of persons, including administrators, parent(s)/guardian(s), teachers, education service staff, and special education staff who may access each student's special education records. An access log shall be kept as part of each student's special education records. The log shall include the following:

- Name of person requesting access to record;
- Position and signature of person releasing the record;
- Name, position, and affiliation of the person to the student, who is to receive the record;
- Date of access;
- The specific parts of the record to which access was obtained; and
- The purpose of all such access.

This log shall not apply to authorized school personnel who access the record as part of their official duties, administrative office staff who add information or obtain access to the student record, and/or the school nurse when inspecting the student health record.

All special education records shall be stored and kept in a secured room that is locked overnight and that is not accessible by students.

Upon written request, the Academy shall provide access to special education records to parents, guardians, and/or students over the age of 18 who receive special education services within 10 calendar days of request, if not sooner. The Academy shall provide special education records before any hearing.

Prior to destroying and/or redacting any special education records, the Principal, Special Education Director, or designee shall inform parent(s), guardian(s), and/or any student over the age of 18 who receives special education services when personally identifiable information contained in special education records is no longer needed to provided educational services to the student.

Further, if a parent or guardian requests that a special education record be destroyed, the Academy shall comply with that request.

Transportation of Students with Disabilities

With respect to transportation of students with disabilities, each student's IEP Team shall make a determination as to whether the student requires transportation because of his or her disability.

For students who reside in the public school district in which the Academy is located, that public school district shall be responsible for providing transportation to all of those students, whether they are "regular education" students or require special transportation as part of their IEP.

However, for disabled students enrolled at the Academy who reside outside of the public school district where the Academy is located, the Academy shall provide transportation services.

IEP Team Meetings

For all students who are referred for a special education evaluation or who transfer to the Academy with an IEP, the Academy shall convene an IEP Team in accordance with governing federal and state laws and regulation.

IEP Team Membership

At a minimum, each IEP team shall consist of:

- The parent(s)/guardian(s) of a child with a disability in need of special education;
- At least one regular education teacher of that student (presuming the student also participates in the regular education curriculum);
- At least one special education teacher of that student;
- A representative of the Academy;
- A person who can interpret the instructional implications of evaluation results;
- Other individuals who have knowledge or special expertise concerning the student (at the parent's/guardian's discretion; and
- If appropriate, the student him or herself.

In certain circumstances, representatives of the student's sending district shall also be invited to participate on the IEP Team. Specifically, these representatives shall be invited when the IEP Team will be considering "out of school" placement of a student for special education services and/or there is a need for special transportation for a student receiving special education services.

The Academy shall also consider inviting a representative of the student's sending district to participate on the IEP Team at any other time that may be appropriate.

IEP Team Roles and Responsibilities

The IEP Team shall convene within 45 school days after receipt of a parent's written consent to an initial evaluation or re-evaluation.

The IEP Team shall examine all evaluation data and reporting concerning the students, including

information provided by the parents/guardians and make one of the following determinations:

- Establish that the student has a disability;
- Determine the type of disability;
- Ensure student's inability to progress is a result of the disability and not a result of an inability to meet the school discipline code, limited English proficiency, social maladjustment, or lack of instruction in reading and/or math

If the IEP Team determines that a student is eligible for special education services, the IEP Team shall develop the student's IEP using the evaluation data to guide the development of goals and objective for the student.

The IEP shall also be responsible for determining the student's placement where he/she will receive his/her special education services.

IEP Team Meetings

Unless the student's parent or guardian (or the student who is 18 or older) and the Academy both agree, in writing, to excuse an IEP Team member, all IEP Team members are required to attend an IEP Meeting. The primary reason for excusal of an IEP Team member arises when a particular meeting does not concern that Team member's area of the curriculum or related service.

The IEP Team shall meet at least once per year to review the student's progress and develop the next year's IEP. The IEP Team may also meet periodically during the course of a year to revise the IEP and/or to evaluate the student's progress.

The IEP Team shall also convene for a 3-year review of a student's IEP to completely re-evaluate the student in compliance with applicable federal and state laws and regulations.

Least Restrictive Environment

The Academy shall make all determinations concerning special education services provided to its students with the intention to provide those students with access to a Free and Appropriate Education in the least restrictive environment possible in accordance with governing federal and state laws and regulations.

For the purposes of this Policy and all of the Academy's special education policies, the phrase "least restrictive environment" means an educational placement that assures, to the maximum extent appropriate, that students with disabilities are educated with students who are not disabled, and that special classes, separate schooling, or removal of students with disabilities from the general education environment occurs only when the nature or severity of the student's disability is such that education in regular classrooms with the use of supplementary aids and services cannot be achieved satisfactorily.

IV. English Language Learners

Education of English Language Learners

An English Language Learner ("ELL") is a student who does not speak English, or whose native

language is not English, and who is not able to do ordinary classroom work in English. The Academy shall strive to ensure that all ELL students receive full and equal access to the Academy's educational programs and services

To effectuate this goal, the ELL Director shall have the responsibility for ensuring that a comprehensive, system-wide plan for the education of ELL students is designed and implemented consistent with this policy and in accordance with applicable laws and regulations. Such plan shall address, without limitation, the recruitment of students; student identification and assessment and program placement; family and community involvement; curriculum and instruction; student support services; faculty, staff and administration; facility, resources and materials; program plan and evaluation; and monitoring and recordkeeping.

Recruiting English Language Learners

In accordance with its charter and mission statement, the Academy shall attempt to attract, enroll, and retain a student population that is demographically comparable to similar schools in the traditional districts from which the Academy enrolls its students, including the recruitment of ELL students. The Academy shall not discriminate in its recruitment and enrollment processes with respect to a student's proficiency in English.

The Academy shall accept all ELL students who are selected to, and elect to enroll at the school through the lottery process.

Identification and Assessment of Students

The ELL Teacher, or designee, will establish criteria, in accordance with applicable laws and regulations promulgated by the Department of Elementary and Secondary Education, to identify ELL students and such identification shall be based upon an individual determination and assessment.

The parents/guardians of any Academy student may request, in writing, that the school assess the student's level of English proficiency. The Academy shall then perform such an assessment and notify the parents/guardians in writing of the results and the scope and nature an ELL placement, if any.

The Academy shall review the progress of each ELL student on a regular basis to assess whether ELL services continue to be necessary.

ELL Programming

Unless a waiver is granted or as otherwise provided by law, ELL students shall be placed in an English language classroom and shall be provided with English instruction in a sheltered English immersion program. Students who receive parental waivers may also be placed in bilingual education programs.

All ELL teachers shall be literate in English, which shall be substantiated by the teacher's possession of a Massachusetts teaching license; or a vocational teacher approval or vocational technical educator license; or earning a passing score on the Communication and Literacy portion of the Massachusetts Tests for Educator Licensure; or the possession of a bachelor's degree from a college or university where the language of instruction was English.

All ELL teachers shall be fluent in English shall be determined through one or more of the following: a classroom observation and assessment by the teacher's supervisor, principal or executive director; or an interview and assessment by the teacher's supervisor, principal, or executive director; or the teacher's demonstration of fluency in English through a test accepted by the Commissioner of Education.

Early childhood and elementary teachers, teachers of students with moderate and severe disabilities, and teachers of English, reading or language arts, mathematics, science, civics and government, economics, history, and geography, who provide sheltered English instruction to an ELL student shall hold an SEI Teacher Endorsement. Further, any person who evaluates or supervises a teacher providing sheltered English instruction shall possess an SEI Teacher Endorsement or SEI Administrator Endorsement, or will earn either within one year of the commencement of such evaluation or supervision.

Parental Waivers

The principal or designee, shall ensure criteria and procedures in accordance with applicable laws and regulations promulgated by the Department of Elementary and Secondary Education, are in place for parental waivers. Such waivers shall be granted only where the parent or legal guardian annually applies for the waiver by visiting the school and providing written informed consent.

For students age 10 and older, waivers may be granted where it is the informed belief of the school principal and the educational staff that an alternate course of educational study would be better for the student's overall educational progress.

For students under 10, waivers may be granted only where (i) the student has been placed in an English language classroom for at least thirty (30) days in a given school year; (ii) the school principal and educational staff document in no less than two hundred fifty (250) words that the student has such special and individual physical or psychological needs, separate from the lack of English proficiency, that an alternative course of educational study would be better for the child's overall educational development; and (iii) authorizing signatures on the waiver application of both the Superintendent and the school principal.

Waiver decisions are subject to examination and approval by the executive director. The executive director may approve or reject a waiver decision, and the executive director's approval or rejection shall issue within five (5) days of receipt of the waiver application and any supporting documentation provided to, or requested by, the executive director.

Students receiving waivers may be transferred to bilingual programs or other programs employing generally recognized educational methodologies permitted by law for the education of ELL students.

If at any given time, the Academy enrolls 20 or more ELL students in a given grade level who have received a waiver, the Academy shall be required to offer such students classes in bilingual education or other generally recognized educational methodologies permitted by law. In all other cases, such students must be permitted to transfer to a public school in which such a class is offered.

Monitoring of Education Progress

To ensure the proper monitoring of educational progress of ELL students in learning English and

other academic subjects, the ELL Coordinator, or designee, shall ensure the appropriate tests of English learners are administered at least annually as follows: (i) a standardized nationally-normed written test of academic subject matter given in English, which shall be administered to English learners in grades 2 and higher; and, (ii) a nationally-normed test of English proficiency in grades Kindergarten and higher, with such nationally-normed tests to be selected by the Department of Elementary and Secondary Education.

In addition, the ELL Coordinator shall assess ELL students' mastery of academic standards and curriculum framework on a regular basis.

Communications with Parents and Legal Guardians

Report cards and other school information shall be sent to parents and guardians of ELL students in the same manner and frequency as is sent to parents and guardians of students who are not ELL students. All communications shall be provided to parents/guardians in a language understandable to those parents/guardians.

Census

The Academy shall annually report (on the last day of the school year) to the Department of Elementary and Secondary Education the following concerning each ELL student:

- The school in which the ELL student is enrolled;
- The student's grade level;
- The student's primary language; and
- The type of English learner program in which the Academy enrolled the student, specifying whether the program is a sheltered English immersion program or a bilingual education program

Grievances

The Academy shall comply with and implement all grievance procedures as set forth in applicable Massachusetts laws and regulations, including but not limited to 603 CMR 14.06.

V. School-Community Relations

Community Disputes with School Personnel Policy

The Board of Trustees intends to cause the investigation of legitimate complaints about school personnel. Such complaints must be made in writing. Absent extraordinary circumstances, the Board of Trustees will disregard anonymous complaints.

Notwithstanding the above, complaints concerning personnel should be initially addressed to the Academy's principal so that the school has every opportunity to address and resolve the complaint prior to Board of Trustees involvement. Therefore, the proper procedural course for complaints involving curriculum, instruction, or discipline shall be:

1. Teacher;

2. Principal
3. Executive Director
4. Board of Trustees

Exceptions to this process may apply depending on the circumstances of each matter.

Complaints made directly to the Board of Trustees will be referred to school administration for a determination of the type of investigation required. School administration shall develop uniform grievance procedures that assure prompt and fair attention to complaints against school personnel. Such procedures shall allow that subject personnel receive notice and opportunity to be heard concerning the complaint. Depending on the circumstances, the complainant may be notified of the outcome of the investigation.

General Procedures

The Board of Trustees encourages administration to develop effective means of resolving differences that may arise, and to establish and maintain recognized channels of communication between the staff, administration, and the Board.

It is the Board of Trustees' desire that community complaints and grievances be promptly and equitably resolved at the lowest possible level, and that each employee be assured an opportunity for an orderly review and resolution of complaints and concerns.

Channels established will provide that community members may appeal a decision to the Executive Director, presuming that person did not make the personnel decision at issue; that community members may appeal a decision of Executive Director to the Board of Trustees; and that all hearings of complaints before the Board of Trustees shall be conducted in the presence of the teacher and/or administrator who made the ruling that is the subject of the complaint and in compliance with Academy's due process and procedures policy.

A grievance is a dispute, which may arise between the parties concerning the application, meaning or interpretation of the policies described in the Community Handbook and Student Code of Conduct, and shall be settled in the following manner:

Step 1: The community with a grievance, within 30 calendar days after the occurrence of the grievance or within 30 calendar days after the day the employee acquired knowledge of its occurrence, will first discuss it with the school personnel in an effort to resolve the matter informally. If the grievance is not resolved in the above manner within seven (7) calendar days, the employee shall present his/her grievance in writing to the principal within fourteen (14) calendar days after the expiration of said seven (7) days.

Step 2: The principal, within fourteen (14) calendar days after receipt of the written grievance, shall meet with the aggrieved community member in an effort to resolve this matter. If the grievance is still unresolved within seven (7) calendar days after said meeting with the principal, the community member shall present his/her grievance in writing to the executive director within fourteen (14) calendar days after the expiration of said seven (7) days.

Step 3: The executive director, within fourteen (14) calendar days after receipt of the written grievance, shall meet with aggrieved community member in an effort to resolve this matter. If the grievance is still unresolved within seven (7) calendar days after said meeting with the executive director, the community member shall present his/her grievance in writing to the Board of Trustees within fourteen (14) calendar days after the expiration of said seven (7) days.

Step 4: The Board of Trustees, within forty-five (45) calendar days after receipt of the written grievance, shall meet with the aggrieved employee in an effort to resolve the matter, and respond in writing. All meetings under this procedure with the Board of Trustees shall be held in executive sessions and shall include only parties in interest and their selected representatives.

A parent, guardian, or other individuals or groups who believe that a charter school has violated or is violating any provision of M.G.L. c. 71, § 89, or 603 CMR 1.00 may file a complaint with the charter school's board of trustees.

The board of trustees shall respond in writing to the complaining party no later than 45 days from receipt of the complaint.

The board of trustees shall, pursuant to a complaint received under 603 CMR 1.09, or on its own initiative, conduct reviews to ensure compliance with M.G.L. c. 71, § 89, and 603 CMR 1.00. The charter school and the specific individuals involved shall cooperate to the fullest extent with such review.

A complaining party who believes a complaint pursuant to 603 CMR 1.09(1) has not been adequately addressed by the charter school board of trustees may submit the complaint in writing to the Commissioner, who shall investigate such complaint and make a written response.

In the event the charter school is found in violation of M.G.L. c. 71, § 89, or 603 CMR 1.00, the Commissioner or Board may take such action deemed appropriate including, but not limited to, suspension or revocation of the charter, or referral of the matter to the District Attorney, the Office of the Attorney General, or other appropriate agencies for action.

A parent, guardian, or other individuals or groups who believe that a charter school has violated or is violating any state or federal law or regulation regarding special education may file a complaint directly with the Department.

Public Conduct on School Property

The Academy welcomes and encourages all parents and community members to visit, attend school events, and to actively support the Academy's mission and core values.

All visitors are required to buzz in using the intercom system located at the main entrance of the building, and immediately report to the main office. Visitors may be asked to identify themselves prior to entering the building. Upon entering the building, all visitors are required to report to the Academy main office before going elsewhere in the building. Visitors are required to sign in, noting their name, time of entrance, affiliation and reason for the visit, and, before leaving, to sign out of the building (including the time they exited the building. Visitors will be issued a name tag, that must be worn, displayed prominently on an outer layer of clothing, which must remain clearly visible, at all times while inside the building. Visitors may be required to park in certain designated spaces or at certain designated times in the Academy parking lot.

Occasionally, visitors may disrupt the Academy's activities: by behaving inappropriately; by harassing staff; by shouting; or by insisting on visiting at inappropriate times. Every effort will be made to work with such visitors to inform them of established procedures in an effort to eliminate future disruptions. When such disruptions occur, however, the Principal may issue the offender a Trespass Warning pursuant to M.G.L. c. 266, § 120. Such a Warning requires the offending party to contact the Principal, or a designee, prior to appearing at the Academy for any school-related matter. Additionally, depending upon the nature of the inappropriate behavior, the Principal may choose to substitute any of the following restrictions:

1. The visitor may be required to telephone prior to visiting the building to inform the Principal of their intent in visiting the building.
2. The visitor may be required to be accompanied by the Principal or his/her designee to classrooms.
3. Advance scheduling of consultations with teachers or other providers may be required.
4. Parents delivering student(s) to school may be required to leave the student(s) at the front door and not be permitted to accompany them to the classroom.

Trespass Warnings expire at the end of the academic year.

Additionally, by issuing the Trespass Warning, the Principal is placing the disruptive visitor on notice that any further inappropriate behavior will result in the issuance of a Trespass Notice. The Trespass Notice will be effective for one year from the date it was issued and may, in the reasonable exercise of the Principal's discretion, be renewed thereafter. Failure to comply with any restriction imposed by the Trespass Notice may result in the visitor's arrest and prosecution of criminal trespass. A Trespass Notice is appealable at the visitor's election through the Executive Director. Appeals must be submitted in writing within five (5) calendars of the issuance of the Trespass Notice

In instances of extreme behavior, such as assault or battery [see Section 21.3] of an administrator, faculty member, staff member, parent, or student, the Principal may issue a Trespass Notice without prior issuance of a Trespass Warning. Such a Trespass Notice is reserved, however, for particularly egregious behavior where there is a particularized apprehension for the safety or well being for a member(s) of the school community. Once issued, or until such time it is vacated, the named visitor is prohibited, under penalty of law, from entering or using school grounds for any reason. This Trespass Notice is effective immediately and its duration is indefinite. A copy of this Notice must be provided to the Boston Police Department, and also maintained in the school's file. A visitor's failure to comply with this Notice will result in immediate arrest and prosecution for trespassing if it is violated. This Notice is likewise appealable through the Executive Director. Appeals must be submitted in writing within five (5) calendars of the issuance of the Trespass Notice.

Public Information Policy

The Academy is a public agency, and the business of the Academy and its Board of Trustees is accessible by the public, unless otherwise protected from disclosure by law. As such, the Academy and its Board of Trustees shall be subject to and shall comply the Open Meeting Law and the Public

Records Law.

Relations with Family Organizations: Parent Leadership Team

To foster and strengthen relationships between and among families that encourage the home and the Academy to work together to establish and achieve common educational goals for students, the Academy shall organize a parent leadership team with the objectives of:

- Consulting with and encouraging parents/guardians to assist school administration in school planning and in setting objectives;
- Helping families understand the education process and their role in promoting it at home and in the everyday life of their children;
- Assist the school administration to drive family engagement, lead fundraising efforts, and support school events;
- Develop, organize, and implement parent universities for all parents;
- Providing for family understanding of school operations; and
- Providing opportunities for parents/guardians to be informed of their child's development and the criteria for its measurement.

Classroom Visit Policy

The Academy encourages parents/guardians and guests to visit classrooms to observe and learn about the delivery of the Academy's educational program. Such visits can prove most beneficial in promotion of greater school and home cooperation and community understanding of how the Academy carries out its mission.

Visits by parents to several classrooms in a given grade for the purposes of comparing teaching styles to provide a basis for a request for student assignment to a particular teacher are strongly discouraged because our policy of assigning a student to a particular class is the sole responsibility of school administration in consultation with the staff.

The following guidelines to classroom and school visits should be followed:

- Parental requests for classroom visitations will be welcomed as long as the educational process is not disrupted. To this end we request that such requests be made, in writing, at least forty-eight (48) hours in advance to allow for proper arrangements to be made.
- School administration has the authority to determine the number, times, and dates of observations by visitors. This will be done in consultation with staff members so as to give adequate notice to the staff members of the expected visits.
- For security purposes it is requested that all visitors report to the front office upon entering and leaving the building and sign a guest log showing arrival and departure times. Teachers are encouraged to ask visitors if they have registered at the front office. A visitor's pass should be worn by all visitors to the school building.

- Under ordinary circumstances classroom observations will be strongly discouraged during the first three weeks of school in September, periods of standardized testing, and during the month of June.
- Any parent who wishes to have a prospective student visit the school for a shadow day must ask permission of the principal at least forty-eight (48) hours in advance of the proposed visit. If permission is granted, the guest is expected to follow the standards of behavior expected of all students and visitors. Upon arrival the guest must submit a signed release, and register in the office. Any visitor who fails to comply with student regulations will be asked to leave the school building and grounds immediately.
- If a visitor is going to interact with the students and/or be responsible for assisting a teacher or staff member with students, any such visitor must have a valid and acceptable CORI background check on file with the Academy.

Advertising in the School

Advertising of commercial products or services will be permitted on the premises of the Academy, on school grounds or properties, or at school-sponsored events, only under specific circumstances and as authorized by the Board of Trustees. Advertising in publications of the school will be permitted only under specific circumstances and as authorized by the Board of Trustees. However, nothing herein shall prohibit advertising in student publications that are published by student organizations, subject to administration controls, or the use of commercially-sponsored, free teaching aids if the content is approved by the administration.

Solicitation of sales or use of the name of the school to promote any product will not be permitted without specific authorization of the Board of Trustees.

Community Use of School Facilities

It is the Academy's desire that maximum use of school property be enjoyed by the members of its community. It is the Board of Trustees' intent that such use will maintain safe conditions and preserve the property for use in furthering the Academy's educational program.

Use of school buildings and other facilities by organizations other than the Academy will be permitted only when a worthy educational, civic, or charitable purpose will be served; or a substantial group of citizens from the community will be benefited.

Use of school buildings and other facilities by organizations other than the Academy shall be in accordance with the conditions and rental fee schedules recommended by administration and approved by the Board of Trustees. Permission for the use of facilities must be obtained, in writing, through the executive director.

Non-Custodial Parents Rights

Pursuant to G.L. c. 71, § 34H, a non-custodial parent may have access to the student record of his/her child in accordance with the following provisions.

- A non-custodial parent is eligible to obtain access to the student record unless the Academy has received documentation that:

- The parent's access to the child is currently prohibited by a temporary or permanent protective order, except where the protective order, or any subsequent order which modifies the protective order, specifically allows access to the information described in this section; or
- The parent is denied visitation or, based on a threat to the safety of the child, is currently denied legal custody of the child or is currently ordered to supervised visitation, and the threat is specifically noted in the order pertaining to custody or supervised visitation.
- The school shall place in the student's record documents indicating that a non-custodial parent's access to the student's record is limited or restricted. All such documentation shall be removed from the student's record immediately upon receipt of documentation evidencing expiration of any limitation or restriction.
- In order to obtain access, the non-custodial parent must submit a written request for the student record to the office manager.
- Upon receipt of the request, the office manager or designee must immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the office manager with documentation that the non-custodial parent is not eligible to obtain access.
- The school must delete all electronic and postal address and telephone number information relating to either work or home locations of the custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.
- Upon receipt of a court order which prohibits the distribution of information pursuant to G.L. c. 71, §34H, office manager or designee shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.
- The Academy shall designate a staff member whose duties shall include the proper implementation of this policy.

VI. Civil Rights

Non-Discrimination Policy

Helen Y. Davis Leadership Academy Charter Public School does not discriminate in admission to, access to, treatment in, or employment in its services, programs and activities, on the basis of race, color or national origin, in accordance with Title VI of the Civil Rights Act of 1964 (Title VI); on the basis of sex, in accordance with Title IX of the Education Amendments of 1972; on the basis of disability, in accordance with Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (ADA); or on the basis of age, in accordance with the Age Discrimination in Employment Act of 1974 (ADEA). In addition, no person shall be discriminated against in admission to the school or in obtaining the advantages, privileges and access to the courses of study and extracurricular activities offered by the school on the basis of race, sex, color, creed, religion, ethnicity, national origin, ancestry, sexual orientation, gender

identity or expression, mental or physical disability, age, ancestry, athletic performance, socio-economic status, housing status or homelessness, special need, proficiency in the English language or a foreign language, or prior academic achievement, as required by federal and state law, including MGL c. 71, §89(1); 603 CMR 1.06(1); MGL c. 76, § 5 and 603 CMR 26.00: Access to Equal Educational Opportunity.

USDA Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: [Filing a Program Discrimination Complaint as a USDA Customer](#), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

1. mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
2. fax: (202) 690-7442; or
3. email: program.intake@usda.gov.

This institution is an equal opportunity provider.

Non-Discrimination on the Basis of Sex

The Academy, in accordance with Title IX of the Education Amendments of 1972, declares that the school system does not and will not discriminate on the basis of sex in the educational programs and activities of the public schools. This policy will extend not only to students with regard to educational opportunities, but also to employees with regard to employment opportunities.

The Academy will continue to ensure fair and equitable educational and employment opportunities, without regard to sex, to all of its students and employees.

The Academy will designate an individual to act as the districts Title IX compliance officer. All students and employees will be notified of the name and office address and telephone number of the compliance officer.

Sexual Harassment (Title IX)

Purpose:

This Policy is established by the Academy in adherence with Title IX of the Education Amendments of 1972 ("Title IX") and all applicable Massachusetts statutes and regulations. Title IX prohibits the Academy from discriminating on the basis of sex (including sexual harassment and sexual violence)

in all facets of its educational programs and activities.

This Policy applies equally to all of the Academy's students, employees, authorized volunteers, parents, and other members of the Academy community. This Policy applies to conduct at school, at school events, and away from school in all other instances when the Academy has a duty to investigate.

Notice of Non-Discrimination:

The Academy does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, ethnicity, age, disability, veteran, genetic information, or marital status in the delivery of its education programs and activities, and indeed, the Academy is required pursuant to Title IX not to discriminate in such a manner. If any member of the Academy community has any questions or concerns with respect to this Policy and/or Title IX, he/she may contact the Academy's Title IX Coordinator and/or the Department of Education's, Office of Civil Rights. The Academy's Title IX Coordinator is identified within this Policy and shall be available to answer all questions concerning this Policy.

The Academy policy of non-discrimination in its educational programs and activities extends to employment and admission considerations.

Definitions

At School:

In a classroom, all school common areas, on or immediately adjacent to school premises, on school property, on a school bus or other school-related vehicle, at a school bus stop, or at any school-sponsored or school-related activity or event whether or not it is on school grounds.

Authorized Volunteer:

Any person who 1) is not employed by the school, 2) does not receive any compensation from the school, 3) has undergone school-required criminal background checks, and 4) is permitted to provide services approved by the Academy to the community, including students, employees, and other partners.

Away from School:

Any location not defined above as "at school."

Bystander:

Someone who is aware of behavior or conduct "at school" in violation of or reasonably believed to be in violation of this Policy, including sexual violence and/or sexual harassment

Perpetrator:

Person who uses either bullying, as defined Massachusetts Anti-Bullying Law, or sexual violence to establish and maintain power and control over the target of their behavior

Sexual Assault:

Includes behaviors that are attempted or perpetrated against a victim's will or when a victim cannot consent because of age, intellectual disability, or any other disability precluding the victim from forming consent. Sexual assault may involve, but is not limited to, actual or threatened physical force, use of weapons, coercion, intimidation or pressure, intentional touching of someone in ways that are unwanted, voyeurism, exhibitionism, exposure to pornography, and/or public

displays of images that were taken in a private context or when the victim was unaware.

Sexual Harassment:

Includes, but is not limited to, degrading remarks, gestures, jokes, notes, graffiti, and spreading rumors to indecent exposure, being touched, grabbed, pinched, or brushed against in a sexual way.

Sexual Harassment of a Student by an Academy Employee:

Sexual harassment of a student by an Academy employee includes, but is not limited to, both welcome and unwelcome sexual advances; requests for sexual favors; sexually-motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature.

The conduct is severe, persistent, or pervasive such that it affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or; creates an intimidating, threatening, hostile, or abusive educational environment.

Sexual Harassment of a Student (Including Harassment by Another Student):

Includes, but is not limited to, unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is severe, persistent, or pervasive.

Sexual Harassment of an Academy Employee or Authorized Volunteer:

The Academy adopts the definitions and conditions set forth in the Academy's employee sexual harassment policy as defined under governing MA law.

Sexual Violence:

Includes, but is not limited to, sexual harassment, sexual assault, and/or rape. In cases of sexual violence, the perpetrator may be a stranger, acquaintance, friend, family member, or partner.

Sexual Violence Perpetrated Against a Student:

Sexual violence perpetrated against an Academy student, regardless of the perpetrator, includes, but is not limited to, both welcome and unwelcome sexual advances; requests for sexual favors; sexually-motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

The student is caused to reasonably believe that he/she must submit to the conduct in order to participate in a school program or activity, or that a perpetrator will make an educational and/or school-related decision based on whether or not the student submits to the conduct.

Conduct constituting "sexual violence" need not be repetitive, persistent, or pervasive such that it affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or; creates an intimidating, threatening, hostile, or abusive educational environment.

Sexual Violence Perpetrated Against an Academy Employee or Authorized Volunteer:

The Academy adopts the definitions and conditions as defined under governing MA law.

Victim:

The target of the perpetrator's sexual violence and/or sexual harassment.

Witness:

Someone whose awareness of sexual violence compels them to intervene and/or seek help on behalf of the victim.

Title IX Coordinator:

The Title IX Coordinator's responsibilities shall include, but are not limited to:

- Coordinating the Academy's compliance with Title IX, including the Academy's grievance procedures for resolving Title IX Complaints;
- Drafting and publicizing procedures for reporting possible Title IX violations;
- Overseeing the Academy's prevention of and response to Title IX reports and complaints;
- Overseeing all investigations related to and/or arising from this Policy and ensuring fair, equitable, and prompt resolution of complaints;
- Identifying and addressing any patterns or systemic problems revealed by such reports and complaints;
- Providing confidential (to the extent possible) written reports to the Executive Director and the Board of Trustees as requested, but at least once every 4 months. Reports shall be kept in a separate and secure Title IX file;
- Providing training to the Academy's employees, authorized volunteers, and other members of the Academy community with respect to Title IX and the Academy's implementation of this Policy.

The Title IX Coordinator shall understand and have knowledge of the Title IX requirements and the Academy's own policies and procedures on sex discrimination, anti-bullying, anti-retaliation, school place violence, and sexual harassment.

Each and every report or complaint filed with the Academy pursuant to Title IX or reasonably related to Title IX must be provided to the Title IX Coordinator to achieve his/her mission.

Effective upon adoption of this Policy by the Board of Trustees, the Title IX Coordinator shall be Marisol Severance, 23 Leonard Street, Dorchester, MA 02122, (617) 474-7950, and mseverance@dlacps.org.

Sexual Violence and Sexual Harassment:

Sexual harassment and sexual violence are prohibited and will not be tolerated. The Academy expressly prohibits sexual harassment and sexual violence at school or by a student to another student; a student or by a member of the staff; and/or of or by any other adult who is in any way associated with the Academy. This Policy also prohibits sexual harassment and/or sexual violence by and among the Academy employees and authorized volunteers. To this end, the Academy commits its staff to the implementation of a comprehensive and preventive approach that addresses the underlying reasons for this behavior and helps to create a better school community that supports learning and teaching for students and adults.

Grievance Procedure:

To facilitate the prompt and equitable resolution of any and all Title IX complaints, the Academy adopts the following grievance process. For the purpose of Title IX complaints and investigations, the Academy, will apply a preponderance of the evidence standard of review. Complainants may choose to submit a written grievance to the Academy's Title IX Coordinator using the Title IX grievance form.

- A formal grievance process is initiated when a Complainant:
 - Submits a written statement alleging discrimination prohibited by Title IX to the Title IX Coordinator or
 - When the Title IX Coordinator receives a report of a suspected Title IX violation from another the Academy student, employee, volunteer, or other community member.
- Upon the receipt of a grievance or other complaint pursuant to this policy, the Title IX Coordinator shall commence and conduct an investigation pursuant to the procedures set forth within this Policy.
- The Title IX Coordinator shall determine whether the complainant was excluded from participation in, denied the benefits of, or subjected to discrimination on the basis of sex with respect to any of the Academy's program or activity.
- The Title IX Coordinator shall consult with other members of the Academy's administration and/or Board of Trustees as necessary in reaching a decision regarding the written grievance.
- The Title IX Coordinator shall prepare a written report setting forth his/her findings, conclusions, and actions to be taken, if any, and will determine with whom to share the report.
- Following his/her review, the Title IX Coordinator shall, as necessary, take appropriate action(s) to ensure that the Academy complies with Title IX in a manner that is prompt and equitable to the Complainant.
- If any of the parties wish to appeal the decisions of the Title IX Coordinator, that party must make a written appeal to the Academy's Board of Trustees within 10 business days.
- The Board of Trustees shall then hold a hearing in which the parties may present witnesses and evidence, engage in direct and cross examination, be represented by counsel (at the party's expense), present testimony of a mental health provider or other specially trained advocate (at the party's expense), submit expert testimony (at the expense) and/or record the proceedings (at the party's expense).
- The Board of Trustees shall issue a written report within 10 business days of the hearing. The Board of Trustees' written report shall include a notice to the parties of their further appellate rights.

To the extent possible, the Academy strives to complete all Title IX investigations, from date of

report to final hearing and notice of outcome, within 60 days.

Reporting Responsibilities:

The Title IX Coordinator shall establish—and prominently publicize to students, employees, volunteers, and parents—procedures concerning how to report conduct believed to violate this Policy and how such reports will be acted on. The victim of conduct in violation of this Policy or reasonably believed to be in violation of this Policy, witnesses/bystanders to such actions, and/or anyone who has information that these actions have occurred may file a report.

Reports must be acted upon by those persons receiving the report and the Title IX Coordinator (upon receipt of a report), whether made orally or in writing. Knowingly filing false reports shall result in the taking of disciplinary measures.

All the Academy's employees, other than the Academy counselors and psychologists who are required to maintain the confidentiality of the information shared with them, shall report incidents of alleged violations of this Policy to the Title IX Coordinator as soon as they learn of or should reasonably know of any conduct allegedly in violation of this Policy. Employees shall report all relevant details that the victim shared or that the employee observed, including, but not limited to, the names of the perpetrator and victim, the date, time, and location of the alleged conduct, and the circumstances surrounding the alleged conduct. **An Academy's employee's failure to report a violation of this Policy of which he or she has knowledge or reasonably should have knowledge shall result in disciplinary action, including termination of employment.**

Students who witness alleged violations of this Policy, or parents whose children inform them of alleged violations of this Policy, shall report incidents to the Title IX Coordinator. The victim shall not be disciplined for failing to report an alleged violation of this Policy. All reports from students or parents will be maintained in confidence to every extent possible.

Although the Academy cannot discipline or sanction parents or guardians who elect not to report violations of this Policy, particularly sexual violence and/or sexual harassment, when they learn of any such conduct, the Academy **strongly encourages** parents or guardians to contact the Title IX Coordinator as soon as practicable with any and all relevant information that they receive. All reports will remain confidential, to every extent possible.

No student, employee, volunteer, or parent who makes a report shall be subject to retaliation for making such report, subject to the report being made in good faith. By filing a Title IX complaint, no student, employee, volunteer or parent making such a report shall extinguish his or her right to file criminal or civil complaints concerning the same conduct.

Upon receiving a credible report of an alleged violation of this Policy, the Academy will take all necessary measures to ensure the safety all parties (e.g., separate the student-victim from alleged perpetrators; provide alternative schedules to one or both parties; provide necessary support services to the student-victim, etc.) and will provide the student-victim and his/her parent(s) or guardian(s) with regular updates as to the status of the investigation. The Academy shall implement appropriate interim measures on a case by case bases and shall not rely upon any fixed rules related to any such measures. The Academy will provide student-victims with the contact information for available resources outside of the Academy, including but not limited to, victim assistance organizations, law enforcement, mental health services, legal assistance, and or counseling services.

If the perpetrator is an Academy employee and the victim is an Academy student, the Academy will report the alleged misconduct to the appropriate law enforcement agencies.

Investigation:

The Title IX Coordinator shall, in consultation with the Executive Director and Board of Trustees, lead all Title IX investigations. Depending on the nature of the alleged violation of this Policy, an investigation may include, but is not limited to conducting interviews with the victim and the alleged perpetrator; conducting interviews with witnesses; conducting interviews with the parent(s) or guardian(s) as necessary; reviewing law enforcement investigation documents, as applicable; reviewing student and personnel files; and gathering information from all other available outside sources.

All investigations shall commence once the Title IX Coordinator receives notice of the alleged violation of this Policy. Therefore, it is essential that the Academy employees, students, parents, guardians, and/or authorized volunteers immediately report suspected misconduct as soon as practicable once they have actual notice or reasonably should have known about such misconduct.

When commencing an investigation that may lead to disciplinary action against the responding party, the Title IX Coordinator shall provide written notice to the responding party (and/or his/her parents/guardians) of the allegations constituting a potential violation of this Policy, including sufficient details with sufficient time to prepare a response before any initial interview.

All investigations shall be conducted impartially and in an adequate, reliable, and impartial manner. The Title IX Coordinator shall analyze and document the available evidence to support reliable decisions, objectively evaluate the credibility of parties and witnesses, synthesize all available evidence—including both inculpatory and exculpatory evidence—and take into account the unique and complex circumstances of each case. The investigation shall result in a written report summarizing the relevant exculpatory and inculpatory evidence.

Information gathered during the investigation shall be kept confidential to the extent possible. The Title IX Coordinator may reveal the findings of his or her investigation to the Academy and/or the Board of Trustees as requested.

To the extent possible, RINI strives to complete all Title IX investigations, from date of report to final hearing, if necessary, within 60 days. Victims and alleged perpetrators will receive regular updates with respect to the status of a pending investigation.

If allegations are found to be credible, appropriate disciplinary sanctions, subject to the Academy's due process procedures, shall be imposed. Whenever conduct determined to meet the definitions of sexual violence and/or sexual harassment in this Policy also may have involved conduct that may violate state or federal criminal law, the police or other necessary agency(ies) shall be notified.

Throughout the investigation, the perpetrator and the victim shall be permitted to, at a minimum:

- Receive written notice in advance of any interview or hearing with sufficient time to prepare for meaningful participation;
- Have equal and timely access to all witness statements and other documents/reports gathered by the Academy during the investigation.

- Present relevant witnesses and evidence;
- Request a hearing wherein the Academy will make any determination using a “more likely than not” standard;
 - **Note:** Under Title IX, parties are not required to attend the hearing (they can be represented by counsel or other authorized representative). However, parties are entitled to appear as they wish, and the Academy will take all necessary steps to ensure a fair and equitable hearing, including separating the parties as necessary and practicable throughout the course of the hearing.
- Cross-examine witnesses during the hearing, as necessary
- Retain counsel, at the parties own expense;
- Retain a mental health provider or other specially trained advocate, at the parties own expense;
- Submit expert testimony, at the parties own expense; and
- Receive written notice of the outcome (regardless of the outcome) of the investigation and/or hearing. The Academy shall specifically inform the reporting party (and/or his/her parents/guardians) whether it found that the alleged conduct occurred, any individual remedies offered to the reporting party or any sanctions imposed on the responding party that directly relate to the reporting party, and other steps the school has taken to eliminate the hostile environment, if one was found to exist, and to prevent its recurrence, as appropriate;
- Notification of the party’s right to appeal the decision to the Board of Trustees.

Disciplinary Sanctions

Students:

Disciplinary sanctions any violation of this Policy may include, but are not limited to, loss of privilege to participate in extracurricular activities including athletics and school social events; loss of school bus transportation; assignment of additional school work or community service; and—depending on the extent of involvement in the prohibited activity—suspension or removal from school.

Employees:

Disciplinary sanctions for any violation of this Policy may include, but are not limited to, suspension, termination, or filing of criminal charges as warranted.

Volunteers/Parent:

Disciplinary sanctions for any violation of this Policy may include, but are not limited to, denial of access to school premises, school-related events, or school-sponsored events; suspension or termination of volunteer activities; or filing of criminal charges as warranted.

Prevention:

The Title IX Coordinator shall ensure that students and staff are instructed on how to identify, prevent, and report violations of this Policy. The Title IX Coordinator, in conjunction with the Executive Director and Board of Trustees, shall also ensure that the Academy's health program and counseling services include the appropriate social skills training to help students avoid isolation and help them interact in a healthy manner. School staff shall model correct and courteous behavior to each other, to students, parents and to visitors. Abusive or humiliating language or demeanor shall not be accepted.

Enforcement Agencies:

Nothing in this Policy is intended to prohibit or discourage individuals from contacting the applicable state and/or federal enforcement agencies with complaints or concerns, including but not limited to:

Office for Civil Rights
Boston Office U.S. Department of Education
5 Post Office Square
8th Floor Boston, MA 02109-3921
Tel: 617-289-0111
E-mail: OCR.Boston@ed.gov

Equal Opportunity Employment Commission (EEOC)
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203-0506
Tel: 800-669-4000
TTY: 800-669-6820
www.eeoc.gov

Massachusetts Commission Against Discrimination ("MCAD")
One Ashburton Place
Room 601
Boston, MA 02108
Tel: 617-994-6000
TTY: 617-994-6196
E-mail: mcad@mass.gov

Non-Discrimination on the Basis of Handicap

Title II of the Americans With Disabilities Act of 1992 requires that no qualified individual with a disability shall, because the Academy's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, and activities of the Academy or be subject to discrimination. Nor shall the Academy exclude or otherwise deny services, programs, or activities to an individual because of the known disability of a person with whom the individual is known to have a relationship or association.

Definition:

A "qualified individual with a disability" is an individual with a disability who, with or without reasonable modification to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets

the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the Academy.

Reasonable Modification:

The Academy shall make reasonable modification in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the Academy can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

If any employee of the Academy wishes to request a reasonable accommodation for a qualifying disability, he/she shall make either a written or oral request to his/her supervisor, or principal, who will then consider any such request in accordance with applicable laws and regulations.

Either an applicant or an employee can make an accommodation request. An applicant or employee must complete a Confirmation of Request for Reasonable Accommodation Form for record-keeping purposes. All oral accommodation requests will be processed immediately even if written confirmation has not yet been received.

Either the individual with a disability or a family member, health professional, or other representative acting on the individual's behalf can make a request for reasonable accommodation. Accommodations can be made at any time.

Communications:

The Academy shall take the appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others. To this end, the Academy shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy benefits of, a service, program, or activity conducted by the Academy. In determining what type of auxiliary aid or service is necessary, the District shall give primary consideration to the requests of the individuals with disabilities.

Auxiliary Aids and Services:

"Auxiliary aids and services" includes (1) qualified interpreters, note takers, transcription services, written materials, assisted listening systems, and other effective methods for making aurally delivered materials available to individuals with hearing impairments; (2) qualified readers, taped texts, audio recordings, Braille materials, large print materials, or other effective methods for making visually delivered materials available to individuals with visual impairments; (3) acquisition or modification of equipment or devices and (4) other similar services and actions.

Limits of Required Modification:

The Academy is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. Any decision that, in compliance with its responsibility to provide effective communication for individuals with disabilities, would fundamentally alter the service, program, or activity or unduly burden the Academy shall be made by the Board of Trustees after considering all resources available for use in funding and operating the program, service, or activity. A written statement of the reasons for reaching that conclusion shall accompany the decision.

Notice:

The Academy shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of Title II of the American with Disabilities Act (ADA) and its applicability to the services, programs, or activities of the Academy. The information shall be made available in such a manner as the Board of Trustees and Executive Director find necessary to apprise such persons of the protections against discrimination assured them by the ADA.

Compliance Coordinator:

The Academy shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title II of ADA, including any investigation of any complaint communicated to it alleging its noncompliance or alleging any actions that would be prohibited under ADA. The Academy shall make available to all interested individuals the name, office address, and telephone number of the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints alleging any action that would be prohibited under the ADA. The Academy receives federal financial assistance and must comply with the above requirements. Additionally, the Academy is of the general view that:

1. Discrimination against a qualified handicapped person solely on the basis of handicap is unfair; and
2. To the extent possible, qualified handicapped persons should be in the mainstream of life in the school community. Accordingly, employees of the school system will comply with the above requirements of the law and policy statements of this Committee to ensure nondiscrimination on the basis of handicap.

Equal Employment Opportunity

It is the policy of the Academy that applicants are employed, assigned, and promoted without regard to race, color, sex, sexual orientation, gender identity, age, national origin, physical or mental disability, religion, veteran's status, homelessness, or any other class of individuals protected from discrimination under state or federal law. Every effort is made to ensure that the school's policies regarding hiring are based solely on each applicant's qualification, merit, and ability.

Family Education Rights and Privacy Act (FERPA)

The Academy, and its staff, maintains its official and confidential student education records in accordance with the Family Educational Rights and Privacy Act (FERPA).

Bullying Prevention and Intervention Plan

The Academy is committed to a workplace free of threats, intimidation, violence, and bullying. Bullying is the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that: (i) causes physical or emotional harm to the victim or damage to the victim's property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this section, bullying shall include cyber-bullying.

POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION

I. Reporting

1.1. Reporting Overview

Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and must be in writing. All reports should be made or relayed to the Principal or Designee. School staff members are required to transmit any reports directly to the Principal.

Information on reporting procedures will be made available each year to all students, families, and staff via the Employee Handbook and the Community Handbook and Student Code of Conduct. Any student or staff member who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action.

1.2. Reporting by Staff

A staff member will report any bullying incidents immediately to the Principal or Designee in addition to following all other customary disciplinary procedures.

1.3. Reporting by Students, Parents, or Guardians, and Others

The school expects all members of the school community who witness an incident of bullying to report it to the Principal or Designee. Reports may be made anonymously, however, no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report.

II. Responding to a Report of Bullying or Cyber-bullying or Retaliation

Before investigating, the Principal or Designee will take steps to ensure safety of targets and witnesses.

Upon determining that an incident of bullying has taken place, the Principal or Designee will notify parents of all involved parties as well as the Executive Director. Notice will be consistent with 603 CMR 49.00.

If the reported incident involves students from another school, the Principal will notify by telephone the Principal or Designee of the other school(s) involved in the incident so that each school may take appropriate action.

If the Principal has reasonable basis to believe that criminal charges may be pursued against the aggressor, the Principal will notify the police. Notice will be consistent with the requirements of 603 CMR 49.00. If an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in the school, the Principal shall contact the police if he/she has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

III. Investigation

The Principal or Designee will investigate promptly all reports of bullying or retaliation and in doing so will consider all available information known, including the nature of the allegation(s) and the ages of the students involved. The Principal or Designee will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action. To the extent possible, the Principal or Designee will maintain confidentiality during the process. The Principal or Designee will make a written record of the investigation.

IV. Determinations and Responses to Bullying

The Principal or Designee will make a determination based upon all the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the Principal or Designee will take steps to ensure:

1. The target and/or reporter (if different from the target) is made to feel safe and is in no way restricted in participating in school or benefitting from school activities. As part of this process, the Principal or Designee will meet with the target and his/her family in order to assess the target's need and to ensure the successful restoration of the target's safety, including a possible counseling referral; and
2. The aggressor faces stiff disciplinary action and that the aggressor and the family of the aggressor are given access to additional educational resources (including possible counseling referral) and further understand that any repeated instance will meet with increasingly severe consequences.
3. If necessary, the Principal or Designee will schedule a mediation session between the target(s), aggressor(s), and respective parents/guardians will take place.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA). All students will be provided with protection under the law and under this policy regardless of their legal status.

Within a reasonable period of time following the determination, the Principal or Designee will contact the target and/or reporter (if different from the target) to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the Principal or Designee will work with appropriate school staff to implement them immediately.

The Principal or their designee shall inform the parent/guardian of the target and the aggressor in incidents of bullying about the Department of Elementary and Secondary Education's problem resolution system and the process for accessing that system, regardless of the outcome of the bullying determination. Any parent wishing to file a claim/concern or seeking assistance outside of the school may do so with the Department of Elementary and Secondary Education Program Resolution System (PRS). That information can be found at: <http://www.doe.mass.edu/pqa>, emails can be sent to compliance@doe.mass.edu or individuals can call 781-338- 3700. Hard copies of this information will also be made available by the Principal and/or the Executive Director upon request.

V. Collaboration with Families

The Academy will post its Core Values on the school website.

Each year, The Academy will include its Bullying Prevention Plan in its Community Handbook and Student Code of Conduct (in the family's languages of preference) on its website.

VI. MGL, Chapter 71, Section 370

In June 2013, the Massachusetts anti-bullying law (MGL chapter 71, section 370) was amended in order to extend protections to students who are bullied by a member of the school staff, who are defined to include but are not limited to an "educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional." Based on these amendments, all districts and schools, including Helen Y. Davis Leadership Academy Charter Public School, have updated their Bullying Prevention and Intervention Plans to reflect these changes.

Physical Restraint Policy

I. Introduction and Purpose

In accordance with state law, Helen Y. Davis Leadership Academy Charter Public School has determined that physical restraint on a student will only be administered when needed to protect a student and/or a member of the school community from assault or imminent, serious, physical harm; and if non-physical interventions would not be effective. The use of physical restraint shall not be used as a means of punishment, or as a response to property destruction, disruption of school order, a student's refusal to comply with a school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious, physical harm. When physical restraint is required, it is the goal of school personnel to prevent or minimize any harm to the student as a result of the use of physical restraint.

Only those staff members that have received in-depth training as described within this policy shall administer physical restraints. The Academy follows the regulations and reporting and documentation requirements of 603 CMR 46.00, which can be found in its entirety as an appendix to this policy document.

In compliance with Commonwealth of Massachusetts Regulations (603 CMR 46.00), The Academy ensures that every student attending our schools is free from the use of physical restraint that is inconsistent with 603 CMR 46.00. Physical restraint shall be used only in emergency situations of last resort, after other lawful and less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution.

II. Definitions

As used in 603 CMR 46.00, these terms shall have the following meanings:

1. **Consent** shall mean agreement by a parent or guardian who has been fully informed of all information relevant to the activity for which agreement is sought, in his or her native language or other mode of communication, that the parent understands and agrees in writing to carrying out of the activity, and understands that the agreement is voluntary and may be revoked at any time. The agreement describes the activity and lists the records (if any) which will be released and to whom. In seeking parental consent, a public education program shall not condition admission or continued enrollment upon agreement to the proposed use of any restraint.
2. **Mechanical restraint** shall mean the use of any device or equipment to restrict a student's freedom of movement. The term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional, and are used for the specific and approved positioning or protective purposes for which such devices were designed. Examples of such devices include: adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; restraints for medical immobilization; or orthopedically prescribed devices that permit a student to participate in activities without risk of harm.
3. **Medication restraint** shall mean the administration of medication for the purpose of temporarily controlling behavior. Medication prescribed by a licensed physician and

authorized by the parent for administration in the school setting in not medication restraint.

4. **Physical escort** shall mean a temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is agitated to walk to a safe location.
5. **Physical restraint** shall mean direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.
6. **Principal** shall mean the instructional leader of the school **or** his or her designee. In accordance with 603 CMR 46.02, Helen Y. Davis Leadership Academy Charter School Executive Director designates the Principal of The Academy, as the instructional leaders of their respective schools, and the Director of Teaching and Learning or Dean of Students shall serve as designee for purposes of 603 CMR 46.00.
7. **Prone restraint** shall mean a physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student's body to keep the student in the face-down position.
8. **Seclusion** shall mean the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include a time-out as defined in 603 CMR 46.02.
9. **Time-out** shall mean a behavioral support strategy developed pursuant to 603 CMR 46.04(1) in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During time-out, a student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The space used for time-out must be clean, safe, sanitary, and appropriate for the purpose of calming. Time-out shall cease as soon as the student has calmed.

III. Prohibited Restraints

The Academy prohibits medication restraint, mechanical restraint, and seclusion. In addition, prone restraint is prohibited unless the staff member(s) administering the restraint have received in-depth training according to the requirements of 603 CMR 46.04(3), the conditions set forth in Section 5 of this policy have been met, and, in the judgment of the trained staff member(s), such method is required to provide safety for the student or others present. Finally, any physical restraint administered in a manner inconsistent with 603 CMR 46.00 is prohibited.

IV. Use of Physical Restraint

Physical restraint shall be considered an emergency procedure of last resort and shall be prohibited except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances. Any physical restraint shall be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm.

Per 603 CMR 46.01(4), nothing in 603 CMR 46.00 precludes any teacher, employee or agent of a public education program from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

V. Prohibitions on Use of a Physical Restraint (including Prone Restraint)

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

Prone restraint is prohibited in the school except on an individual student basis, and only under the following circumstances:

1. Staff member(s) administering the restraint have received in-depth training according to the requirements of 603 CMR 46.04(3) and, in the judgment of the trained staff member(s), such method is required to provide safety for the student or others present;
2. The student has a documented history of repeatedly causing serious self-injuries and/or injuries to other students or staff;
3. All other forms of physical restraints have failed to ensure the safety of the student and/or the safety of others;
4. There are no medical contraindications as documented by a licensed physician;
5. There is psychological or behavioral justification for the use of prone restraint and there are no psychological or behavioral contraindications, as documented by a licensed mental health professional;
6. The program has obtained consent to use prone restraint in an emergency, and such use has been approved in writing by the principal; and,
7. The program has documented the above circumstances (1-5) in advance of the use of prone restraint and maintains the documentation.

VI. Proper Administration of a Physical Restraint

Only trained school personnel shall administer physical restraints. Trained school personnel are those individuals who have received in-depth training in accordance with the section below regarding staff training and with state law [603 CMR 46.04(2) and 603 CMR 46.04(3)].

Whenever possible, the administration of the physical restraint shall be witnessed by at least one adult who does not participate in the physical restraint. When administering a physical restraint, school personnel shall use only the amount of force necessary to protect the student or others from physical injury or harm. Additionally, school personnel administering a physical restraint shall use the safest method available and appropriate to the situation in accordance with the safety requirements detailed below.

School personnel shall discontinue the restraint as soon as the student is no longer an immediate danger to himself or others, or the student indicates that he or she cannot breathe, or if the student

is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing. As noted in Section 5 of this policy, floor restraints, including prone restraints, are prohibited unless the school personnel administering the restraint has received in-depth training, in the judgment of the trained staff member, such method is required to provide safety for the student or others present, and the additional conditions detailed in Section 5 have been met.

VII. Duration & Safety Requirements

No restraints shall be administered in such a way that a student is prevented from breathing or speaking. During the administration of a restraint, school personnel shall continuously monitor the physical status of the student, including skin temperature and color, and respiration. Additionally, restraints shall be administered in such a way as to prevent or minimize physical harm.

If, at any time during a physical restraint the student expresses or demonstrates significant physical distress, including, but not limited to, difficulty breathing, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.

All physical restraint must be terminated as soon as the student is no longer an immediate danger to self or others, or the student indicates that he or she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing. If a student is restrained for a period longer than 20 minutes, program staff shall obtain the approval of the principal or designee. The approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint. School personnel shall review and consider any known medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans regarding the use of physical restraint on an individual student.

VIII. Follow-up Procedures

After the release of a student from restraint, the school shall implement the follow-up procedures set forth below:

1. review the incident and restraint with the student to address the behavior that precipitated the restraint;
2. review the incident with school personnel who administered the restraint to discuss whether proper restraint procedures were followed; and
3. consider whether any follow-up is appropriate for the students who witnessed the incident.

IX. Reporting & Reviewing Requirements

9.1. Verbal and Written Reports: School Personnel

School personnel shall report the use of any physical restraint. The school staff member who administers a physical restraint shall verbally inform the Principal or designee of the restraint as soon as possible and no later than the close of the school day in which the restraint was administered. A written report shall be completed and provided to the Principal or designee no later than the next working day after the restraint was administered. If the Principal and Director of Teaching and Learning have administered the restraint, the Dean of Students shall prepare the report and submit it to the Executive Director. If the Principal and Dean of Students have administered the restraint, the Director of Teaching and Learning shall prepare the report and submit it to the Executive Director. The Principal or designee shall maintain an on-going record of all reported instances of physical restraint, which shall be made available for review by the Department of Elementary and Secondary Education or the student's parent upon request.

9.2. Verbal and Written Reports: Parents/Guardians

The Principal or designee shall verbally inform the student's parents or guardians of any physical restraint within 24 hours of the event, and shall send a written report within three school working days following the use of the physical restraint. The report shall be sent to an email address provided by the parent for communications about the student or by regular mail postmarked no later than three school working days following the use of the restraint. If the school customarily provides a parent of the student with school-related information in a language other than English, the written restraint report shall be provided to the parent in that language. The Principal or designee shall provide the student and the parent an opportunity to comment orally and in writing on the use of the restraint and on information in the written report.

9.3. Contents of the Reports

The written reports referenced above shall include the following information:

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

9.4. Review of Restraint Data

When applicable the Principal or designee shall conduct a regular review of restraint data to identify students who have been restrained multiple times during the week. If such students are identified, the Principal or designee shall convene one or more review teams as the Principal or designee deems appropriate to assess each student's progress and needs. The assessment shall include at least the following:

1. review and discussion of the written reports submitted pursuant to the prior sections, and any comments provided by the student and parent about such reports and the use of the restraints;
2. analysis of the circumstances leading up to each restraint, including factors such as time of day, day of the week, antecedent events, and individuals involved;
3. consideration of factors that may have contributed to escalation of behaviors, consideration of alternatives to restraint, including de-escalation techniques and possible interventions, and such other strategies and decisions as appropriate, with the goal of reducing or eliminating the use of restraint in the future;

4. agreement on a written plan of action by the program.

If the Principal directly participated in the restraint, a duly qualified individual designated by the Executive Director of The Academy shall lead the review team's discussion. The Principal or designee shall ensure that a record of each individual student review is maintained and made available for review by the Department or the parent, upon request.

9.5. Administrative Review

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

9.6. Reporting of Injuries

All restraint-related injuries shall be reported to the Department of Elementary and Secondary Education (DESE). When a physical restraint has resulted in an injury to a student or program staff member, the program shall send a copy of the written reports required above to DESE postmarked no later than three school working days after the administration of the restraint. The program shall also send DESE a copy of the record of physical restraints maintained by the Principal or designee for the 30-day period prior to the date of the reported restraint. The Department shall determine if additional action by the program is warranted and, if so, shall notify the school of any required actions within 30 calendar days of receipt of the required written report(s).

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

X. Policies, Procedures, & Training

10.1. Policies and Procedures

This document represents Helen Y. Davis Leadership Academy Charter Public Schools written restraint prevention and behavior support policy and procedures consistent with state law (603 CMR 46.00). These policies and procedures will be reviewed annually, provided to all school staff, and made available to parents and guardians of enrolled students. This policy document will be augmented and supported through additional policies, procedures, training, and professional development regarding the following:

1. methods for preventing student violence, self-injurious behavior, and suicide including individual crisis planning and de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student;
2. methods for engaging parents and youth in discussions about restraint prevention and the use of restraint solely as an emergency procedure;
3. the school's alternatives to physical restraint and the method of physical restraint in emergency situations.
4. Procedures for the use of time-out that includes a process for obtaining principal approval of time-out for more than 30 minutes based on the individual student's continuing agitation.

10.2. Staff Training

All staff shall receive training regarding the school's restraint prevention and code of conduct policies and requirements when restraint is used. The Principal shall determine a time and method to provide all program staff with training regarding The Academy's restraint policy. Such training shall occur within the first month of each school year, and for employees hired after the school year begins, within a month of their employment.

Training shall include information on the following:

1. The role of the student, family, and staff in preventing restraint;
2. The program's restraint prevention and code of conduct policies and procedures, including use of time-out as a behavior support strategy distinct from seclusion;
3. Interventions that may preclude the need for restraint, including de-escalation of problematic behaviors and other alternatives to restraint in emergency circumstances;
4. When behavior presents an emergency that requires physical restraint, the types of permitted physical restraints and related safety considerations, including information regarding the increased risk of injury to a student when any restraint is used, in particular a restraint of extended duration;
5. Administering physical restraint in accordance with medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans applicable to an individual student; and
6. Identification of program staff who have received in-depth training in the use of physical restraint pursuant to state law (603 CMR 46.03(3)i).

At the beginning of each school year, the Principal of each public education program, or his/her designee, shall identify program staff that are authorized to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. Such staff shall participate in in-depth training in the use of physical restraint, the content of which shall be in compliance with state law [603 CMR 46.04(4)]. The Department of Elementary and Secondary Education recommends that such training be at least sixteen (16) hours in length, with refresher training occurring annually thereafter.

XI. Complaint Procedures

11.1. Informal Resolution of Concern About Use of Physical Restraint

Before initiating a formal complaint procedure, a student or his/her parent/guardian who has concerns regarding a specific use of a physical restraint, may seek to resolve his/her concerns regarding a specific use of a physical restraint by raising the issue with the Principal. The student and/or his/her parent/guardian should direct their concerns regarding a specific use of a physical restraint to the principal within ten (10) days of the parent/guardian's receipt of the written report from the school detailed above. The Principal shall attempt, within his/her authority to work with the individual to resolve the complaint fairly and expeditiously. If the student and/or his/her parent/guardian are not satisfied with the resolution, or if the student and/or his/her parent/guardian does not choose informal resolution, then the student and/or his/her parent/guardian may proceed with the formal complaint process detailed below.

11.2. Formal Resolution of Concern About Use of Physical Restraint

A student or his/her parent/guardian, who has concerns regarding a specific use of a physical restraint, may seek to resolve his/her concerns regarding a specific use of a physical restraint by submitting a written complaint to the Executive Directors. The student and/or his/her parent/guardian should submit this letter within twenty (20) days of the parent/guardian's receipt of the written report from the school detailed. The written complaint shall include (a) the name of

the student; (b) the location where the physical restraint allegedly occurred; (c) the name of the individuals involved in the alleged physical restraint; (d) the basis of the complaint or concern; and (e) the corrective action being sought. The Academy's Executive Director shall conduct an investigation into the complaint promptly after receiving the complaint. In the course of its investigation they shall contact those individuals that have been referred to as having pertinent information related to the complaint. Strict timelines cannot be set for conducting the investigation because each set of circumstances is different. The Executive Director will make sure that the complaint is handled as quickly as is feasible. After completing the formal investigation, the Executive Directors shall contact the individual who filed the complaint regarding the outcome of its investigation and its determination as to whether any corrective action is warranted.

Wellness Policy

Helen Y. Davis Leadership Academy Wellness Policy

The Board of Trustees recognizes the relationship between student well-being, health and wellness and student achievement as well as the importance of comprehensive wellness policies. The Board of Trustees is committed to protecting children's health, well-being and ability to learn to their fullest potential by supporting a school environment that promotes healthy choices and fosters lifelong habits with respect to eating and physical activity.

Therefore, the Board of Trustees has adopted this policy to serve as a guideline for carrying out the Academy's objectives in this arena.

Wellness Advisory Committee ("WAC")

Purpose

The purpose of the WAC is to ensure that the Academy has an established group of school staff and concerned community representatives to recommend, review, and help implement policies addressing school nutrition, nutrition education, physical activity, and related issues that affect student health.

Scope and Application

Establishment

- The WAC shall encourage development of a program that actively promotes wellness in the Academy, and to, maximize the Academy's opportunities for grant awards.
- School administration shall appoint committee members, including a designee to serve as a liaison between the WAC and school administration, and ensure the active functioning of the WAC.
- The WAC shall include at a minimum representatives from a wide range of school health and health-related disciplines, including school nurses, school nutrition and physical activity staff, community agencies serving youth, parents, students, and members of the Board of Trustees.
 - Appointees to the maximum extent possible shall reflect the cultural, linguistic, and ethnic composition of the community.

- To the extent feasible, appointees shall include representatives of local boards of health, school physicians, and local health care providers, such as hospitals and primary care providers.
- The WAC shall be advisory to the Board of Trustees.
- The WAC shall meet at least four times a year.
- WAC reports, as well as minutes of the meetings, including the names of attendees, shall be maintained and shall be provided to the Department of Public Health or the Department of Elementary and Secondary Education upon request.

WAC Functions

- The WAC on an annual basis shall recommend and/or review the Academy's policies to promote student wellness, such as those addressing health education and services, school nutrition, the nutrition environment, physical education, and opportunities for physical activity around the school environment. Such policies shall include:
 - goals and objectives for the coming year, which shall be observable and measurable;
 - a process for evaluating the progress to be made in the coming year in reaching the annual goals and objectives, which may include the use by the Academy of a self-assessment tool;
 - any recommendations concerning the establishment or functioning of wellness teams and initiatives.
- The WAC on an annual basis shall propose to school administration and the Board of Trustees a copy of the policies developed, including goals and objectives for the coming year. The report shall include:
 - an action plan which details ways in which the WAC may work with school personnel, including school nurses, to achieve the annual goals and objectives;
 - ways that the Academy and the WAC might best monitor and evaluate progress toward reaching the annual goals and objectives;
 - ways of developing community support for school wellness initiatives and coordinating school and community initiatives on physical activity and nutrition;
 - an assessment of the accomplishments of the previous year and identification of work still needed in order to accomplish the previous year's goals and objectives; and
 - a review of membership and membership participation in the previous year and, as appropriate, a request to school administration for replacements.
- In setting goals and objectives, the WAC shall consider:
 - suggestions and recommendations from students, parents, teachers, school nurses, school administrators, nutrition, and physical education staff and other interested parties;
 - input from all those affected by the goals or objectives, to the maximum extent feasible; and
 - general public health data, such as
 - student health needs assessments;
 - assessments and indicators of student health status and health awareness;
 - information from health providers and public health officials as to causes of morbidity and mortality and possible methods of prevention; and
 - data indicating the effect of health status on academic performance.

- Information about current programs and practices that might have a bearing on student health, such as:
 - BMI screening data;
 - status of food nutrition and nutrition education programs, and food consumption patterns, including breakfast and lunch program participation;
 - meaningful opportunities for physical activity, including the amount of time and the quality of the opportunities provided for physical activity through physical education, recess and travel to and from school; and
 - status of current school health and behavioral health services and health education programs.

Development of Guidelines

Upon adoption of Wellness policies, school administration, in consultation with the WAC will develop implementation procedures. School administration will review the policies and related implementation procedures and share expectations with staff on an annual basis to ensure implementation and adherence.

Nutrition

The Academy's goal is that all students will have opportunities, support and encouragement to make healthy nutrition choices throughout the school day through meals, snacks and beverages provided as part of the school meal program, at other times during the school day such as through food and nutrition education integrated in the health education curriculum and in school events taking place outside of school hours.

- The food service program will provide students with access to a variety of affordable, nutritious, and appealing foods and beverages that:
 - Meet the health and nutrition needs of students and adhere to or exceed the USDA School Meal regulations;
 - Meet the Massachusetts School Nutrition regulations, as applicable;
 - Accommodate the religious, ethnic and cultural diversity of the student body in meal planning;
 - Provide clean, safe and pleasant settings and adequate time for students to eat; and a minimum of 20 minutes for lunch and a minimum of 10 minutes for breakfast, after sitting down; and
 - Ensure that no student need go hungry while in school.
- The Academy will participate in available federal school meal programs including the school breakfast program, national school meal program; and, to the maximum extent practicable, summer food service program, fruit and vegetable snack program, and child and adult care food program.
- School administration will ensure that the Academy adheres to the nutritional standards set by the Massachusetts Department of Public Health for competitive foods and beverages including vending machines, a la carte items offered in school cafeterias, school-sponsored, or school-related events.
- In addition, the Academy will maintain the same Massachusetts standards for concession stands, booster sales, fundraising activities and school-sponsored or school-related events.

Physical Education and Physical Activities

The Academy's goal is that all students will have opportunities, support, and encouragement to be physically active on a regular basis throughout the school day through physical education (PE) classes, and before and after school for example through intramurals, interscholastic athletics, active transportation (walking and biking to school) and physical activity integrated into the academic curriculum where appropriate.

- The Health, Physical Education and Athletics departments will provide all students, including students with disabilities, special health care needs, and those in alternative educational settings, with access to a variety of opportunities for physical activity. These activities will:
 - Adhere to or exceed the Massachusetts Comprehensive Health Curriculum Framework and the National Association for Sport and Physical Education Standards;
 - Ensure that students learn skills for lifelong activities; and
 - Provide students with the opportunity to participate in physical activity through a range of programs including but not limited to, intramurals and competitive interscholastic athletics, and activities that are available to all students, regardless of skill level, such as intramurals and physical activity clubs.
- The school district will ensure that physical education is taught by qualified educators who are certified by the Commonwealth of Massachusetts to teach physical education. In addition, as part of a quality physical education program, all physical education teachers will be expected to participate regularly in professional development activities.
- Students will not be kept from recess or excluded from a Physical Education class except if the removal is necessary to protect the health, safety and welfare of the student, other students and staff or the permission of the student's parent/guardian has been given for the student's removal or exclusion.
- Physical activity will neither be denied nor required as a form of punishment.
- Students and staff will be encouraged to engage in active transportation (walking, bike riding, etc.) to and from school and to support a healthy and active lifestyle from an early age by working to make bicycling and walking to school a safer and more appealing mode of transportation.

Health and Nutrition Education and Promotion

The Academy's goals for health education activities:

- Students will receive encouragement, support, and education to adopt and maintain healthy behaviors through health education, including nutrition education and social emotional learning.
- Students receive health education that teaches the skills they need to adopt and maintain healthy behaviors.
- Students receive consistent health messages from all aspects of the school program.
- Health education curriculum standards and guidelines address both nutrition and physical education.

- Nutrition is integrated into the health education curriculum. Staff who provide health and nutrition education will have appropriate training.
- Health and nutrition education curriculum will be aligned to the Massachusetts Comprehensive Health Curriculum Framework, National Health Education Standards and the National Sexuality Education Standards and will establish linkages between health education, school meal programs and related community services.

Commonwealth of Massachusetts: Anti-Hazing Law

Chapter 269: Section 17. Hazing; organizing or participating; hazing defined

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.

Chapter 269: Section 18. Failure to report hazing

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 himself 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.

Chapter 269: Section 19. Copy of Sections 17 to 19; issuance to students and student groups, teams and organizations; report

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, however, 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 that fails to make such report.

Hazing Disciplinary Policy

In compliance with An Act Prohibiting the Practice of Hazing, M.G.L c. 269, §§ 17-19, and state anti-hazing reporting regulations, 603 CMR 33.00

Policies and Procedures for Reporting and Responding to Hazing

I. Reporting

1.1. Reporting Overview

Whoever knows that another person is the victim of hazing as defined in M.G.L c. 269, §§ 17, and is at the scene of the potential hazing, to the extent that such person can do so without danger or peril to themselves or others, is required to report such crime to an appropriate law enforcement official as soon as reasonably practicable.

If knowledge of potential hazing is gained after the fact, all reports should be made or related to the Principal. School staff members are required to transmit any reports directly to the Principal. These reports can come from coaches, staff, students, parents or guardians, or others.

Information on reporting procedures will be made available each year to all students, families, and staff via the Employee Handbook and the Community Handbook and Student Code of Conduct. Any student who knowingly makes a false accusation of hazing or retaliation shall be subject to disciplinary action.

1.2. Reporting by Staff

A staff member will report any hazing incidents immediately to the Principal in addition to following M.G.L c. 269, §§ 18, and all other customary disciplinary procedures.

1.3. Reporting by Students, Parents, or Guardians, and Others

The school expects all members of the school community who witness an incident of hazing to follow M.G.L c. 269, §§ 18, as well as report it to the Principal.

II. Responding to a Report of Hazing or Retaliation

Before investigating, the Principal or Designee will take steps to ensure safety of targets and witnesses.

Upon determining that an incident of hazing has taken place, the Principal or Designee will notify parents of all involved parties as well as the appropriate law enforcement official.

If the reported incident involves students from another school, the Principal or Designee will notify by telephone the Principal or designee of the other school(s) involved in the incident so that each school may take appropriate action.

If the Principal has reasonable basis to believe that criminal charges may be pursued against the aggressor, the Principal will notify the appropriate law enforcement official.

III. Investigation

Principal or Designee will investigate promptly all reports of hazing or retaliation and in doing so will consider all available information known, including the nature of the allegation(s) and the ages of the students involved. The Principal or Designee will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action. To the extent possible, the Principal or Designee will maintain confidentiality during the process. The Principal or Designee will make a written record of the investigation.

IV. Determinations and Responses to Hazing

The Principal will make a determination based upon all the facts and circumstances. If, after investigation, hazing or retaliation is substantiated, the Principal or Designee will take steps to ensure:

1. The target and/or reporter (if different from the target) is made to feel safe and is in no way restricted in participating in school or benefitting from school activities. As part of this process, the Principal or Designee will meet with the target and his/her family in order to assess the target's need and to ensure the successful restoration of the target's safety, including a possible counseling referral; and
2. The aggressor faces stiff disciplinary action and that the aggressor and the family of the aggressor are given access to additional educational resources (including possible counseling referral) and further understand that any repeated instance will meet with increasingly severe consequences.
3. If necessary, the Principal or Designee will schedule a mediation session between the target(s), aggressor(s), and respective parents/guardians will take place.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA). All students will be provided with protection under the law and under this policy regardless of their legal status.

Within a reasonable period of time following the determination, the Principal or Designee will contact the target and/or reporter (if different from the target) to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the Principal or Designee will work with appropriate school staff to implement them immediately.

The Principal or their designee shall inform the parent/guardian of the target and the aggressor in incidents of hazing about the Department of Elementary and Secondary Education's problem resolution system and the process for accessing that system, regardless of the outcome of the hazing determination. Any parent wishing to file a claim/concern or seeking assistance outside of the school may do so with the Department of Elementary and Secondary Education Program Resolution System (PRS). That information can be found at: <http://www.doe.mass.edu/pqa>, emails can be sent to compliance@doe.mass.edu or individuals can call 781-338- 3700. Hard copies of this information will also be made available by the Principal and/or designee upon request.

V. Collaboration with Families

The Academy will post its Core Values on the school website.

VII. Internet Acceptable Use / Social Networking / Equipment

Internet Acceptable Use

Access to Helen Y. Davis Leadership Academy Charter Public School ("DLA") network systems, email, Internet, intranet, student records, and other computer or technological resources (collectively, the "DLA Network Systems") is provided for educational and DLA administrative use exclusively. This Acceptable Use Policy governs all use of the DLA Network Systems and includes the use of personal equipment and accounts on the DLA Network Systems.

Prohibited Use:

Each employee is responsible for his/her actions involving information technology and his/her computer files, passwords, and accounts. Examples of prohibited use of the DLA Network Systems include, but are not limited to, the following:

1. Any use that violates any federal, state or local law or regulation, or violates an Academy policy;
2. Any use to harass, discriminate, threaten, defame, demean or intimidate another person(s);
3. Any use that involves material or language that is profane, obscene, fraudulent, offensive, sexually explicit, or sexually suggestive, or vulgar;
4. Any commercial use, use for private financial gain, advertising, or solicitation purposes;
5. Obtaining or sharing confidential information for non-school related purposes;
6. Revealing your password to anyone else or failing to take reasonable precautions to properly safeguard your password using another's password without administrative approval, allowing another person to use your account or using another person's account, or gaining or attempting to gain unauthorized access to any computer or network;
7. Any misuse, disruption, or degradation of the DLA Network Systems, including intentional physical misuse or damage to equipment, materials, data, or programs, or any breach or attempt to breach the security features of school IT;
8. Any use which fails to comply with or violates software license agreement terms, copyright, or other intellectual property rights of other persons.

Privacy:

Users do not have any expectation of privacy or confidentiality in the content of electronic communications or of other files sent and received or stored in the user's directory or on a disk drive or any other storage type device or print-out. The use of a password is solely to protect the user's information from access by fellow users, but creates no expectation of privacy with regard to access to that information by authorized DLA employees. DLA reserves the right to review and/or monitor all electronic records and communications, at any time, with or without notice, including individual user folders and other information, whether such records, communications, folders, and information are password-protected or not. All communications including text and images may be disclosed to law enforcement or other appropriate third parties without the prior consent or knowledge of the sender or the receiver.

Violations:

The Academy reserves the right to deny, revoke or suspend specific user privileges and/or to take other disciplinary action, including suspension or dismissal from one's position, for violations of this policy. The Academy will advise appropriate law enforcement agencies of illegal activities.

Complaints or Problems of Misuse:

Any individual who is aware of any violation of this policy must report such violations to the Principal or IT Department.

Social Networking

The Academy strongly discourages its parents from allowing their child(ren) to use social media. The dangers of social media for teenage users are extensive, including:

- Making themselves easier targets for online predators;
- Cyberbullying;
- An increased chance of physical encounters with strangers;
- Posting of photographs, videos, or comments made online that cannot be deleted;
- Posting inappropriate photographs, videos, or comments that can damage a reputation causing problems for them into adulthood, and
- Spending too much time on social media, causing a decline in academic achievement and overall mental health.

Many times, negative encounters over social media while at home are played out during the school day. When this happens, it causes a substantial disruption to the Academy's learning environment. Additionally, it may prohibit your child's ability to achieve academically, maintain healthy friendships with their peers, and creates significant safety risks, both physical and social/emotional. In accordance with Section 5 of our Student Code of Conduct, students that cause substantial disruption to the learning environment may face both short-term, or long-term suspensions.

Use of Equipment

When using school technology, including school laptops, students are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines. Students are prohibited from taking school technology, including laptops, home with them, and are responsible for securing their laptop in a computer cart at the end of each day.

Parents are financial responsibilities for any lost, stolen, or damaged school technology.

Students should notify their teacher if any equipment, machines, or tools appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to students or others.

VIII. Student Welfare

Supervision of Students

School personnel assigned supervision are expected to act as reasonably prudent adults in providing for the safety of the students in their charge.

In keeping with this expected prudence, no teacher or other staff member will leave his/her assigned group unsupervised except when an arrangement has been made to take care of an emergency.

During school hours or while engaging in school-sponsored activities, students will be released only into the custody of parents or other persons authorized in writing by a parent or guardian.

At all events under the purview of or sponsored by the Academy, whether held on school premises or other location, and whether attended exclusively or in part by students of the Academy, a member of the school staff shall be in attendance and shall be responsible for the preservation of good order and shall remain in charge until all students have left the building.

Reporting Child Abuse and Neglect

General Information

The Academy seeks to promote a safe and productive educational environment for its students. Accordingly, the Academy expects its employees to be able to recognize the signs and symptoms of child abuse and neglect and take appropriate steps to report suspected abuse, including sexual abuse, or neglect, including malnutrition, in accordance with the procedures set forth below.

Section 51A of Chapter 119 of the Massachusetts General Laws mandates that certain persons who in their professional capacity have reasonable cause to believe that a child is suffering serious physical or emotional injury resulting from (i) abuse inflicted upon him/her which causes a substantial risk of harm to the child's health or welfare, including sexual abuse; or (ii) neglect, including malnutrition; or (iii) physical dependence upon an addictive drug at birth, shall immediately, via telephone, report this abuse or neglect to the Department of Children and Families ("DCF"). The telephone report should be made either to the appropriate Area Office Protective Service Unit or via the 24-hour reporting hotline at 800-792-5200.

Additionally, within forty-eight (48) hours of the initial oral report, mandated reports are required under Massachusetts law to notify the DCF in writing using the applicable reporting form. The

reporting form should be sent by certified mail, return receipt requested, to the appropriate DCF Area Office. A new oral report followed by a new reporting form must be completed for each new instance where there is reasonable cause to believe that a child is suffering from abuse or neglect.

All professionally licensed mandated reporters are required by law to complete annual training on recognizing and reporting suspected child abuse and neglect.

School employees must either notify DCF directly or, alternatively, must notify the person in charge of the school or that person's designated agent. Accordingly, as indicated in the attached Procedures for Reporting Suspected Child Abuse and Neglect Cases (Procedures), School employees who are required by law to report suspected child abuse or neglect shall do so by informing the Building Administrator or designee, who must then report the suspected abuse or neglect in accordance with the attached Procedures. [Alternative is direct reporting by the mandatory reporter].

Process for Reporting

The Academy employees who are required by law to report suspected child abuse or neglect shall do so by informing the principal or his or her designee. The principal or designee then must report the suspected abuse or neglect. Nothing in these guidelines, however, prohibits a school employee from notifying the DCF directly when he/she has reasonable cause to believe abuse or neglect occurred. In such a case, the school employee must inform the principal or designee that the suspected abuse or neglect was reported. Any other person may report a case of child abuse or neglect when there is reasonable cause to believe that a child's health or welfare is being harmed, or is at substantial risk of being harmed, as a result of abuse or neglect.

Procedures for Reporting Suspected Child Abuse and Neglect Cases

Upon such suspicion of abuse or neglect of a child, a teacher or any other mandated reporter will immediately report his or her concerns to the principal or designee. If the principal or designee is unavailable or has to disqualify himself/herself, then another designee will assume responsibility for following these procedures. Such abuse and neglect includes but is not limited to: physical, mental, or emotional injury by other than accidental means (e.g. beatings, cuttings, burns, broken bones, or multiple bruises) and failure by a caretaker, either deliberately or through negligence or inability, to take actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care, supervision, and/or other essential care. The principal or designee may ask the school nurse to examine and document the child's physical condition immediately.

Upon such suspicion of sexual assault, a teacher, or any other mandated reporter, will immediately report his/her concerns to the principal or designee. If the principal or designee is unavailable or has to disqualify himself/herself, then another designee will assume responsibility for following these procedures. Sexual assault is a crime. It is defined as any sexual act against another person by force, against their will, or by threat of bodily injury. It also includes any sexual act against another person who is incapable of giving consent either because of his/her temporary or permanent mental incapacity or because he/she is a minor. Such crimes as indecent assault and battery, rape, rape with force, rape and abuse, assault with intent to rape, and unnatural and lascivious acts constitute sexual assault. It is advisable for the principal or designee when responding to sexual assault concerns to obtain only basic minimal facts of the alleged incident. These basic facts should include:

- when the incident occurred;

- where the incident occurred;
- who assaulted the student, if known;
- the nature of the incident, in one or two sentences; and
- whether there are known witnesses and/or other victims.

In an attempt to minimize the emotional stress victims of abuse experience and to preserve the integrity and reliability of the required DCF and law enforcement investigations, it also is advisable in cases involving sexual assault that additional interviews and more detailed questioning not be conducted by school officials. A student who reports being a victim of a sexual assault should never, during the course of an investigation, be asked to discuss the incident with the alleged perpetrator present at any time or under any circumstances.

- Through discussions with school administrators, teachers, and student support personnel, and after a check of appropriate educational and health records, the principal or designee will obtain the data to be used when reporting the case to the appropriate DCF Area Office.
- After collecting the relevant information concerning the child's abuse or neglect, the principal or designee, in consultation with the reporting employee, the nurse, and others as necessary will determine whether there is reasonable cause to believe that the child may be suffering abuse, including sexual abuse, or neglect.
- Do not send the child home from school before filing the verbal 51A report with the DCF. The written report must be forwarded within forty-eight (48) hours.
- In the case of a disagreement concerning the need to report, the principal or designee may not substitute his/her judgment for that of any mandated reporter within the school. Although the agreement of all professionals involved is desirable, the principal or designee must report to the DCF even if he/she believes that the teacher, nurse, or other mandated reporter is mistaken in suspecting abuse or neglect. Failure to file a report as mandated by law will subject the principal or designee (or other mandated reporter who fails to meet his/her statutory obligations) to discipline.
- Accordingly, once the principal or designee or other mandated reporter makes the decision to file, the principal or designee must immediately call the DCF Area Office Protective Service Unit or, if after 5:00 PM, the DCF hotline at 800- 792-5200 to report the suspected abuse and neglect.
- Within forty-eight (48) hours of the initial oral report, the principal or designee will send written notification to the DCF Area Office electronically. A confidential copy of the reporting form should be retained in the office of the principal or designee.
- If the alleged abuser is an employee of the Academy, a verbal notification must be made immediately to the principal or designee. Employees may be administratively reassigned by the principal or designee during the course of an investigation. If an investigation confirms the allegations, the Academy will take such action as it deems appropriate under the

circumstances. Such action may range from counseling to discipline of an employee, up to and including termination of employment.

- The principal or designee, in consultation with others as necessary, will decide how, when, and by whom the family, including the child who is suspected of being abused or neglected, will be notified of this report. Although the school is not required by law to notify the family, such notification is recommended. In deciding whether to notify, the principal or designee and others should consider whether notification will create a substantial risk to the student's health, safety, or welfare. The DCF and the police can provide consultation in making this determination to ensure the child's safety and well-being.
- DCF investigators, who report to the school in order to conduct one phase of their investigation, shall be required to identify themselves and to verify their assignment to the case. School-based staff should encourage DCF investigators to interview the child at home in the presence of the parent or caregiver, unless the 51A has been filed against the parent or caregiver. In this latter case, the interview of the child may be conducted in school in the presence of the principal or designee.
- Within thirty (30) days of filing a report, the principal or designee should receive a report from the DCF detailing its findings and specifying the social services that the DCF intends to offer the child. This report may be used to plan further collaboration with other professionals assisting the family. If the report is with respect to alleged abuse by a School employee, the Office of the principal or designee should be notified as to the findings.
- Certain cases that the Academy reports to the DCF (sexual abuse and exploitation, serious physical abuse, and some others) will also be referred by the DCF to the police and the District Attorney's Office for investigation. In these circumstances, these agencies will typically conduct a multidisciplinary team investigation. The investigation will typically include an interview with the alleged victim(s), alleged perpetrator(s), and witness(es). Relevant investigative information will be provided to the school when appropriate and as permitted by law.
- Throughout the reporting, investigation, and follow-up processes, school documentation must be handled in a way that assures confidentiality. Accordingly, reports of suspected abuse or neglect will not be part of a child's educational record but will instead be kept separately.
- The principal or designee will designate a representative who will ensure that, in the event of the principal or designee's absence, the above reporting procedures are followed as required by law.
- The principal or designee should periodically review all child abuse reports to determine if there is any pattern of child abuse involving an accused individual. Based upon this review, the principal or designee will determine whether further action is required.

Emergency Protocol

In the event of a clear emergency where the life or safety of a child is in imminent danger, the principal or designee or other mandated reporter should immediately notify the appropriate DCF Area Office and file the required verbal 51A Report. After 5:00 PM, the school official should use the

Child Abuse Hotline at 800-792-5200. A written report must be filed within forty-eight (48) hours. Massachusetts General Laws Chapter 119, Section 51B(3) authorizes the DCF to take a child into immediate temporary custody, without parental permission or prior notice, if the DCF has reasonable cause to believe that this action is necessary to protect him or her from further abuse or neglect. Emergency responses by the DCF may include law enforcement, depending upon the nature of the incident reported. If the DCF seeks to exercise this authority in the school setting, the principal or designee shall:

- verify the DCF representative's identification;
- contact the DCF representative's immediate supervisor to verify the need for the DCF action;
- document the name(s) of the DCF employee(s) involved, the DCF area office involved, and the date, time and nature of action being taken and file with the office a copy of the 51A report;
- notify the Board of Trustees of the action being taken; and
- provide the DCF with any other pertinent information related to the suspected abuse or neglect.

Alleged Victims Eighteen (18) Years of Age or Older Who Are Disabled

Chapter 19C of the Massachusetts General Laws requires that certain persons, who in their professional capacity have reasonable cause to believe that a disabled individual eighteen (18) years of age or older is suffering serious physical or emotional injury resulting from abuse, including sexual abuse, or neglect inflicted upon him/her, shall immediately, via telephone, report this abuse or neglect to the Disabled Persons Protection Commission (DPPC). The twenty-four (24) hour reporting hotline is 800-426-9009 or 1-888-822-0350 TTY. The reporting and notification procedures detailed above also apply when a report is made to the DPPC.

Immunity

All reports will be held in strict confidence. No person required to report who does in fact make such a report, including a report of abuse or neglect by personnel in the Academy, shall be held liable in any civil or criminal action by reason of that report. In addition, a person who, although not required to do so by statute, voluntarily makes a report shall not be liable in any civil or criminal action by reason of that report if it was made in good faith and that person did not perpetuate, inflict, or cause the reported abuse or neglect.

In accordance with Massachusetts General Laws Chapter 119, Section 51B, persons who are mandatory reporters of child abuse shall share any relevant information requested by the DCF during the investigation of a specific 51A child abuse report. Those persons who are required to share information are protected from civil or criminal liability for providing such information without parental consent.

Consequences for Violations of the Reporting Requirement

Under Massachusetts law, any person required to make oral and written reports of suspected child abuse or neglect who fails to do so and any person who knowingly files a frivolous report will be subject to penalties as prescribed by law. Any school employee required by law to report suspected child abuse or neglect who fails to do so or who knowingly files a frivolous report will be subject to

disciplinary action, up to and including termination.

Prohibition of Discrimination and Retaliation

Discrimination and retaliation against any student or employee for filing a complaint of abuse or neglect, including a report of abuse or neglect against personnel in the school, is strictly prohibited. Employee complaints of discrimination and retaliation should be filed with the principal or designee. Student complaints of discrimination and retaliation should be filed with the principal or designee. In accordance with both Massachusetts law and the reporting procedures set forth above, employees who themselves perpetuate, inflict, or cause the abuse of any child and/or engage in discrimination or retaliation against any School student or employee for filing a complaint of abuse or neglect will be subject to discipline, up to and including termination.

Student Safety

Instruction in courses in industrial arts, science, homemaking, art, physical education, health, and safety will include and emphasize accident prevention.

Safety instruction will precede the use of materials and equipment by students in applicable units of work, and instructors will teach and enforce all safety rules set up for the particular courses. These include the wearing of industrial quality protective eye devices in appropriate activities. Each visitor to any such classroom shall also be required to wear such protective eyewear.

Safety on the Playground and Playing Fields

The Academy shall provide safe play areas. Precautionary measures, which the Academy requires, shall include:

- A periodic inspection of the playground and playing fields the Academy utilizes by the Principal of the school and others as may be deemed appropriate;
- Instruction of students in the proper use of equipment;
- Supervision of both organized and unorganized activity.

Field Trips

General:

The Academy acknowledges that first-hand experiences provided by field trips and school sponsored trips are an effective and worthwhile means of advancing student learning and education. Therefore, the Academy encourages the use of field trips and school sponsored trips that are related to the total school program in order to supplement the classroom learning curricula.

Additionally, due to the inherent educational value of field trips and school-sponsored trips, the Academy shall conduct field trips, to every extent practicable, that allow all students to participate equally. If a student is prohibited from participating in a field trip or school sponsored trip, the principal or appropriate teacher shall notify the parent/guardian of such a decision.

Consistent with this goal, the principal shall establish guidelines for field trips and school sponsored trips and shall address the process for screening, evaluating and approving field trips and school sponsored trips in order to ensure that all reasonable steps are taken for the health, safety and welfare of the participants and to ensure that no substantial disruption to the educational process and the inherent educational value of the field trip and/or school sponsored trip.

A student may be excluded from a field trip or school sponsored trip if the date or dates of his/her suspension from school for a violation of school based rules or the codes of conduct set forth in the Student Handbook coincides with the scheduled date or dates of the field trip or school sponsored trip, or if, in the judgment of the principal, a student's previous or current behavior poses a substantial risk to the health, safety and welfare of the student, other students and/or staff participating in the field trip and/or school- sponsored event.

The principal shall approve all field trips or school sponsored trips prior to any teacher scheduling and/or reserving or purchasing any tickets and/or facilities for the field trip.

With respect to all field trips or school-sponsored trip, the following shall apply:

- No student shall participate in any field trip, regardless of the destination, unless, prior to the commencement of the trip, parent/guardian of the student (or the student him/herself if he/she has reached the age of majority) executes and submits a field trip permission form to the appropriate teacher and/or principal;
- All field trips or school sponsored trips shall be properly supervised by teachers, staff, and/or volunteers who have undergone and received appropriate background checks and clearance, including a CORI check;
- All volunteer chaperones have executed waiver of liability form;
- All field trips or school sponsored trips have the appropriate number of authorized volunteers / chaperones. All day trips that occur in state require a minimum of 15 to 1 student-chaperon ratio. All out of state/overnight trips require a minimum of 8 to 1 student-chaperon ration.
- Students and volunteers shall be advised as to appropriate safety precautions to be observed;
- The student records of all students participating in the field trip or school sponsored trip have been reviewed to determine if any accommodations or modifications are required in order for a student to participate in and have equal access to such a trip;
- A determination has been made that each trip substantially contributes to the educational program.
- A determination has been made that a field trip or school-sponsored trip (other than an overnight trip) does not exclude any student from participation due to a lack of sufficient funds on the part of that student and/or his/her family.
- Appropriate transportation, as defined in "Transportation Services for Field Trips or School Sponsored Trips" Section of this Policy, for the field trip or school-sponsored trip has been considered and secured. The Academy shall comply with applicable laws, regulations, and school policies related to the transportation of students when providing field trip transportation. Under extraordinary circumstances, a parent or guardian may provide transportation to his/her child for a field trip, at the discretion of the principal, and subject

to the parent or guardian executing a school-provided release and/or waiver.

- Students and their parents/guardians will be responsible for any damage done to any personal or real property that they are found to have caused during the course of the field trip or school-sponsored trip. Parents/guardians must agree to pay for any damages that may be done by their child and/or aid school officials in collecting money necessary to do so.

Overnight Trips

Pursuant to G.L. c. 71, § 37N, the Board of Trustees has adopted the following policy concerning students' overnight travel.

Trip Approval Process

- Advance approval by the Board of Trustees is required for any student trip involving late night or overnight travel. Late night travel is defined as any travel between the hours of midnight and 6:00 am.
- Requests for approval shall be presented to the Board of Trustees by the Executive Director or designee, including the teacher(s) requesting the overnight trip.
- The approval process shall be completed prior to permitting students to engage in fundraising activities or other preparations for the trip.
- Overnight trips shall offer significant educational benefits to students that clearly justify the time and expense of the trip. Such trips shall be appropriate for the grade level.
- Teachers and other school staff are prohibited from soliciting privately run trips through the school. The trip approval process applies only to school-sanctioned trips. The Board of Trustees will neither consider nor approve trips that are privately organized and run without school sanctioning.

Transportation

- The use of vans or private automobiles for trips planned to include late night or overnight student travel shall be avoided, unless they are the only means of transportation available. Such trips shall rely upon commercial motor coaches.
- As detailed in the "Transportation Services for Field Trips or School Sponsored Trips" Section of this Policy, trips planned to include late night or overnight student travel shall involve pre-trip checks of companies, drivers, and vehicles.
- The contract with the carrier shall prohibit the use of a subcontractor unless sufficient notice is given to the Academy to allow verification of the subcontractor's qualifications.

Trip Scheduling

- Overnight accommodations shall be made in advance with student safety and security in mind. Whenever possible, the trip schedulers shall avoid planning student travel between the hours of midnight and 6 a.m., due to the increased risk of vehicular accidents during this time period.

- Whenever possible, overnight trips shall be scheduled on weekends or during school vacations to minimize lost classroom time. Non-academic field trips are considered “optional school programs” and do not count toward meeting structured learning time requirements under 603 CMR 27.00. However, academic field trips may be considered structured learning time (see the Department’s Student Learning Time Regulations Guide).
- Trip itineraries shall leave enough time for drivers to rest in conformity with federal hour-of-service requirements and common sense.
- Trip scheduling shall account for the likelihood of delays due to weather, traffic, stragglers, and other unanticipated factors.
- If substantially all members of a class are participating in a trip, the school shall provide appropriate substitute activities for any students not participating.

Fundraising

- The amount of time to be devoted to fundraising shall be reasonable and commensurate with students’ obligations for homework, after-school activities, and jobs.
- Group fundraising activities are preferred. Students shall not be assigned individual fundraising targets.
- If students are charged individual fees for participation, the Academy shall make every effort to provide assistance as needed. No student shall be prohibited from participating in any trip due to lack of sufficient funds.

Student Supervision

- Students shall be accompanied by a sufficient number of chaperones, taking into account the trip scheduling and logistics. All chaperones, including parents and volunteers, must have a CORI check in accordance with M.G.L. c.71 s.38R.
- All bus drivers who do not regularly work for the Academy shall undergo a CORI check prior to being hired for transportation services.
- All participating students must submit a signed parent/guardian permission form. Such form shall include appropriate authorization for emergency medical care and administration of medication.

Non-Academic and Student Proposed Trips

Each club, team, or group is responsible for raising all of the money necessary to fund a field trip or school sponsored trip that is being proposed by a group of students. No fundraising or other preparations for a field trip or school-sponsored trip should occur until the field trip or school sponsored trip has been approved by the principal. No financial support will be available from the Academy or the Board of Trustees for any non-academic, overnight, out-of-state or out-of-country travel unless an athletic team or academic team or competition has qualified for an overnight, out-of-state or out-of-country competition and in these narrow circumstances final approval of funding for such travel by an athletic team or academic team is subject to final approval by the Executive Director.

Transportation Services for Field Trips or School Sponsored Trips

All charter services for field trips or school-sponsored trips must be provided by a common carrier that is licensed by the Commonwealth of Massachusetts to provide charter services and is licensed for passenger transport by the Federal Motor Carrier Safety Administration. All vendors that provide transportation for field trips or school sponsored trips must provide evidence that their driver(s) are licensed in the Commonwealth of Massachusetts to drive the vehicles being used to provide the transportation for the field trips and/or the charter services for the field trips. All transportation vendors also must maintain liability insurance with a minimum of \$500,000 (five hundred thousand dollars) per occurrence for bodily injury. No transportation vendor shall be used to provide transportation and/or charter services for field trips or school sponsored trips if it has a rating of "conditional" or "unsatisfactory" issued by the Federal Motor Carrier Safety Administration.

Nothing in this field trip policy should be construed to prohibit field trips where students travel by means of walking.

Use of privately-owned vehicles or leased vans to transport students to and from field trips, athletic events or school sponsored trips is strictly prohibited, except in the case of a bona fide emergency. Determination of the existence of a bona fide emergency will be made by the principal or designee on a particular trip. Staff and parents/guardians who use their own vehicles risk being legally liable for any injury a student sustains while in the vehicle.

IX. School Safety and Security Plans

Multi-Hazard Evacuation Plan

Purpose

The Academy's School Safety Contingency Plan is a multi-hazard approach to school incident management. These guidelines are based on concepts utilized in an Incident Command System developed by public safety agencies across the nation. The complete plan is available upon request.

Evacuation Procedures (Fire Drills):

A Code Green occurs when there is a situation where the building must be evacuated. This will be announced over the school intercom and group text message in the following manner:

"Attention faculty and students: A Code Green is in progress. Evacuate the building immediately. Repeat..."

This announcement may or may not be followed by the fire alarms sounding. Regardless, the building must be evacuated in the same manner as practiced in the fire drills.

Responsibilities of Teacher

- Keep classroom rosters.
- Visually scan room before leaving.
- Close windows.
- Shut off all lights.
- Close but do not lock your classroom door.
- Keep students quiet, and move out at a good pace.
- Upon arrival at evacuation (fire drill) assembly area, take attendance of your class.
- Activate cell phones

- Prepare students to follow further instructions including:
 - a. Return to the building, or;
 - b. Relocate to new location assigned by Principal and/or First Responders.
 - c. Be observant and vigilant during this procedure. Report any incidents that may appear abnormal to the Principal and/or First Responders.

Responsibilities of Students

- Gather important belongings that are immediately accessible.
- Remain quiet, and move out at a good pace.
- Be prepared to follow further instructions.
- Be observant and vigilant during this procedure. Report any incidents that may appear abnormal to an adult.

Principal (Site Incident Control Manager)

- Initiate evacuation
- Safely monitor situation with available resources
- Identify and contact appropriate Emergency Responders

Nurse (Risk Analyst)

- Set up staging area for ill and injured persons
- Administer initial first aid
- Keep people (overcome with stress and excitement) separate from the injured

Dean of Students (Safety Coordinator)

- Gather occupancy information
- Present occupancy information to Emergency Responders

Building Coordinator (Facilities Manager)

- Standby to assist Emergency Responders

Officer Manager (Incident Scribe)

- Continue 911 contact and remain on the telephone
- Log chronology of incident

Evacuation Routes

Evacuation routes for each room are posted in a prominent place.

Designated Means of Egress

Main Entrance (facing Leonard Street)

East Side Entrance (facing shelter)

West Side Entrance (facing church, off of cafeteria)

Rear/Basement Entrance (facing parking lot)

Stairwell Designations

East Stairwell (shelter side of building)

West Stairwell (church side of building)

Assembly Area

Staff and students will assemble along the fence that runs along Leonard Street and Adams Street.

Fire Safety Plan

Fire prevention measures at the Academy shall be administered in compliance with the state safety code, the directives of the state fire marshal, and in cooperation with the local fire department.

Fire Alarms

All fire alarm systems must be maintained in working order at all times. It is important to remember that the sounding of any fire alarm box automatically transmits a signal to the Fire Alarm Office which simultaneously dispatches fire apparatus to the school.

Fire Department regulations and Mass. General Law Chapter 268, Section 32 prohibits the shutting off of or tampering with any fire alarm system unless directed to do so by the Fire Department. Any deficiency or trouble noted with the Fire Alarm System must be reported immediately to the Facilities Manager.

Upon the evacuation of a school building because of an alarm, no person or persons shall re-enter the building without the authorization of the Fire Officer in charge. The Principal or his/her designee must, as a part of their fire drill procedures, establish a command procedure for such evacuations.

Upon arrival, the Boston Fire Department will exercise its authority to order any and all measures that are deemed necessary for the protection of persons and property. This authority includes building evacuation and reentry.

Means of Egress

Designated exits in every school must be maintained as means of egress.

- a. Means of egress must be kept free and clear at all times.
- b. The use of chains, ropes, bars, so-called "dutch locks" or any other unauthorized device that would impede egress is prohibited during times when school buildings are occupied.
- c. No exit door which is intended to be kept closed shall be blocked open and no device or arrangement shall be used to prevent a door designed to be self-closing or automatic-closing from functioning as intended. Use of wedges to hold corridor and stairwell doors open is prohibited.
- d. Interconnecting doors between rooms must be clear and free of any locks. Fire and smoke doors are not to be propped open with wooden wedges or any other means. This is an illegal practice and prohibited in all schools.

Fire Drills

The Academy shall conform to the following fire drill regulations:

- a. The Principal or his/her designee, shall formulate a plan for the protection and evacuation of all persons in the event of fire or other emergency, and shall include alternate means of egress for all persons involved; such a plan is to be developed in consultation with appropriate representatives of the Boston Fire Department.
- b. The Principal or his/her designee shall see that each staff member receives and

understands proper instructions on the fire drill procedure specified for the room or area in which that person carries out his/her duties before he/she assumes such duties. A log or sign-off list must be maintained at the Academy, which documents staff receipt of procedures and familiarization with Fire Safety Practices.

- c. A fire drill must be conducted **quarterly** (August (first week of school), December, March and June) involving all students and staff. A record of each drill is to be documented on Form 482, Quarterly Report of Fire Drill.

Record of Fire Drills should also be maintained with documents in the Fire Safety section of the Academy's School Safety/Contingency Plan.

- d. Every student at the Academy shall be advised of the fire drill procedure and shall take part in a fire drill within three days after school begins in August. Fire drill procedures for particular rooms shall be posted within those rooms. Alternate and obstructed drills shall be exercised and every other quarter alternate routes shall be used.
- e. As required by Massachusetts Law, CMR 527, 10.09, the head of the Fire Department, or person designated by him, shall visit each school four times each year for the purpose of quarterly inspections, reviewing Building Fire Safety Plans and questioning the administrators. The fire department may also conduct a fire drill for your building if they feel your building is not in compliance with this law. Drills may be conducted without advance warning to the Academy personnel other than the person in charge of the school at the time.
- f. Fire drill plans must ensure adequate procedures for the emergency evacuation of students and staff with handicaps. These procedures must also be incorporated in the School Safety/Contingency Plan for your school building. Fire Drill Procedures must address student and staff accountability in an evacuation. This element of plan should identify person(s) in charge, ensure accurate class attendance rosters are available and identify specific location for evacuees to assemble.

Other Procedures and Requirements

Storage of Flammables and Hazardous Materials

Flammables shall be stored in an approved locked metal cabinet suitably vented. If the amount being stored warrants, a locked storage vault should be provided. The storage facility must be under the control of a school official with authorized personnel only allowed access.

Faculty members should not allow students to fuel individual devices nor to transport any fuel container from one location to another.

All Academy personnel should be thoroughly instructed as to the hazard involved in a particular flammable liquid, chemical or gas and in its safe and proper handling prior to intended use. Material Safety Data sheets should be on file in the main office. No fuel container should be allowed to remain in any classroom but should be immediately returned to its permanent storage facility.

The above procedures should be incorporated in the School Safety/Contingency Plan for the Academy. Materials used in school science laboratory experiments are to be stored in compliance with related laws, codes and ordinances. Quarterly school fire inspections are complemented by

specialized inspections conducted by Boston Fire Department Special Occupancies' Officers.

*Hazardous storage areas must be secured and identified with the appropriate warning label. The appropriate chemical storage room door identification is the National Fire Protection Association's 704 Diamond.

Reporting of Fire Incidents

The Boston Fire Prevention Code requires the following:

- a. **Upon any person's discovery of a fire or smoke in a building or premises, he/she shall immediately notify the Fire Alarm Office of the Boston Fire Department of the location of the discovery and of the circumstances he/she has observed. The Boston Fire Department must be notified both by sounding the nearest fire alarm box (Pull Station) and by telephone (911 or 617-343-2880) in the event of a fire.**
- b. Any discovery or evidence of a fire or attempt to burn shall be reported to the Boston Fire Department by calling either 911 or 617-343-2880 in order to begin an arson investigation. BFD considers any fire started by a student as a potentially serious mental health issue that if addressed early enough, may prevent more serious problems in the future.
- c. This section shall not be construed to forbid any person who discovers a fire, or the owner, lessee, person in charge of the building or premises, any occupant, or any of their agents, after notifying the Fire Department, from using all means necessary to extinguish or control the fire prior to the arrival of the Fire Department.
- d. No person shall require, make, issue, post, or maintain any order, direction or regulation, written or verbal that would require or direct anyone to delay reporting a fire to the Fire Department.
- e. All personnel must be familiar with fire reporting procedures.
- f. The Boston Fire Department and then the Principal are to be notified of all fire-related incidents. These include but are not limited to following:

| | |
|-------------------------------|--|
| Fire or Explosion | Good Intent Calls |
| Overpressure Rupture | False Alarm/False Call |
| Medical Emergency | Hazardous Materials (i.e. fuel spills or chemical leaks) |
| Hazardous Conditions | Service Calls |
| Fire Extinguished by Occupant | |
- g. Any fire (including paper towels or tissues, even if extinguished), must be reported to Boston Fire Department in accordance with procedure delineated in sections a. and b. above.
- h. The principal shall submit a written report of any fire within the school building or on the school grounds who will then forward it to the Boston Fire Department within 24 hours. This is in compliance with Mass General Law, Chapter 148.s2A, which went into effective September 2006.

This information is also essential for arson-prevention action.

Fire Extinguisher/Kitchen Systems

- a. Portable fire extinguishers must be serviced annually and located in accordance with the building's Fire Safety Plan.
- b. Kitchen extinguishing systems must be serviced twice a year.
- c. It is the responsibility of the Food Service and Facilities Manager to ensure extinguishers are visually inspected weekly and recharged/inspected annually to ensure they are ready for emergency use.
- d. Requests for fire extinguisher servicing should be made to the Food Service and Facilities Manager.
- e. If extinguishers are not hanging in corridors, they must be readily accessible. A list of fire extinguisher locations shall be posted in the office and maintained in the Fire Safety section of your building's School Safety/Contingency Plan.

Flammable Decorations

- a. Flammable decorations including examples of student's work must not be displayed in paths of egress including doorways and stairwells.
- b. Boston Fire Department expects us to display reasonable amounts of student work. This is to be in accordance with National Fire Protection Association, Life Safety Code and 527CMR. **"Art work and teaching materials shall be permitted to be attached directly to the walls and shall not exceed 20 percent of the wall area."**
- c. Certain buildings have more fire protection features than others and this may be considered when displaying student work.
- d. Please refer to Executive Director's Guide FSE-3 - Building Codes and Fire Regulations.

Right to Know – Chemical Inventory

The Academy must maintain an accurate inventory of toxic and hazardous substances stored and used in the building.

First Aid

First aid is defined as the immediate and temporary care given in case of an accident or sudden illness, which enables the child to be taken safely home or to a physician. It does not include diagnosis or treatment.

The Academy attempts to provide a safe environment for its students, employees, and visitors. If an accident or sudden illness occurs, the Academy nurse shall administer first aid and, if warranted, call Emergency Medical Services.

The Academy administration, in consultation with the Academy nurse, shall develop procedures for the proper handling of an injury to, or sudden illness of, a child or staff member. These shall be made known to the staff and shall incorporate the following:

- The Academy nurse or another trained person shall be responsible for administering first aid.
- When the nature of an illness or an injury appears in any way serious, every effort shall be made to contact the parent/guardian and/or family physician immediately.
- No young child who is ill or injured will be sent home alone, nor will any older child unless the illness or injury is minor. A young child who is ill or injured will not be taken home unless it is known that someone is there to receive her/him.
- In extreme emergencies, the Academy nurse, or the Academy administration may make arrangements for immediate hospitalization of injured or ill students, contacting parent or guardian in advance if at all possible.
- The teacher or other staff member to whom a child is responsible at the time an accident occurs will make out a report on an official form providing details about the accident. This will be required for every accident for which first aid is given.
- All accidents of a serious nature requiring medical care beyond that of the Academy nurse involving students or staff members will be reported as soon as possible to the Academy administration and the Board of Trustees.

No staff member who, in good faith, renders emergency first aid or transportation to a student who has become injured or incapacitated at the Academy shall be subject to any disciplinary action by the Academy administration or the Board of Trustees for such action.

Medical Emergency Response Plan

Section 1: The Medical Emergency Response Plan (Plan)

Helen Y. Davis Leadership Academy Charter Public School (the Academy) has developed this Medical Emergency Response Plan (Plan) in consultation with members of the school community, including the school nurse, school athletic team physicians, coaches and trainers, local medical and other emergency responders, and other community partners. The purpose of the Plan is twofold:

1. To reduce the incidence of life-threatening emergencies, and
2. To promote efficient responses to such emergencies.

The complete Plan has been posted in the school's main office, the school nurse's office, and the athletic office. Protocols that include specific actions to take in case of a medical emergency have been posted in classrooms, bulletin boards, and cafeteria and provided to key staff. The complete Plan will be modified as needed and updated whenever there are physical changes to the Academy campus, including new construction. The Plan will be submitted to the Department of Elementary and Secondary Education every three years beginning in 2012. Plans were submitted in 2015 and the most recent updated plans are to be submitted by **September 1, 2018**.

Emergency Information

Prevention of medical emergencies begins with the knowledge of underlying medical issues. Therefore, emergency information Cards, containing the basic pertinent data to activate an emergency medical plan for the student, must be on file at the Academy. This information is completed upon the opening of school in September and updated by January 1 and again by April 1

each school year.

In addition to parental contact phone numbers, alternate emergency contacts, primary language spoken at home and custody issue documentation, the card or electronic equivalent should contain:

- Insurance company
- Policy number
- Clinician name and phone
- Hospital where the child is taken in an emergency
- Listing of health problems
- Listing of medications taken at home as well as in school
- Allergies
- Vision or hearing problems
- History of surgery or serious illness in the last year

Rapid Communication Response System:

The Academy implements a modified Incident Command System (ICS) approach to manage any medical emergency.

In managing any medical emergency, the paramount objectives for all school staff is to:

1. Ensure safety of all occupants
2. Stabilize and resolve the incident when possible
3. Provide support for responding public safety agencies
4. Protect school property

The Incident Command System (ICS) is based on a team concept, where each team member has specific responsibilities. The Academy will utilize an on-site team and an off-site team that will focus on securing the necessary support from internal departments and external agencies.

The Incident Control Team (ICT), in coordination with local fire and police personnel to determine response times to all parts of the school building, and providing a methodology for directing EMS personnel to an ill or injured individual(s) and to available rescue equipment when they arrive in response to an emergency call for assistance.

Contact Information

The school maintains an updated list of key faculty and staff, with phone numbers and a call tree that indicates when each individual is to be contacted during a medical emergency and their respective roles, such as directing EMS, providing first aid, supporting students, and providing class coverage. This resource information is available in the school's main office and in the school nurse's office.

The Academy maintains an updated list of community-based providers that includes names and phone numbers of behavioral health professionals who can provide long- and short- term mental health services on campus following incidents and emergencies. This resource information is available in the Academy's main office.

The Academy's main office will contact parents/guardians of students and emergency contact persons for faculty and staff if the student, faculty, or staff person has a medical emergency. The

school maintains a list of names and phone numbers of parents/guardians, updated at the beginning of each school year, who should be contacted in case of a medical emergency concerning a student. The school maintains a list of names and phone numbers of individuals who should be contacted in case of a medical emergency concerning faculty and staff. Faculty and staff are directed to provide updated contact information as needed to the main office.

Medical Emergency Response Protocols

The Academy's Medical Emergency Response Protocols are posted in the main office, the school nurse's office, classrooms, athletic office, cafeteria, and public areas in the building with instructions on how to activate the local emergency medical services (EMS).

Medical Emergencies

The Principal has administrative and programmatic responsibility for all activities that occur at the Academy. However, in those cases where a medical emergency exists, the principal will consult with and follow the advice of the assigned medical staff.

- A medical emergency is defined generally as a potentially life-limiting or life-threatening situation requiring immediate medical attention as well as cases of indecent assault/rape. Protocols for management of specific medical emergencies are available to nurses and are to be kept on file in the nurses' office.
- In the beginning of each school year, school nurses should communicate to relevant staff, the known potential health emergencies of individual students. This meeting should be documented on the student's Individual Collaborative Health Plan.
- If no nurse is present, the Principal or his/her designee is the responsible party.
- Principals should compile a list of staff with CPR, AED, First Aid and First Responder training, to provide immediate life saving measures until EMS arrives. These staff members should be members of the ICT.
- The school nurse will complete a list of staff trained in the administration of Epinephrine in the event of a life-threatening allergic reaction. This list must remain on the file with the school administrator. Epinephrine should not be locked away but available to school staff in a secure location.

Serious Injury/Illness Protocol

- Stabilize the student using the most qualified school staff.
- Activate the Emergency Medical System (EMS), by calling 911. Cases of indecent assault/rape require Boston Police notification via 911.
- Notify the Executive Director.
- The responding ambulance crew of Emergency Medical Technicians or Paramedics will consult with the qualified school officials and assess the need for transportation to a medical facility. EMS assumes medical management of the child.
- The Academy's representative should bring the student's emergency information, the Individual Collaborative Health Plan (if applicable) and all other pertinent medical information to the hospital.
- If the emergency occurs on the school bus, the driver (and/or monitor, if present) will provide for the safety of the child and call the dispatcher, who notifies 911. When EMS arrives, the dispatcher will be called with the name of the child and the hospital that the child will be transported to. The dispatcher then calls the principal, who will notify the family. The school nurse or designee will proceed to the Emergency Room to meet with the student and family.

- Staff will use Standard Precautions (see Definitions) for all medical incidents.

Automated External Defibrillator (AED) Cardiopulmonary Resuscitation (CPR) and First Aid Training

The Academy provides training for designated school staff in automated external defibrillators (AED), cardiopulmonary resuscitation (CPR) and first aid, in accordance with the recommendations from the DPH. The names of the individuals who have successfully completed training will be posted with the Plan.

Medical Emergency Response Drills

The Academy conducts a medical emergency response drill in coordination with school evacuation or fire drills. The first drill, which is announced in advance, occurs at the beginning of the school year. Other drills are conducted periodically during the school year. The principal or designee will ensure that the Plan is reviewed after each drill and revised if necessary, based on evaluation results to improve response effectiveness.

Automated External Defibrillators (AEDs)

The Academy has two portable Automated External Defibrillators (AEDs). One is located inside the main office and the second is located on the wall between the school nurse's office and the gymnasium. The AEDs are located in sites that make them readily accessible for campus-wide access during school hours, after-school activities, and public events held at the school, and the number is sufficient for the size of the school. The nurse will complete a list of school personnel and volunteers who are trained in AED. Only persons trained and certified may have access to and use the AED during regular school hours and after school. The school nurse is responsible for maintaining, checking and documenting the status of the AEDs in accordance with manufacturer's recommendations. The athletic director is responsible for doing the same for the AED assigned to athletic teams that travel.

Appendix 1

DEFINITIONS

The following definitions are from the Massachusetts School Health Manual and other sources.

Automated External Defibrillator (AED)

An Automated External Defibrillator is a lifesaving device to treat victims of sudden cardiac arrest. The defibrillator is designed to quickly and easily provide an electric shock that restores the victim's normal heart rhythm.

First Aid

First aid is the immediate and temporary care given to an injured or ill person.

Incident Command System (ICS)

The Incident Command System (ICS) is based on a team concept, where each team member has specific responsibilities. The Academy will utilize an on-site team and an off-site team that will focus on securing the necessary support from internal departments and external agencies.

Incident Control Team (ICT)

The Incident Control Team (ICT), in coordination with local fire and police personnel to determine response times to all parts of the school building, and providing a methodology for directing EMS

personnel to an ill or injured individual(s) and to available rescue equipment when they arrive in response to an emergency call for assistance.

Standard Precautions

Standard Precautions are thorough hand-washing, gloving in the presence of body fluids, and proper disposal of contaminated wastes. The routine use of appropriate precautions by the caregiver regardless of knowledge of germs present in the individual's blood, saliva, nasal discharges, vomit, urine, or feces prevents the transmission /spread of disease and protects the caregiver. When handling the discharges from another person's body, always use these precautions. Use of Standard Precautions removes the need to know which persons are infected with which germs in the school setting.

Safe Mode and Internal Threat Procedures

Definitions and Protocol:

Safe Mode (External Threat)

Safe Mode is a protective action used to safeguard faculty, staff, and students from an External Threat as a result of law enforcement activity near the school or a potentially dangerous situation near the school. The Academy will typically be placed into Safe Mode by the Boston Police Department, but the Academy can enter Safe Mode on its own.

Examples of Reasons Why Schools Go into Safe Mode:

- Police activity around or near your building
- Shooting outside your building
- Fire or accident near your building.

Notification to Enter Safe Mode

The principal or designee will announce the following via intercom and/or using the school safety team:

"Attention faculty and students: We are now in SAFE MODE. Remain in your classroom. If you are in the hallway, stairs, or lavatory, move into the nearest classroom. Do not leave the room until told to do so, even if an alarm sounds."

Note: The principal or designee will also be calling **911** to alert them that they are in safe mode if not a drill, as mentioned above.

Faculty and Staff Responsibilities Upon Notification of Safe Mode

1. If you see, hear, or observe a potential threat outside your building bring all students and staff back into the building immediately and initiate SAFE MODE and notifications.
2. Check the hallways for people nearby and bring them into the classroom.
3. Check adjacent classrooms through interior doors for unsupervised students.
4. Shut off classroom lights.
5. Lock and barricade the classroom door, cover large door windows using any available resources (e.g., large paper or felt) and close the windows and shades (if you have them).
6. Move students away from windows and doors and stay in your current location.
7. Take attendance. Verify the missing and extra people in your room. Write the names on a sheet of paper and wait for someone to contact you for that list (**may be by intercom or in person**).

8. Stay with your students in the classroom until further instructions are given.
9. Only use the intercom to notify the main office of emergencies or special needs.
10. SAFE MODE ends only when the headmaster/principal or designee announces it via intercom or through door to door notifications.

Safety Team Responsibilities During Safe Mode

1. Administration will make sure exterior doors are locked.
2. Floor Captains will check classrooms and lock bathrooms.
3. Administration will notify all staff via public address system of the situation.
4. Administration will notify Safety Services and their Operational Superintendent if they are in an actual Safe Mode. They will notify their Operational Superintendent or Operational Leader if they will be conducting a safe mode drill.
5. Administration or police will monitor cameras.
6. Administration or police will monitor the entire school to make sure no one is in the hallways or leaving or entering the building.
7. Administration will send a School Messenger notice to all families within a short time after incident when the situation is clear.

Internal Threat (Interior)

Internal Threat will be announced if there is any person in the building who is looking to cause harm to people. If an Internal Threat is in the building all occupants should use the RUN, HIDE, FIGHT model to protect themselves and anyone in their care. During this situation occupants should use their own judgment to determine what they will do.

Examples of an Internal Threat are:

- Unknown young people in your building wandering around
- Out of control parent/family member
- Unknown adult wandering the building
- Person with a weapon in the building
- Person shooting in your building

How will I know when we have an Internal Threat?

The principal or designee will announce the following via the school intercom (and call **911** if not a drill):

“Attention faculty and students: there is an Internal Threat.”

What will be happening on campus during an Internal Threat situation

1. No one will be in hallways.
2. Anyone with information on the threat should be calling **911** to alert police of the situation.
3. Occupants will be using the RUN, HIDE, FIGHT protocol to decide their actions:
 - **RUN** if you know it is safe to do so: get as far away from the building as you can (you should not be able to see the building from where you have run to).
 - **HIDE** if you cannot run: barricade where you are (if you can) and stay out of site of the threat.
 - **FIGHT** if it is your last resort and the threat is in the space and is going to hurt you or people you are with.

Helpful Hints: “Know Your Space”

- Know all available egress (Exit) points if you ever need to **RUN**.
- Know what you can use to barricade your door(s) and conceal yourself from sight if you ever need to **HIDE**.
- Know what you can use to **FIGHT** if fighting is your only option (fire extinguisher, chair, laptop, etc.).
- Develop a simple way to communicate among staff during a SAFE MODE or INTERNAL THREAT situation (e.g., group text).

Bomb Threat Procedures

Upon the receipt of a bomb threat, the principal and designated staff are instructed to act in accordance with the following procedures:

Telephoned Bomb Threats:

1. When taking the call, use the attached Bomb Threat Report Form to record all information. This form must be available at the main telephone(s) in the school and should be completed immediately after reporting the threat to the principal. A copy of the Bomb Threat Report Form is also to be submitted with the incident report.
2. Call the Boston Police Department at 911 and report the incident. If the particular bomb threat is a 2nd or 3rd call, please note this in your conversation with the 911 Operator.
3. Notify the Executive Director.
4. Alert staff via the school’s internal communication method to visually survey their room/office for suspicious packages. If anything unusual is observed, immediately report this information to the building administrator and update Boston Police via 911 that something unusual has actually been found.

Designated members of the School’s Safety Team will be responsible to survey unsupervised common areas, both internal and external. During this survey, all bells/classes will be held until search is completed.

5. In the event a suspicious package or device is found:
 - a. Report the sighting to the Principal immediately.
 - b. Do not move, touch or handle object.
 - c. Do not use two-way radios.
 - d. Do not turn off lights or touch switches.
 - e. Keep loud noise to a minimum.
 - f. Restrict use of telephone to urgent business only.
 - g. Move people from area.

Evacuate the school building. The Police Department will be fully in charge. This action is to be preceded by an announcement which provides specific evacuation routes to be followed for the particular incident and manner in which the evacuation signal will be given (fire alarm, bell, intercom, and runner).

6. In the event that no suspicious package or device is found, appropriate containment

procedures are to be followed. However, classes should not be changed until the BPD Bomb Squad has arrived and evaluated the situation.

If you have any doubts, evacuate.

7. The Police Department will assist the person in charge of the building when searching for bombs or other incendiary device. Appropriate school personnel should assist, as necessary.
8. The Police Department will assist and advise the person in charge of the building regarding resumption of regular school schedule and activities. The Executive Director must be notified once a decision is made.
9. Send a complete incident report within 24 hours of the incident to the Executive Director. Attach a copy of the Bomb Threat Report Form noted above to the Incident Reporting Form.

Electronic (E-mail and Web-site Received):

The person accessing the threat shall:

1. Save the message on the system. **Do not delete the message.**
2. Call 911.
3. Notify the Executive Director.
4. Print copies of the message to turn over to the police and any others who may require them.

Evacuation/Reentry Procedures

The Principal must develop specific evacuation and re-entry plans for their individual buildings

1. Instruction of office staff with regard to proper procedures for answering, documenting and reporting of such telephone calls.
2. Method of notifying staff and students of emergency conditions.
3. Method of leaving building (Fire Drill Procedures may be followed). Special attention should be given to identify assembly points, which are recommended to be located 300 yards from the building when evacuating for a suspected bomb. Any area that is being used as a staging or assembly area must be searched by a designated staff member prior to sending people to that area.
4. Specific plans should be made for special needs and physically impaired students.
5. Supervision of students by classroom teachers at all times while outside the building (prior planning should be done with local Police authorities in schools that would require extra police surveillance and supervision outside that school).
6. Controlled re-entry of the building to include supervision of students re-entering to ensure that no potentially dangerous objects are brought into the building.

X. The Code of Conduct

Foreword

The Academy is a public charter school with the purpose of “developing high achieving students of good character”; therefore, maintaining accountability for student behavior is essential. At the Academy, discipline is provided with nurturing guidance that reflects the school’s core values in regards to academic, behavioral, and cultural standards. In all disciplinary matters, students are

given notice and have the opportunity to reflect on their understanding of the incident. Students receive immediate consequences for their actions and are expected to follow the Academy's Core Values.

Rights and Responsibilities

A. Rights of Students

It is not possible to list exhaustively all of the rights of students. Therefore, the following list of rights shall not be construed to deny or limit other retained by students in their own schools, in their capacity as members of the student body, or as citizens.

- a. In accordance with the United States Constitution and applicable federal and state laws and regulations, no student shall be excluded from or discriminated against in admission to the Academy, or in obtaining the advantages, privileges and courses of study of such public school (including the right to participate fully in classroom instruction and extracurricular activities) on account of race, color, ethnicity, national origin, religion, sex, sexual orientation, gender identity, handicap, disability, age, active military status or genetics.
- b. Students have the right to an education of the highest standards.
- c. Students have the right to a meaningful curriculum consistent with the Academic Achievement Framework and the right to voice their opinions in the development of such a curriculum.
- d. Students have the right to physical safety and protection of personal property.
- e. Students have the right to safe and sanitary facilities.
- f. Students have the right to consult with teachers, counselor, and administrators and anyone else connected with the Academy if they so desire at appropriate times.
- g. Students have the right to free election by secret ballot of their peers in student government and the right to seek and hold office.
- h. Students have the right to have their voices heard in matters affecting them.
- i. Students have the right to participate in the development of rules and regulations to which they are subject and the right to be notified of such rules and regulations.
- j. Parents/guardians and students (if either 14 years of age or in the 9th grade or above) have various rights under state and federal student records laws, including the right to see all student's records, to control who outside the school may see them, and to appeal decisions concerning the records. Upon notice of transfer, the complete student record may be forwarded to the receiving district without the Parent. Guardian or Authorized Caregiver's permission. However, the Parent, Guardian or Authorized Caregiver must be notified that the record has been sent. (A more detailed summary of these rights is distributed annually to all students and parents/guardians. Additional information and copies of the actual regulations are available upon request from the Massachusetts Department of Elementary and Secondary Education).
- k. Students at the Academy may exercise the rights of free speech, assembly, press, and association, in accordance with the First Amendment of the United States Constitution and Part 1, Article XVI of the Massachusetts Declaration of Rights.

In exercising these rights, students shall refrain from any expression which is libelous or obscene according to current legal definitions, or which is intended to and likely to incite the commission of illegal acts, or which can reasonably be forecast to cause substantial disruption of school or classroom activity, as defined in Section 7 of this Code.

Consistent with the foregoing, and subject to applicable law, students have the right to:

- a. Wear political buttons, armbands, and other badges of symbolic expression.
- b. Distribute printed materials and to circulate petitions on school property, including inside school buildings, without prior authorization by school administrators, except that:
 - Materials distributed and petitions circulated on school property shall bear the name and address of the individual or sponsoring organization (including the name and address of at least one member of the group) distributing or circulating the material or petition; and
 - The person(s) distributing or circulating materials or petitions must be a student in the school involved; and
 - The time of such distribution or circulation shall be limited to periods before school begins, after dismissal, and during lunchtime to prevent interference with the school program; and
 - The places for such distribution or circulation in each school shall be reasonably restricted so as to permit the normal flow of traffic within the school and at exterior doors, and
 - The manner of such distribution or circulation shall be reasonably restricted so as to prevent undue levels of noise and distribution; and
 - Students shall be subject to reasonable requirements for removing litter resulting from such distribution or circulation.
- c. Use their own bulletin board(s) without censorship, provided:
 - 1. All materials, notices, and other communications posted shall include the name and address of the individual or sponsoring organization (including the name and address of at least one member of the group) posting the material, notice, or other communication; and
 - 2. All materials, notices, and other communications shall be dated before posting and removed after reasonable time to assure full access to the bulletin board(s).
- d. Reasonable use of the public address system and other school media facilities, except that announcements shall be limited to before school, after dismissal, and other times when classes are not in session.
- e. Form political and social organizations and to conduct activities in this connection, provided that group membership shall be open to any student, in accordance with Paragraph B.1 of the Rights and Responsibilities Section of this Code.
- f. The protections provided by state and federal special education laws if the school had knowledge (as defined by federal and state law) that the students were students with a disability before the behavior that precipitated the proposed disciplinary actions occurred (applies to students who have not been determined to be eligible for special education and related services, and who have engaged in behavior that violated any rule or code of conduct).
- g. Present petitions, complaints, or grievances to appropriate school authorities regarding disciplinary and other school-related issues except where this Code provides for formal right of appeal.
- h. Respect from teachers and administrators.
- i. Personal privacy, including the right to determine their own appearance and select their own style of hair and clothing, subject to reasonable rules necessary for health and safety.
- j. Use the restrooms, locker rooms, and other facilities consistent with their gender identity, or to use gender neutral facilities if the student prefers.
- k. Be addressed by the name and pronoun of their choice.

1. Not be searched or to have their lockers, automobiles, or personal belongings subjected to searches and seizures. However, with reasonable cause, designated school administrators may search lockers, automobiles, and personal belongings.

B. Responsibilities of Students

Responsibilities are not a substitute for rules which are included in the Code of Conduct. However, while it is not possible to list all student responsibilities, students who consistently behave in accordance with the following list of broad responsibilities will be in compliance with the rules of the Code.

Students have the responsibility to:

1. Respect themselves, and their family.
2. Respect their ancestors, and those that paid the ultimate sacrifice to ensure their access to education.
3. Respect the Academy's mission and core values.
4. Respect the school building, surrounding community, and community members.
5. Respect the rights of all persons involved in the educational process.
6. Respect the authority of school staff.
7. Respect the diversity of staff and students at the Academy with regard to race, color, ethnicity, national origin, religion, sex, marriage, pregnancy, parenthood, sexual orientation, gender identity, primary language, disability, special needs, age, and economic class.
8. Contribute to the maintenance of a safe and supportive educational environment.
9. Apply their abilities and interests to the improvement of their education.
10. Exercise the highest degree of self-discipline, to the best of their ability, in observing and adhering to rules and regulations.
11. Recognize that responsibility is inherent in the exercise of every right.
12. Assure that they exercise their voice in student government.

Responsibilities of Administration

Administrators have the responsibility to:

1. Create supportive school environments and promote collaborative services to improve educational outcomes for all students, including students with behavioral health needs.
2. Protect the mental health and physical well-being of all students and staff.
3. Protect the legal rights of teachers, students, and parents/guardians.
4. Support school personnel in the fulfillment of their disciplinary responsibilities as defined by the Code of Conduct and Academy rules, by the provision of training on the Code to administrators, teachers and other school staff.
5. Provide a broad-based and varied curriculum that is consistent with the Massachusetts Curricular requirements and that meets individual needs.
6. Develop and implement preventative and positive disciplinary policies in cooperation with students, parents/guardians, and teachers and in conformance with Academy policy and the Code of Conduct.
7. Contact and involve parents/guardians in dealing with disciplinary matters.
8. Inform the community, students, parents/guardians, and school staff about policies relating to student conduct in schools, at school-sponsored activities, and on school-provided transportation.

9. Collect the appropriate information on student discipline and interventions, provide the proper Information Management custodianship so the information can be made available to parents/guardians upon request or as otherwise required by law.
10. Provide qualified staff to meet the needs of students and to accomplish school goals and objectives.
11. Collaborate with community and government agencies on programs that promote safe, healthy and supportive learning environments.
12. Consistently maintain a fair, equitable and individualized approach with all students.
13. Incorporate the spirit of the Philosophy and Guiding Principles into decision making and lead by god example.
14. The Principal or designee shall periodically review discipline data by selected student populations, including but not limited to race and ethnicity, gender, socioeconomic status, and status as a student with a disability. In reviewing the data, the principal shall assess the extent of in-school suspensions, short- and long-term suspensions, expulsions, and emergency suspensions, and the impact of such disciplinary action on selected student populations. The principal shall further determine whether it is necessary or appropriate to modify disciplinary practices due to overreliance on expulsion, in-school or out-of-school suspension, or emergency suspensions, or the impact of such suspensions and expulsions on selected student populations compared with other students. The principal shall report the data and the data review results to the operational leader.

Responsibilities of Teachers

Teachers have the responsibility to:

1. Maintain a safe and supportive learning atmosphere.
2. Exhibit qualities of competency, creativity, and self-control.
3. Respect each student as a person.
4. Demonstrate understanding and concern for the individual student and his or her needs, including referring students for special education evaluations in conformance with the requirement of state and federal special education law.
5. Inspire in students the desire for personal growth.
6. Guide students toward the development of self-discipline.
7. Keep informed about current rules and policies.
8. Enforce the policies, rules, and regulations of the Academy and Code of Conduct, including preventative and positive disciplinary policies in cooperation with students, parents/guardians, and administrators.
9. Record data on student discipline as required by the administrator.
10. Communicate with students and their parents or guardians.
11. Be conscious of professional ethics in relationship with students, fellow teacher, and administrators.

Rights and Responsibilities of Parents and Guardians

A. Rights of Parents and Guardians

Parents, guardians, and families have the right to be included in all aspects of their child's education. This includes the following:

1. The right to a free public education for their child in a safe and supportive learning environment.

2. The right to access information about their child's educational records, disciplinary data – as authorized by law – and any available information on educational programs and opportunities.
3. The right to be given every available opportunity for meaningful participation in their child's education.
4. The right to file complaints and/or appeals regarding matters affecting their child's education.
5. Participation in decision-making process affecting school policies and procedures.
6. Monitoring and evaluation of school policies and practices, including but not limited to the right to visit schools and classrooms.
7. Access to student disciplinary data as authorized by law.

B. Responsibilities of Parents and Guardians

Parents and guardian have the responsibility to:

1. Share the responsibility for the behavior of their child in school, at school-sponsored activities, and on the way to and from school.
2. Prepare the child to assume responsibility for attending school, and for his or her own behavior.
3. Foster in the child positive attitudes toward himself or herself, others, school, and the community.
4. Communicate with school personnel about the child.
5. Attend individual or group conferences.
6. Recognize that the Academy staff has the right to enforce the policies, rules, and regulations of the Academy.
7. Behave in a civil and non-disruptive manner when visiting the Academy.
8. Assure that their child brings to school only those things that are appropriate in a school setting.

Responsibilities of the Community and School Support Agencies

The community has the responsibility to:

- 4 Help shape school goals.
- 5 Be informed about school goals and policies.
- 6 Support an effective, safe and supportive school system.

Agencies charged by the Academy with providing support to students and their families have the responsibility to, with informed parental/guardian consent:

- a. Address the needs of their clients that interfere with the learning process.
- b. Collaborate with the Academy to deliver effective, safe and supportive support services.

Section 1: Equal Educational Opportunity

In accordance with the United States Constitution and applicable federal and state laws and regulations, no student shall be suspended, excluded, or otherwise disciplined on account of race, color, national origin, ethnicity, religion, sex, sexual orientation, gender identity, disability, age, genetics, or active military status.

Section 2: Non-Exclusionary Interventions and Approaches

2.1 Student Centered Conferences

Academic employees shall attempt to resolve disciplinary problems prior to referral to the Principal or Designee. To this end, academic employees, upon witnessing or being informed of the commission of an offense prohibited under this Code, are encouraged to confer privately with the students at the earliest opportunity, and to confer with a parent by telephone and/or email. An academic employee or a student may invite a parent to a conference with the student and the employee at a mutually convenient time and place.

2.1.1 Referral by Non-Academic Employee

Non-Academic employees or people servicing the Academy who are non-employees, upon witnessing the commission of an offense prohibited under this Code, are encouraged to refer the matter to an academic employee supervising the students, or if none is available or known, to the Principal.

2.1.2 Referral from Academic Employee Conference

When resolution at the academic employee conference is not successful, the academic employee shall inform the Principal or Designee that the student is being referred for attempted resolution of problems or misbehavior. A written statement of the events leading to the referral, the offense that student is believed to have committed, the student response to the allegation of a violation, efforts of the teacher to resolve the problem, and the outcome of such efforts, shall be placed in the student's temporary record.

2.1.3 Building Administrator Informal Conference

The Principal or Designee shall attempt to arrange a time and place for an informal conference convenient to all participants. The Principal or Designee may invite the parent to attend the informal conference, but failure of the parent to attend shall not delay the conference nor affect the duration or type of disciplinary action taken. If more than one student participated in the incident for which a referral is made, the Principal or Designee may require, or the student may request, the attendance of all students involved.

2.1.4 Bonus Bucks

School Staff may award a student a bonus buck(s) for demonstrating the Academy core values, as a method of incentive-based discipline. Students earn the opportunity to participate in a number of school-sponsored events based on the amount of bonus bucks they earn.

2.1.5 Disciplinary Marks

School staff may issue a student a disciplinary mark. Disciplinary marks are warnings, and are used as a tool to redirect students. These warnings allow students to create habits of self-discipline, and moments of self-reflection prior to receiving a consequence. Accumulating four disciplinary marks in a single day will result in a behavior detention.

2.1.6 Contracting

School staff may design agreements with students to identify target behaviors, define expectations, and describe consequences. Such contracts may be written to manage student behavior while in school, going to and from school, on school-provided transportation, and at school-sponsored activities, during and beyond the regular school day. These contracts may involve other staff, parents, administrators, and other students, when appropriate. It is suggested that these agreements be written and reviewed at specific times. Students and, for students under age 18, their parents shall be informed that agreement to a contract is voluntary.

2.1.7 Homework Help

Students may be required to stay after school with a teacher to complete missing homework for each missing or inadequately completed homework assignment not submitted on the date it is due. If a student fails to attend homework help, arrives late to homework help and/or arrives to homework help without the appropriate homework assignments, they may be given a behavior detention. Failure to appear for homework help may trigger disciplinary action.

2.2 Detention

One remedy for student misbehavior may be detention. The Academy uses detention as an opportunity for student to reflect on negative behaviors, as well as to provide educational support to students. A phone call, email and/or written notice to the students Parent, Guardian or Authorized Caregiver, in the language of the home of the student must be provided to inform of this decision within a reasonable amount of time (generally 24 hours in advance). Students are detained for 30 minutes during the Academy's lunch period, in a silent, reflective setting. Failure to appear for a detention may trigger further disciplinary action. Students are allowed to complete homework assignments during their detention.

2.2.1 Friday Detention

The Principal or Designee may issue a Friday detention. Students are detained on Friday's from 12:20 p.m. to 3:00 p.m. Some behaviors that may result in a Friday Detention are:

13. Failure to appear for a detention;
14. Arriving late for a detention;
15. Being disruptive during a detention;
16. Having more than four unserved detentions; and
17. Incidents of severe behavior [see Section 7.1 of the Code]

If a student fails appear for a Friday detention, arrives late, or is disruptive during Friday detention, that may trigger further disciplinary action.

2.2.2 Loss of School Privileges: Field Trips, After-School Activities, etc.

If a field trip or school activity is required for teaching and learning taking place in the classroom or will result in a graded assignment, students shall not be deprived of the opportunity to participate. In other cases, one remedy for student misbehavior may be the temporary loss of school privileges, including field trips and after school activities. This remedy may be imposed after written notice to the student's Parent, Guardian or Authorized Caregiver in the language of the home of the student, but shall not permanently deny the student the right to participate in a

continuing school activity. As student may be denied school privileges for no longer than one week at a time, or a total of three (3) weeks in a quarter, unless a hearing is held as defined in Section 9.5.

2.2.3 Long-Term Adjustment of Class Schedule

After notice to the student and parent giving the reasons for the proposed class adjustment, and after a mediation session, if applicable, with parent presence, a student's class schedule may be adjusted, but only to minimize contact between the student and a teacher or between the student and another student where there is evidence of an ongoing conflict between them.

Short-Term schedule adjustments up to three (3) days may be made without notice to the parent.

2.2.4 Probation

With written notice to, or after a conference with, the student and parent that the commission of an additional offense will lead to a particular disciplinary measure, a student may be placed on probation until the end of the quarter. Any disciplinary measure carried out in connection with probation shall be done in strict adherence to the Code.

2.2.5 Restitution

After written notice to the student and parent, or after a conference with the student and parent, a student may be required to repair, restore, replace, or pay for damaged, vandalized, lost or stolen school property. Payment may be required either in cash or in appropriate, agreed upon services, depending on the means of the student and family.

2.3. Denial of School-Provided Transportation

- i. School-provided transportation, including free MBTA bus passes, may be denied for severe or repeated offenses, as described in sections 5.2 through 5.10 and section 12.1, when these occur on school property or public transportation. Note: Students with disabilities whose IEP services include transportation cannot be denied bus transportation, in excess of 10 school days, unless a Manifestation Determination Meeting has been held and the Team determined that the behavior is unrelated to the disability (services must be provided if transportation is denied after 10 school days).
- ii. Transportation may be denied whenever a student's actions endanger or will continue to endanger him/herself or others. The student would be denied access to the bus route upon which the incident occurred (the am or pm bus). *Note: Students with disabilities whose IEP services include transportation cannot be denied bus transportation, in excess of 10 school days, unless a Manifestation Determination Meeting has been held and the Team determined that the behavior is unrelated to the disability (services must be provided if transportation is denied after 10 school days).*
- iii. Denial of transportation for specific periods of time shall be consistent with the principle of progressive discipline and with the nature of the violation. Note: students with disabilities whose IEP services include transportation cannot be denied bus transportation, in excess of 10 school days, unless a Manifestation Determination Meeting has been held and the Team determined

that the behavior is unrelated to the disability (services must be provided if transportation is denied after 10 school days).

Section 3: Academy Rules on Disciplinary Problems

3.1 Searches and Seizure of Students and Their Property

The Principal or Designee may execute a search, and seize student property if reasonable suspicion exists that a student is in possession of a dangerous weapon, including, but not limited to, a firearm, a knife, or electrical weapon (e.g. Taser), a controlled substance including, but not limited to, marijuana, cocaine, and heroin, and/or stolen school or private property. The Principal or Designee may also confiscate any and all materials or devices (including cell phones and other electronic devices) that contain evidence of sexting, unacceptable use of networks, potential criminal activity, and violations of the Code. Any confiscated material may be turned over to the Boston Police Department as evidence of potential criminal activity.

3.2 Cheating (Plagiarism/Forgery)

The definition of plagiarism is to use and pass off the ideas or writings of another as one's own. The Academy considers cheating and plagiarism of any kind a serious offense. Cheating includes any action which gives a student improper access to answers on an assignment or assessment or gives a student a grade that they did not earn. Plagiarism includes copying another student's assignment or allowing someone else to copy one's assignment. Plagiarism also includes completing an assignment with the help of a classmate and not stating, in writing on top of the work submitted, the other student's name. Students can collaborate or "get help" if the following conditions are met:

- the teacher explicitly approves or the assignment/assessment explicitly states that students can "get help" from one another;
- at the top of the assignment, all students must write the name(s), of any other student(s), with whom they worked.

Individual teachers may add additional requirements, but this baseline applies to all students in all courses. Failure to adhere to these policies will mean the student has cheated or plagiarized. In all situations, even when students have collaborated with permission, individual students work must be in the student's own words and cannot show evidence of having been directly copied from another student.

First Offense:

- Student(s) involved receive a zero on the assignment. This includes the person whose work is being copied (assuming the student is complicit in allowing their work to be copied) and the student doing the copying).
- Student(s) receives a behavior detention.
- School Principal or teacher will notify parent/guardian of the student(s) offense.
- Teacher will submit an incident report along with two copies of all plagiarized work to the Principal to be filed in each involved student's permanent records.

Second Offense:

- Student(s) involved receive a zero on the assignment. This includes the person whose work is being copied (assuming the student is complicit in allowing their work to be copied) and the student doing the copying).
- Student(s) receives a Friday detention.
- School Principal or teacher will notify parent/guardian of the student(s) offense.

- Teacher will submit an incident report along with two copies of all plagiarized work to the Principal to be filed in each involved student's permanent records.
- Students must explain all incidents of plagiarism to high schools/colleges on admissions applications.

Third Offense:

- Student(s) involved receive a zero on the assignment. This includes the person whose work is being copied (assuming the student is complicit in allowing their work to be copied) and the student doing the copying).
- Student(s) may receive further disciplinary action.
- School Principal or teacher will notify parent/guardian of the student(s) offense.
- Teacher will submit an incident report along with two copies of all plagiarized work to the Principal to be filed in each involved student's permanent records.
- Student(s) parent/guardian may be asked to attend meeting.
- Students must explain all incidents of plagiarism to high schools/colleges on admissions applications.

3.3 Eating of Food in Unauthorized Areas of the Building

Students are asked to eat breakfast and lunch in the cafeteria. Students are also provided with an afternoon snack that is consumed in the student's cohort classroom. In order to ensure the overall cleanliness and sanitation of the school building, Students who consistently eat food in unauthorized areas of the building may receive a:

First Offense: Disciplinary mark

Second Offense: Detention

Third Offense: Restitution

3.4 Tardiness

Students are required to be in school and on time every day. In order to be considered on time, students must be line up in their respective cohort lines at their designated area by 8:20 a.m. Students who arrive at school after 8:20 a.m. will be marked as "tardy", and are required to report to the Main Office to check in with the Office Manager to receive a tardy slip. Students who are tardy, will report to community circle, homeroom, or their assigned class, and present the slip to the teacher.

Eight (8) tardies will count as the equivalent of one unexcused absence for the purposes of our attendance policy.

The Dean of Students will notify the student's parent by telephone call, in writing, or email of their student's tardies no later than the first unexcused absence created by student tardies. Students who exceed eight (8) tardies in any quarter will result in a parent/guardian and student conference with the Dean of Students to develop a plan around student punctuality.

3.5 Lost, Vandalized, Defaced and Stolen Textbooks and Property

Students at the Academy are responsible for any lost, vandalized, defaced and stolen textbooks and property. This includes all acts of fire, theft, vandalism, destruction of property, graffiti, breaking and entering or attempts to break and entry. Vandalism shall be considered to be all willful acts

causing damage to school property. Students found to have committed such acts are subject to restitution [see Section 2.2.5], as well as Section 5 of this code.

3.6 Cell Phones

The Academy understands the importance of students possessing cell phones to communicate with parents/guardians. As a result, the following policies describes acceptable cell phone use:

- a. Students are permitted to use cell phone only during the following times:
 - Before school hours outside or inside of the school building;
 - After school hours outside or inside of the school building;
 - At after-school or sports activities, only with the permission of the coach, instructor or program director;
 - At evening or weekend activities inside the school building.
- b. The use of cell phones for any purpose – including telephone calls, text messaging, taking photographs and/or video, and other functions – is not permitted at any other time on school grounds.
- c. Cell phones must not be visible during the school day (See exceptions listed 8.10.a).
- d. Cell phones must be turned completely off (not simply on silent or vibrate mode) during the school day.

Consequences for students found to be in violation of the cell phone policy will be as follows (**note: students must turn off cell phones prior to turning phones over to the school, and phones will remain off**):

- a. First offense: Student's cell phone will be confiscated and returned to the student at the end of the school day.
- b. Second and subsequent offenses: For a period of no more than 10 days, students will be obligated to drop their phones off at the main office at the beginning of the school day, prior to attendance, and pick up their phones at the end of the day.
- c. Students committing repeated violations of this policy may be subject to additional disciplinary action, consistent with the Code of Conduct.

We ask that parents/guardians who need to contact their child in the case of an emergency during times when cell phone use is prohibited contact the main office.

3.7 Uniform Policy

The Academy adheres to a mandatory school uniform policy [see Section II of the Community Handbook]. The Academy prescribes a standard student uniform and requires all students to participate unless the parent seeks an exemption from the policy. Within Section IV of the Community Handbook, parents can review:

- Information on the policy
- Options on articles of clothing, colors, etc.
- How to order uniforms, including the names and address of local vendors
- Costs and, the Academy's Uniform Assistance Program
- Enforcement guidelines.
- Exemptions from the policy

Section 4: Temporary Removal from Class

- 4.1 The Principal or Designee, upon the request of a teacher, may authorize the removal of a student from class to a supervised area within the school when the student's actions are causing and will continue to cause substantial disruption of classroom activity, as defined in Section 5.8.6. Removal from class last only as long as necessary to ensure that the conditions justifying the removal have ended, and in no case beyond the end of two (2) class periods or 90 minutes, whichever occurs first (except when a student has been sent to a student planning center). Where possible, safe, supportive and non-exclusionary remedies and processes described in Section 5 should be attempted prior to removal from class. When a student is removed from class beyond ninety minutes or two class periods, it will constitute a suspension and requires the notification of suspension procedures to be initiated.
- 4.2 When a student has been removed from the same class more than once, the Principal or Designee who authorized the removal shall, within two (2) school days following the removal, send a written report of the removal and reasons for it, prepared by the teacher, to the student's parent.

Section 5: Grounds for Short-Term Suspension, Long-Term Suspension, Indefinite Suspension, or Expulsion

Prior to taking disciplinary action for offense described in Section 5, review and follow Section 2 and 3 of the Code of Conduct and document interventions and prevention strategies used with student into the Student Information System in use at the time. This practice is mandatory prior to the imposition of a suspension or expulsion. However, this requirement may be waived for certain more serious offenses (e.g. sexual assault) subject to short-term suspension following a review by the Principal and Executive Director.

This section describes the school-related disciplinary offenses for which a student, in accordance with other sections of this Code, may be subject to suspension, indefinite suspension, or expulsion.

5.1 General Provisions for School Related Discipline

- 5.1.1 For the purpose of this Code, "school-related disciplinary offense" refers to a violation of this Code occurring:
- While the student is on school grounds;
 - During a school-sponsored activity and/or program;
 - While on school-provided transportation on route to or from a school or a school-sponsored activity; or
 - While walking to or from school, waiting for school-provided transportation, or waiting for or riding on public transportation to and from school.
- 5.1.2 A school-related disciplinary offense may also include circumstances in which evidence exists that serious misconduct *outside* the school – for example, a student's being charged with or convicted of the commission of a felony has a substantial detrimental effect on the welfare of the school.
- 5.1.3 Serious offenses that may result in exclusion/expulsion from school for up to one calendar

year:

- 5.1.4 Possession of a dangerous weapon, including, but not limited to, a firearm, knife, or electrical weapon (e.g. Taser).
- 5.1.5 Possession of a controlled substance including, but not limited to, marijuana, cocaine, and heroin.
- 5.1.6 Assault of educational staff.
- 5.1.7 Felony Conviction – If the Principal determines the student’s continued presence in school would have a substantial detrimental effect on the general welfare of the school.

The indefinite suspension of a student who has been charged with a felony is allowed if the Principal determines that the student’s continued presence would have a substantial detrimental effect on the general welfare of the school. To be effective, discipline should be administered as soon as possible after the violation of the Code has occurred or been documented.

- 5.1.8 Refer to Section 19 of the Code of Conduct for the definitions of key terms: firearm, dangerous weapon, dangerous object, felony, and others.
- 5.1.9 With the exception of 5.1.3 offenses, no exclusion from school, for one or more disciplinary offense, shall exceed 90 school days for an offense or offenses that occurred in the same school year. No suspension shall extend beyond the school year in which it was imposed.
- 5.1.10 For all students excluded from school (suspension or expulsion), the Principal or Designee shall ensure student has the opportunity to make academic progress during the period of exclusion, to make up assignments and earn credits missed including, but not limited to, homework quizzes, exams, papers and projects missed.
- 5.1.11 A Principal may, in his or her discretion, allow a student to serve a suspension in school.

A student will, as a last resort, be subject to suspension, indefinite suspension, or expulsion for the following offenses:

5.2 Assault and Battery / Bodily Harm / Threats / Bullying / Cyber Bullying

The following offenses may result in short-term or long-term suspension:

- 5.2.1 Assault on school staff resulting in physical injury [see Section 19.3]
- 5.2.2 Sexual assault [see Section 19.41]
- 5.2.3 Assault on any person [see Section 19.3]
- 5.2.4 Assault and battery on any person causing physical injury, except when the student’s actions are reasonably believed necessary to protect himself or herself [see Section 19.40] as determined by the Principal (or designee) on the evidence presented.
- 5.2.5 Endangering the physical safety or mental/emotional health of another by the use of force

or threats of force communicated by any means including written, spoken, or through the use of technology or any electronic means. This offense includes: threats of force (some overt act, expressed by any means, which reasonably places the victim in fear of imminent bodily injury), hazing [see Section 19.31], graffiti, and other threats communicated by any means: written, spoken, or through the use of technology or any electronic means.

5.2.6 Bullying / Cyber Bullying Definition and Prohibition:

Bullying is defined as the repeated use by one or more students of a written, verbal, or electronic expression, or a physical act of gesture, or any combination thereof, directed at a victim that:

- Causes physical or emotional harm to the victim or damage to the victim's property;
- Places the victim in reasonable fear of harm to himself or of damage to his property;
- Creates a hostile environment at school for the victim;
- Infringes on the rights of the victim at school; or
- Materially and substantially disrupts the education process or the orderly operation of a school.

Cyber-bullying is bullying through the use of technology or any electronic means. This includes both the creation of a web page or blog in which the creator impersonates another person or the distribution or posting of information online if these acts create any of the conditions listed above.

State law prohibits bullying:

- At school and at all school facilities;
- At school-sponsored or school-related functions, whether on or off school grounds;
- On school buses and school bus stops;
- Through the use of technology or an electronic device owned, licensed or used by a school; and
- At non-school-related locations and through non-school technology or electronic devices, if the bullying affects the school environment.

5.2.7 Retaliation related to Bullying: State law prohibits retaliation against a person who reports bullying, provides information during an investigation of bullying, or who is a witness to or has reliable information about bullying.

5.3 Possession of Firearms, Dangerous Weapons and Dangerous Objects

The following offenses may result in short-term or long-term suspension:

5.3.1 Possession of any firearm [see Section 19.26] may result in suspension of not more than 90 school days within an academic school year, to be determined by the Building Administrator (as per M.G.L. 222).

5.3.2 Possession of a dangerous weapon [see Section 19.13], or object of no reasonable use [see Section 19.37], which is used in a threatening manner in school and/or at a school-sponsored activity.

5.3.3 Possession of any knife or dangerous weapon prohibited by law, other than a firearm [see Section 19.26, or object of no reasonable use [see Section 19.37].

5.3.4 Use of any object in a dangerous or threatening manner [see Section 19.13].

- 5.3.5 Endangering the safety of others by settling or attempting to set a fire on school property, at school-sponsored activities, or while on school-provided transportation.
- 5.3.6 Possession of an object of no reasonable use [see Section 19.37].

5.4 Felony or Felony Delinquency Charges or Convictions

The following offense may result in indefinite suspension pending disposition of the felony charge:

- 5.4.1 Felony charge (or felony delinquency charge for a student **under 17**); and the Principal after a hearing, determines and states in writing as part of the decision that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

The following offense may result in expulsion:

- 5.4.2 Felony conviction (or adjudication or admission in court of guilt for a felony or felony delinquency); and the Principal after a hearing determines and states in writing as part of the decision that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

5.5 Harassment and Violations of Civil Rights

The following offenses may result in short-term suspension, or long-term suspension:

- 5.5.1 Violation of the civil rights of others.
- 5.5.2 Committing acts of sexual harassment which are defined as sexually related physical contacts or offensive sexual insults or comments.
- 5.5.3 Committing acts of harassment related to actual or perceived membership in a protected class (race, ethnicity, religious identity, disability, sexual orientation, and/or gender identity).
- 5.5.4 Using racial or ethnic slurs in a persistent and/or abusive manner.
- 5.5.5 Using profanity or obscene language in a persistent and/or abusive manner.

5.6 Theft and Vandalism

The following offenses may result in short-term suspension, or long-term suspension:

- 5.6.1 Attempting by force or threat of force to steal private property.
- 5.6.2 Damaging or stealing school or private property, including tampering with school records.

5.7 Unacceptable Use of Networks, Including the Internet and Electronic Mail (E-mail)

The following violations of the Helen Y. Davis Leadership Academy Charter Public School

Acceptable Use Policy will result in loss of internet and/or e-mail privileges and may result in short-term, or long-term suspension:

- 5.7.1 Use of the network for any illegal or commercial activity.
- 5.7.2 Sending information, or uses language, that others will find offensive.
- 5.7.3 Violation of copyright laws.
- 5.7.4 Revealing personal information about another individual, such as address, telephone number, credit card numbers, social security number, etc.
- 5.7.5 Tampering with the system.
- 5.7.6 Altering, deleting or destroying files or data belonging to another user.
- 5.7.7 "Sexting", including dissemination of child pornography.
 - Sexting is the act of sharing or sending sexually explicit messages or photos electronically, usually via computers, cell phones, PDAs, or other electronic devices
 - Sexting may be considered dissemination of child pornography in violation of M.G.L. Chapter 272, Section 28.

NOTE: If reasonable suspicion exists, the Academy will confiscate any and all materials or devices (including cell phones and other electronic devices) that contain evidence of sexting or unacceptable use of networks. Any evidence of sexting confiscated as part of an investigation under the Code will be turned over to the Boston Police Department as evidence of potential criminal activity.

5.8 Other Disruptions

The following offenses may result in short-term suspension (long-term suspension attaches only if cumulative days of suspension exceed ten):

- 5.8.1 Refusing to identify self on the reasonable request of staff or giving false identification.
- 5.8.2 Presence in a part of the school building or grounds off limits to students.
- 5.8.3 Leaving the school building without permission.
- 5.8.4 Excessive cutting of class.

The penalty of suspension for excessive cutting shall only be assessed after alternatives such as adjustment of class schedule, if appropriate, alternative programs, parental conferences, student conferences, and detention have been attempted, and documentation maintained at the school. Excessive cutting may then result, in a progressive disciplinary measure that must be in accordance with Sections 2 and 3. Suspension of no more than three-days, in-school, regardless of the student's age, is recommended.

- 5.8.5 Intentionally impeding an investigation of school officials into alleged violation of this Code.

5.8.6 Substantial Disruptions

Substantial disruption of school or classroom activity in a repeated, aggravated, or flagrant manner may result in short-term suspension, or long-term suspension. Substantial disruption of school or classroom activity is defined as one or more of the following acts:

- 5.8.7 Occupying any school building, school grounds, or part, depriving others of its use.
- 5.8.8 Blocking the entrance or exit of any school building, corridor, or room, depriving others of lawful access to or from, or use of, the building, corridor, or room.
- 5.8.9 Preventing or attempting to prevent by physical act the safe functioning of any part of any school.
- 5.8.10 Continuously and intentionally making noise or otherwise seriously disrupting and/or preventing the normal functioning of the school or the teaching of other students. This includes repeated, unauthorized use of cellular phones.
 - a. Students are permitted to use cell phone only during the following times:
 - Before school hours outside or inside of the school building;
 - After school hours outside or inside of the school building;
 - At after-school or sports activities, only with the permission of the coach, instructor or program director;
 - At evening or weekend activities inside the school building.
 - b. The use of cell phones for any purpose – including telephone calls, text messaging, taking photographs and/or video, and other functions – is not permitted at any other time on school grounds.
 - c. Cell phones must not be visible during the school day (See exceptions listed 8.10.a).
 - d. Cell phones must be turned completely off (not simply on silent or vibrate mode) during the school day.

Consequences for students found to be in violation of the cell phone policy will be as follows (**note: students must turn off cell phones prior to turning phones over to the school, and phones will remain off**):

- e. First offense: Student's cell phone will be confiscated and returned to the student at the end of the school day.
- f. Second and subsequent offenses: For a period of no more than 10 days, students will be obligated to drop their phones off at the main office at the beginning of the school day, prior to attendance, and pick up their phones at the end of the day.
- g. Students committing repeated violations of this policy may be subject to additional disciplinary action, consistent with the Code of Conduct.

NOTE: If reasonable suspicion exists that a cell phone contains evidence of a violation of the Code by the phone's owner, then the phone may be searched by Academy personnel and held during the investigation, but for no longer than 3 school days before being returned to the student or, where necessary, turned over to the police. The search of the phone must be reasonable in scope and limited to the data about which reasonable suspicion exists, and, when practicable, conducted in the presence of the student.

5.8.11 Making a bomb threat.

5.8.12 Pulling/Reporting a false fire alarm.

5.9 Repeated and Flagrant Violations

Repeated and flagrant violations of one or more of the offenses described in Section 2 – Section 5 may result in short-term or long-term suspension if they occur in the same school year.

5.9.1 Consequences for repeated and flagrant violations of the Code shall be consistent with the principle of progressive discipline, with consideration given to the age and the social, emotional and intellectual development of the student.

5.10 Possession and Use of Alcohol, Tobacco and other Drugs

The following offenses may result in short-term or long-term suspension:

5.10.1 Possession of any non-prescribed controlled substance, including, but not limited to: opioids, including but limited to: narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana), alcoholic beverage, or intoxicant of any kind. The violation is considered to impede upon the general welfare and safety of the other students and staff at the school.

5.10.2 Use of tobacco products (including e-cigarettes, hookah paraphernalia, and vapor cigarettes) on school property, at school-sponsored activities, or while on school provided transportation.

5.11 Referrals to a Counseling and Intervention Program

5.11.1 Students may be referred to a counseling and intervention program for any violation of the Code of Conduct.

5.11.2 All students attending a counseling and intervention program, shall have the opportunity to make academic progress during the period of exclusion, to make up assignments and earn credits missed including, but not limited to, homework, quizzes, exams, papers and projects missed (per M.G.L. 222).

5.11.3 Any time a student who has an IEP or 504 Plan is referred to a counseling and intervention program a second time, the case will be flagged for review by the Support Services Department for a Manifestation Determination Meeting and or reconvene of the IEP Team.

5.11.4 The following offenses may result in short-term or long-term suspension following a hearing conducted by the Principal of the assigned school:

- Failure to attend, or to consistently attend, agreed upon counseling and intervention services without reasonable extenuating circumstances. [If a student commits an expellable offense, is referred to receive counseling and intervention services as an intervention, yet fails to attend, the school can follow through with the expulsion hearing for the original alleged incident.]
- Violation of the Code of Conduct while receiving counseling and intervention services. A violation of Section 5.3 while receiving counseling and intervention services may result in expulsion.

Section 6: Procedures for Emergency Suspension

- 6.1 The Principal may temporarily suspend a student from school until the reason for the emergency suspension has ceased, but in no case for longer than two school days following the day of the incident, when all four of the following criteria are met:
- 6.1.1 The student is alleged to have committed a suspendable offense by violating Section 5.1 through 5.10, and
 - 6.1.2 The student's presence poses a continuing danger to persons or property or of material interference with the instructional process; and
 - 6.1.3 There is no alternative available to alleviate the danger or interference; and
 - 6.1.4 It is impossible because of the student's behavior to provide the student with notice and hearing prior to the emergency suspension. Although prior notice cannot be given, the school must record the exact reason for exclusion and the alternative measures taken to ensure correction of behavior prior to the suspension.

Note: The Principal or Designee will hold the disciplinary hearing within 24 hours of the incident, or one school day, following the incident. If a delay is necessitated, the emergency suspension will only continue if the criteria above continue to be met on each successive day.

Note: An administrator's unavailability is insufficient cause to suspend a student under this section prior to a hearing.

Note: A day of Emergency Suspension counts as such when calculating total days of suspension.

- 6.2 *Notice to the Parent.* The Principal authorizing the emergency suspension shall as soon as possible to make reasonable efforts to reach by telephone a parent of the student to inform the parent. A student subjected to emergency suspension shall not be put out of the school until adequate provisions have been made for transportation and safety. No parent or student may be penalized because of a parent's unavailability to pick up a student from school pursuant to an emergency suspension.

Within 24 hours of the beginning of the emergency suspension, the administrator shall notify the student's parent of the specific basis for determining that an emergency suspension was necessary under Section 6.1. If the parent is present in the school, the parent shall be given a letter. If the parent is not in the school, the school shall notify the parent by telephone, email *and/or* by certified mail to the student's home. In addition, if the student is in the school, the student shall also be given a letter. All correspondence regarding the emergency suspension must be in English *and* the primary language spoken in the home, if different. The letter shall inform the student and parent of the right to a hearing under Section 7.5, the right to the opportunity to make academic progress, and the decision(s) to be considered at the hearing.

The Principal shall also immediately notify the Executive Director in writing of the emergency suspension, the reason for it, and describe the danger presented by the student.

- 6.3 *Hearing.* The student is entitled to a hearing under Section 7.5 as soon as possible (but no later than one school day after the emergency suspension began) and to an appeal under

Section 7.8. If the Hearing is delayed by parent unavailability, the emergency suspension may be extended through the duration of the (up to) 48-hour postponement if the Section 6.1 criteria remain in effect. If the hearing or the appeal demonstrates that the emergency suspension was unwarranted because any of the factors in Section 8.1 were not met, then all references to the emergency suspension shall be expunged from the student's records. The Principal shall render a decision orally on the same day as the hearing, and in writing no later than the following school day. If it is found that the emergency suspension was warranted, and the continued need for suspension exists, the suspension may be extended up to limits provided by this Code for the particular offense. Time spent out of school during the emergency suspension shall count toward any additional suspension imposed after this hearing.

Section 7: Short-Term Suspension: Definition and Procedures

Definition and Rationale: Short-term Suspension means the short-term exclusion of a student from the school premises and regular classroom activities. The term "suspension" shall include an "in-school" suspension for purposes of calculating the total number of days of exclusion from school.

- 7.1 When a student is removed from class beyond ninety minutes or two class periods, whichever is less, it will constitute a suspension and requires the notification of suspension procedures to be initiated.

Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days [see Section 10 for definition of long-term suspension].

- 7.1.1 The Principal or Designee may impose suspension if a student has committed a violation of Section 5 and non-exclusionary alternatives under Section 4 and Section 5 have been tried and documented. School must provide evidence at suspension hearings that such non-exclusionary alternatives have been tried and documented. Following a review by the Principal and Executive Director, this requirement may be waived for certain more serious offenses subject to short-term suspension. The term "suspension" shall include an "in-school" suspension. Disciplinary removal from school at any point prior to dismissal shall constitute a suspension.
- 7.1.2 Principal shall notify the Executive Director of any out of school suspension for students.
- 7.1.3 Parental guidance and involvement will be encouraged as a key component of the disciplinary process.
- 7.2 Due Process
- 7.2.1 No suspension, except emergency suspension, shall be imposed until the parent has been notified and a hearing pursuant to Section 7.5 has been held at the school, unless the parent has waived the right to a hearing in writing [see Section 7.4.6].
- 7.2.2 Both the Massachusetts Superior Court and the Supreme Court of the United States have upheld the due process obligation in school-based hearings. It is necessary that due process be followed in conducting a hearing for suspension or the proceedings may be declared invalid.

7.3 Frequency and Duration of Suspensions

- 7.3.1 A single short—term suspension may not exceed three (3) school days for a student fifteen years of age or younger or five (5) school days for a student sixteen years of age or older.
- 7.3.2 A student shall not be suspended twice for the same incident.
- 7.3.3 With respect to students with disabilities, cumulative suspensions cannot exceed ten (10) school days in any school year without following the procedures set for in Section 13.
- 7.3.4 In the event that a student not identified as having disabilities is suspended for more than five (5) days in any quarter (45 days) or excluded from school, the Principal or Designee must determine within five (5) days of this occurrence whether or not it is appropriate to refer the student to the Support Services Team or for a special education evaluation and inform the parent in writing: 1) if a referral is being made, and 2) of the parent's right to make a referral.

7.4 Procedures Preceding the Suspension Hearing

- 7.4.1 Prior to holding the hearing for suspension, the Principal or Designee shall make all possible efforts to contact the parent and/or parent-appointed representative orally and in writing. If the parent is present in the school, he or she shall be given a letter [see Attachment 1.1]. If her or she is not in the school, the school shall notify the parent by telephone, email *and/or* by certified mail to the student's home. In addition, if the student is in the school, he or she shall also be given a letter. The Building Administrator or Designee shall maintain in the Student Information System a log of efforts to contact the parent.

To conduct a hearing without the parent present, the Principal or Designee must have sent written notice and be able to document at least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification to inform parent of the hearing.

- 7.4.2 Correspondence regarding the recommend for suspension must inform the student and parent of the charges and the reason for possible suspension, the potential length of the suspension, the right to a hearing to discuss/dispute the charges prior to the exclusion taking effect, the right of the parent to attend the hearing, the right to review the student's record and any relevant documents or evidence collected in advance of the hearing, the right to an interpreter if requested, and their right to appeal any decision. Upon request, copies of any relevant documents (including those regarding alternative to exclusion⁰ or evidence collected by that time should be included with the hearing notice. A copy of a list of Legal Services and other advocacy groups, will be included.
- 7.4.3 All correspondence with the student and parent concerning the suspension must be in English and the primary language spoken in the home, if different.
- 7.4.4 If the parent expresses intent to participate in the hearing, or if the parent cannot be contacted, the hearing may be delayed up to 48 hours to permit the parent to attend. If a hearing for suspension is delayed at the request of the parent, a student may be held out of a particular class or activity if the Principal or Designee has a substantial reason, based on

discussions with the student and/or the teacher, for believing that the student's presence in the class or activity will lead to disruption.

- 7.4.5 In scheduling a hearing for Limited English Proficiency students, the administrator must refer to students' and parents' rights to have an interpreter present at hearings and conferences.
- 7.4.6 A parent may waive the right to a hearing. Such a waiver must be written, and copies forwarded to the Executive Director.
- 7.5 Procedures for Conducting the Suspension Hearing
 - 7.5.1 Hearing Officer. The Principal or Designee will conduct the hearing for suspension. Whenever there is clear conflict of interest – for example, if the Principal or Designee is the alleged victim in an incident – the Principal or Designee must remove himself or herself from the case. In such instances, the Principal or Designee may refer the case to the Director of Teaching and Learning or Designee or, if there is none, the Executive Director to schedule a hearing.
 - 7.5.2 Attendance. In attendance at the hearing for suspension will be the student, the parent (if the parent chooses to attend, and other persons determined by the Principal or Designee. The Hearing may take place without the Parent/Guardian/Authorized Caregiver only after documented reasonable efforts are made to include the Parent, Guardian, Authorized Caregiver by the Principal or Designee.
 - 7.5.3 Charges. The Principal or Designee will state the charges and determine that the student understands them.
 - 7.5.4 Witnesses. If the student disputes the charges, persons with direct knowledge of the alleged incidents shall be summoned by the Principal or Designee, or by the student. Student witnesses cannot be compelled to testify by the accused student. All witnesses presenting testimony for or against the student shall appear in person at the hearing, and no statement for or against the student shall be presented unless the persons making the statement are so present.

There are four exceptions to this provision:

1. Student witnesses/victims do not have to be summoned if the Principal or Designee specifically rules, orally or in writing, at the hearing that identification of the student witness, or the presence of a known witness / victim at the hearing, would endanger his or her physical safety, mental/emotional health, or cause intimidation. In these cases, the student witness may submit written or recorded testimony, with signature, to a school official.
2. If a criminal case is pending, the District Attorney's office may request that the victim not testify.
3. In cases where a witness cannot attend the hearing (e.g. is not able to be released from work or is out of the Boston area), the witness may submit written or recorded testimony, with signature, to a school official.

4. The accused shall have the right to call and cross-examine witnesses, but the Principal or Designee maintains the right to halt or disallow a line of questioning if it is determined to be disrespectful, intimidating or irrelevant.
- 7.5.5 Evidence. The student shall have the right to be present during the presentation of evidence. The Principal shall present any documented evidence at the Hearing to be used in rendering a decision. This documentation must include evidence of alternative interventions being utilized prior to the imposition of exclusion. The student, parent, or the student's representative shall have the right to cross-examine any witness who testifies at the hearing. After the case against the student has been presented, the student shall be allowed to submit evidence in his or her own defense, including the presentation of witnesses, and to testify on his or her own behalf, but shall not be compelled to do so. The Principal (or other Hearing Officer) should advise the student that any testimony given by the student may be used against him or her in another proceeding.
- 7.5.6 The student, the parent, or their representative may object to the admission of any testimony or evidence. If the Principal (or other Hearing Office) determines that evidence has been improperly obtained, is irrelevant, or is undocumented, such evidence shall be inadmissible if in the professional judgment of the Principal (or other Hearing Officer) such a ruling is warranted in light of the totality of the circumstances. The scope of the hearings shall be confined to the charges contained in the notice.
- 7.5.7 The student is entitled to a presumption of innocence, and the burden of proof rests upon the person(s) presenting the case against the student.
- 7.5.8 Decision: The Principal or Designee shall determine if the student committed a suspendable offense as charged. This decision shall be reached impartially and shall be based exclusively on the evidence. The Principal will avoid using short-term suspension as a consequence until alternatives to suspension have been tried and documented. There are limited exceptions to this provision discussed in the Section 7 introduction.
- 7.6 Consequences
 - 7.6.1 If it is determined that the student has committed a suspendable offense, and after non-exclusionary alternatives under Section 3 and 4 have been tried and documented, the student may be suspended, in accordance with the limitations described in Section 7.3.
 - 7.6.2 If suspension is imposed, the Principal or Designee shall orally notify the student, and within 24 hours after the hearing shall give written notice, or other means of communication where appropriate, to the student and to the parent of the specific acts for which the student is being suspended, the length of the suspension, the date of which the student may return to school, and the right to appeal pursuant to Section 9.8, and the right to make academic progress. A copy of a list of Legal Services, and other advocacy groups, will be included.

The Principal or Designee shall make a reasonable effort to communicate directly the information described in the preceding sentence. If the parent is present in the school, the parent shall be given a letter. If the parent is not in the school, the school shall notify the parent by telephone, email *and/or* by certified mail to the student's home. In addition, if the student is in the school, the

student shall also be given a letter. All correspondence regarding the imposition of suspension must be in English *and* the primary language spoken in the home, if different.

7.7 Attendance Procedure during Suspension

A suspension is coded for attendance purposes as “suspended”, which is comparable to “constructively present”. Suspended students should not be coded as “absent”. For all student excluded from school (suspension or expulsion), the Principal or Designee shall ensure student has the opportunity to make academic progress during the period of exclusion, to make up assignments and earn credits missed including, but not limited to, homework, quizzes, exams, papers and projects missed.

7.8 Appeal to Suspension

Within five (5) calendar days of the imposition of a long-term suspension (removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive schools days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year), indefinite suspension, and/or expulsion, a student or parent may lodge a request for an appeal in writing with the Superintendent’s Hearing Officer. Parent may request one extension of the filing deadline of up to seven (7) calendar days. The procedure used in the appeal shall comply with the following.

7.8.1 Time-Frame

The Hearing Officer will schedule the appeal hearing (sending written notice of such) to take place within three (3) school days of receipt of the request making efforts to schedule it on a day/time enabling the Hearing Officer and the parent(s) to attend. Parent may request one extension of the appeal hearing up to seven (7) calendar days.

7.8.2 Review of Evidence

The Principal or Designee shall first address the Hearing Officer and may summarize any evidence presented at the hearing for suspension. The student, parent, and/or representative (including an attorney) may then ask questions of the Principal or Designee and may address the Hearing Officer on the evidence and the appropriateness of the penalty. The student shall have the right to present oral and written testimony and cross-examine witnesses. Any witness or evidence may be introduced at the discretion of the Hearing Officer. Student witnesses cannot be compelled to testify by the accused student. Students also have the right to counsel.

All witnesses presenting testimony for or against the student shall appear in person at the hearing and no statements for or against the student shall be presented unless the persons making the statements are so present.

There are four exceptions to this provision:

- a) Student witnesses / victims do not have to be summoned if the Hearing Officer specifically rules, orally or in writing, at the hearing that identification of the student witness, or the presence of a known witness / victim at the hearing, would endanger his or her physical

safety, mental/emotional health or cause intimidation. In these cases, the student witness may submit written or recorded testimony, with signature, to a school official.

- b) If a criminal case is pending, the District Attorney's office may request that the victim not testify.
- c) In cases where a witness cannot attend the hearing (e.g. is not able to be released from work or is out of the Boston area), the witness may submit written or recorded testimony, with signature, to the Hearing Officer.
- d) The accused shall have the right to call and cross-examine witnesses, but the Hearing Officer maintains the right to halt or disallow the questioning if the Hearing Officer determines it to be disrespectful, intimidating (subject to section "a" above) or irrelevant.

7.8.3 Decision

The Superintendent's Hearing Officer shall specifically determine if there was sufficient evidence to find that the violation occurred and that the expulsion is appropriate. The Hearing Officer will use the evidence presented at the hearing and the appeal to render a decision. The Superintendent's Hearing Officer shall render a decision within five (5) calendar days of the hearing. The Hearing Officer's written decision shall identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing; set out the key facts and conclusions reached by the Hearing Officer; and identify the length and effective date of the suspension, as well as a date of return to school. Copies of the decision, as well as copies of any relevant documents presented during the hearing, shall be included in the student's records and mailed to the student, the student's parent, and the Building Administrator or Designee for their records.

If the Hearing officer determines that no violation of the Code has occurred, the non-exclusionary alternatives were either not tried and documented (and an exception to this rule was not sought or appropriate), or that the student and/or parent were not notified in accordance with the Code *and* that this resulted in a violation of the student's right to due process, the provisions of Section 17 shall be adhered to concerning expunging records. If the suspension has not already been fully served, the Hearing Officer may determine that the student be readmitted immediately.

The Hearing Officer may not impose a more serious penalty than that imposed by the Building Administrator.

Section 8: Long-Term Suspension and Indefinite Suspension: Definition and Procedures

8.1 Definition and Rationale

- 8.1.1 **Long-term suspension** means the exclusion of a student from regular school activities for more than ten (10) consecutive or cumulative school days, in a given school year. Disciplinary removal from school at any time prior to regular dismissal constitutes a day of suspension. Long-term suspension shall include any "in-school" suspension that is more than ten (10) consecutive or cumulative school days, in a given school year.

A suspension of any duration (even one or two days) that will result in a student's total number of days of exclusion exceeding ten (10) days will be considered a long-term suspension necessitating the due process procedures of a long-term suspension outlined below.

8.1.2 The Principal may impose long-term suspension when the student has repeatedly violated Section 5 of this Code, despite having been subjected to action under Section 4 and 5. A long-term suspension may also be imposed if, in the judgment of the Building Administrator, a single suspendable offense is of such severity that it would constitute an ongoing threat to the physical safety of others.

8.1.3 **Indefinite suspension** means the exclusion of a student from regular school activities of an indefinite period of time when the student has been charged with a felony and, in the judgment of the Principal; the student's presence is having, and will continue to have, a substantial detrimental effect on the school's general welfare. The suspension will be for a period of time determined appropriate by the Principal but not to exceed disposition of the felony charge [see Section 5.4].

8.2 Due Process

8.2.1 The due process obligation in school-based hearings has been upheld by both the Massachusetts Superior Court and the Supreme Court of the United States. It is necessary that due process be followed in conducting a hearing for long-term suspension or the proceeding may be declared invalid.

8.2.2 No long-term suspension shall be imposed until the parent has been notified and a hearing pursuant to Section 7.5 has been conducted by the Building Administrator.

8.3 Frequency and Duration of Long-Term Suspension

8.3.1 A long-term suspension is exclusion for more than ten (10) consecutive or cumulative school days in a school year. The Principal shall include any time the student has been suspended in and out of school as part of the overall long-term suspension penalty.

8.3.2 Long-term suspension shall not continue beyond the end of the academic year in which it was imposed.

8.3.3 A student shall not be suspended twice for the same incident.

8.3.4 In accordance with Massachusetts General Law, Chapter 71, Section 37H ½, and in consultation with the appropriate Executive Director, a Principal determines the length of the suspension for students suspended under Section 5.4 charged with a felony or felony delinquency. However, the period of time is not to exceed disposition of the felony charge.

8.3.5 With respect to student with disabilities, student will return to the school from where he/she was suspended (unless a new placement determination is agreed upon).

8.4 Hearing Procedures

Follow the procedures set forth in Section 7.4 through 7.7: Procedures Preceding the Disciplinary Hearing, Procedures for Conducting the Suspension Hearing, Consequences, and Attendance Procedure during disciplinary hearing.

In addition to the rights afforded in Section 7 students faced with long-term suspension shall also be afforded the following procedure:

8.4.1 Records. An audio recording will be made by the Principal or Designee in all hearings which are expected to result in long-term suspension, indefinite suspension or expulsion. Upon written request, in a case where a tape is made, a copy of the tape must be made available to the student or parent within five school days of the request for purposes of review.

8.5 Request for Review

8.5.1 No later than two (2) school days after the indefinite suspension hearing, the Building Administrator must submit to the Executive Director the form, Request for Review, with all relevant materials attached. Those materials include copies of the Notification of Disciplinary Hearing Letter, Indefinite Suspension Notification, a recommendation for the length of the Indefinite suspension, documentation of intervention and prevention strategies used with the student, student records (demographics, report cards, transcript, conduct history, action history, student attendance, academic standing report) and an audio recording of the hearing if one was required under Section 7.5.5, as well as any additional materials related to the incident (such as police reports). The Request for Review must be completed and signed by the Principal.

8.5.2 The Executive Director will review the case and all materials for procedural and evidentiary compliance with the Code of Conduct. No later than three (3) school days after receiving the Request for Review and all materials, the Executive Director must decide to either let stand the Principal's decision or to overturn it.

8.5.3 If the Executive Director supports the indefinite suspension, he or she notifies the Principal. The Principal must immediately notify the parent in writing in the primary language spoken in the home.

8.5.4 The Executive Director may overturn the Principal's decision if procedural guidelines, particularly as they apply to due process – e.g., notification and evidentiary requirements – have not been followed.

8.6 Appeal to Long-Term Suspension

Follow the procedures set forth in Section 7.8, Appeal to Suspension.

8.7 Suggested Timeline

Follow the procedures set forth in Section 10 Expulsion: Definition and Procedures.

Section 9: Cumulative Suspensions – Progressive Measures

9.1 After a student has been subjected to short-term suspension twice in a marking period *or* a total fifteen (15) school days *or* four (4) times in a school year, whichever occurs first, the

Principal (this duty may *not* be delegated) shall schedule a meeting to explore non-punitive solutions to the problems resulting in suspensions. No further suspensions, except emergency suspensions, may be authorized until this meeting is held or refused. The Principal shall invite to the meeting the following: the student, the student's parent, a school counselor or other appropriate professional invited by the student or parent, any teacher or staff member who has recommended the student for suspension more than once, and any other staff member whose presence would be deemed appropriate.

- 9.2 The student and the parent shall be sent a written notice at least five (5) school days prior to the meeting. The student and parent shall be notified of their right to invite to the meeting any persons from within or outside the school system whom they deem helpful in discussing the student's behavior.

At the meeting, the following shall be among the non-punitive solutions discussed.

- 9.2.1 Adjustment of class schedule;
 - 9.2.2 Professional or peer counseling;
 - 9.2.3 Referral to a social service agency;
 - 9.2.4 Consideration of referral to the evaluation team for possible classification as a student with special needs;
 - 9.2.5 Tutoring and other forms of academic assistance.
- 9.3 No actions shall be taken as a result of this meeting except with the consent of the student and parent. Within 48 hours after the meeting, the Principal shall mail letters to the student and the parent describing solutions, if any, agreed to at the meeting and any actions that the student, parent **or school** should take to follow through on those solutions.
- 9.4 In the case of any student for whom suspension beyond five (5) school days in a marking period, or expulsion is recommended, the Principal shall determine whether the student should be referred to the Student Support Team as part of the pre-referral process.
- 9.5 In the event that a student not identified as having disabilities is suspended more than five (5) days during any quarter (45 days) or excluded from school, the Principal or designee must determine within five (5) days of this occurrence whether or not it is appropriate to refer the student to the Student Support Team or for a special education evaluation and inform the parent in writing: 1) if a referral is being made, and 2) of the parent's right to make a referral.
- 9.6 With respect to the students with disabilities, cumulative suspensions cannot exceed ten (10) school days in any school year without following the procedures set for in Section 13.

Section 10: Expulsion: Definition and Procedures

- 10.1 Definition of Expulsion

Expulsion means the removal of a student from the school premises, regular classroom activities, and school activities for more than ninety (90) school days, indefinitely, or permanently, as permitted under G.L. c. 71, §§37H or 37H½ for violation of section 5.1.3. The period of expulsion, consisting of placement in an alternative program, will not exceed one calendar year without student/guardian consent. A decision regarding the student's ability to return to that school must be made by the Principal, and coincide with the decision to expel.

In the case of students with disabilities, such action may be taken only after a Team determination that the conduct in question was not a manifestation of the student's disability. Moreover, during any period of expulsion, the student must receive a free appropriate public education [see Section 13 – Students with Disabilities].

Prior to the expiration of the expulsion period, a student who has been expelled will be assigned to a school based on a reentry plan developed by the Counseling and Intervention Center, Executive Director, and Educational Options. The recommendation of the Principal will be considered in determining the best placement for the student.

Section 11: Due Process

The due process obligation in school-based hearings has been upheld by both Massachusetts Superior Court and the Supreme Court of the United States. It is necessary that due process be followed in conducting a hearing for expulsion or the proceedings may be declared invalid.

The responsibility for recommending expulsion and conducting a formal hearing rests with the Principal, with a mandatory due process review by the Executive Director prior to notifying the student and parent of the decision. That review requires that the Executive Director apply rigorous standards to ensure the Principal followed all procedures with respect to the letter and spirit of both the law and the Code of Conduct.

To recommend expulsion, the Principal must find, and the Executive Director must confirm, that there is a preponderance of the evidence, limited solely to evidence presented at the hearing, that there has been a violation of Section 5.1.3 of the Code and that the due process rights of the student were respected.

Under the law, the Principal shall exercise discretion in addressing the behaviors leading to consideration of expulsion, consider ways to re-engage the student in the learning process, and avoid using expulsion as a consequence until other remedies and consequences have been documented and employed on a case-by-case basis. For example, in cases involving a weapon, the Building Administrator may consider factors such as whether the student exhibited intent to cause physical injury and whether the student has a history of violent conduct.

At the same time, the Code of Conduct ensures that a student who is accused of an expellable offense is given a fair and prompt formal hearing; is informed of his or her right to be represented by counsel, call witnesses, and present evidence at the hearing; and is made aware of the right to appeal the Principal's decision to the Superintendent (or designee).

11.1 The Education Reform Act

The Education Reform Act of 1993, as amended, identifies four particular instances in which a Principal, rather than the Superintendent, may expel a student. See section 5.1.3 for the list of offenses

11.2 Procedures Preceding the Expulsion Hearing

11.2.1 When a student commits an expellable offense that does not fall within the parameters of the emergency suspension provision, the Principal must hold a suspension hearing, may suspend the student for up to five (5) school days (three days if her or she is 15 years old or younger), and may refer the student to a counseling and intervention program for up to ten (10) school days, at the end of the suspension. This sequence may take up to fifteen (15) school days. During the period of suspension, school and law enforcement authorities gather evidence and prepare the case for the expulsion hearing.

In some cases, a suspension hearing prior to the expulsion hearing is not necessary because the student has already been removed from the school. For example, the student may be incarcerated or hospitalized.

11.2.2 During the period of suspension, and if his or her findings warrant it, the Principal must. All students found at a suspension hearing to have committed an expellable offense may be referred to a counseling and intervention program for counseling purposes, even if a second offense is involved. Students shall be marked constructively present during the period of assignment to the counseling and intervention program. Students with unique needs who may require specialized support services should be identified and brought to the attention of the Academy's Clinical Social Worker prior to assignment. The assignment of the student to an alternative setting shall be the responsibility of the Executive Director or his/her designee.

11.3 The Expulsion Hearing: Notification

11.3.1 The expulsion hearing must be scheduled to be held within the first three (3) days of the student's assignment at a counseling and intervention program. With this timeline, the Principal can ensure that both the formal expulsion hearing and the procedural review by the Executive Director take place before the student completes his or her assignment to the Academy's Counseling and Intervention Program and thus help ensure due process.

Once they are notified of the date of the hearing, the student and parent have the right to one postponement of not more than five (5) additional days. The hearing will be held on the rescheduled date, whether or not the parent attends, provided that the Principal, or designee, has made and documented reasonable efforts to include the parent.

11.3.2 By the end of the suspension, any student charged with an expellable offense, and his/her parent, must be notified in writing of an opportunity for a formal hearing before the Principal, including date, time, and place of the hearing.

11.3.3 The Notification of Expulsion Hearing must be in English and in the primary language spoken in the home, if different. It must also include the following specific information:

1. A statement that expulsion has been recommended to the Principal.

2. A complete description of the alleged offense requiring expulsion, including a reference to the appropriate section of this Code.
 3. Documentation of any methods of progressive discipline, as described in Section 3 and 4.
 4. If requested, a statement of the facts and evidence as presented to the Principal, including copies of any relevant documents or evidence collected by that time.
 5. Specific notice of all procedural rights, including the student's right to have a private hearing, to have his or her parent present at the hearing, to have an attorney or other representative of his or her choice at the hearing, to present witnesses, to cross-examine witnesses against the student, and to have an audio recording of the hearing may by the Academy, and upon written request, to have a tape of the same made available, at no cost, to the student or parent within five (5) school days for the purpose of appeal.
 6. Notice that, when the Principal reaches a decision, the student and parents will be provided the detailed reasons for the decision.
 7. Provide a list of Legal Services offices and other advocacy groups.
 8. Specific reference to the rights of the student and/or parent to have access to the student's school records in advance of the hearing as required by law.
 9. Specific references to the right of the parent to obtain a referral for special education evaluation, if the parent feels the student may need special education services.
- 11.3.4 If the parent is present in the school the parent shall be given two copies of the Expulsion Hearing Letter, one for their own use and one to sign and return to the Principal. In addition, if the student is in the school, the student shall also be given the letter. If neither is in the school, two copies of the Notification of Expulsion Hearing letter should be sent to the student's home. Once copy is for the student and parent; the second copy is to be signed by the parent (or student if her or she is 18 years old or older) and returned to the school. Copies of all correspondence must be kept on file and forwarded to the Executive Director.

Principals are encouraged to make every effort to reach the student and parent, calling the parent at work, for instance, to make arrangements to deliver the letter. The Principal must send the letter by certified mail to the home address and retain the receipt as proof of notification.

To conduct a hearing without the parent present, the Principal or Designee must have sent written notice and be able to document at least two (2) attempts to contact the parent in the manner specified by the parent or emergency notification to inform parent of the hearing.

- 11.3.5 If the parent does not attend the formal expulsion hearing and has not requested a delay, the hearing should be rescheduled and held within forty-eight (48) hours. The parent should be informed that the hearing will be held on the rescheduled date, whether or not the parent attends. Documented efforts must be made to include the Parent, Guardian, or Authorized.

11.4 The Expulsion Hearing: Procedures

A formal hearing to consider expulsion shall be conducted in accordance with the due process rights for a student faced with a long-term suspension and the following rules:

- 11.4.1 The Principal who serves as Hearing Officer, unless the Principal is a witness or victim conducted the investigation and/or is not available to conduct the hearing in accordance with prescribed timelines must conduct the expulsion hearing. In this role, the Principal is obligated to develop and maintain a working knowledge of the Code of Conduct and all pertinent laws and regulations. He/she must follow all procedures outlined in the Code of Conduct without exception; including the recording of the hearing, the admissibility of hearsay evidence, and the “preponderance of the evidence” standard for finding the student guilty as charged.
- 11.4.2 The hearing shall be private unless the Principal (or other Hearing Officer) agrees with a student’s or parent’s request that it be made public.
- 11.4.3 An audio recording shall be made by the Principal (or other Hearing Office) and, upon written request, made available at no cost to the student or parent within five (5) school days of the hearing for purposes of appeal. The recording, transcript, evidence, and records, and evidence may be subject to subpoena and are admissible in court and may be used as evidence against them in a court proceeding.
- 11.4.4 A suggested script for use by the Principal (or other Hearing Officer) in conducting a formal hearing.

11.5 Options Following the Expulsion Hearing

Following the formal hearing, the Principal can choose to expel the student, add additional days of suspension, or not expel the student. In making his or her decision, the Principal may take into consideration the full record of the student.

- 11.5.1 If the evidence concerning the incident supports expulsion but the past record of the student does not, the Principal should inform the Executive Director in the Request for Review that the decision reached at the hearing was not to expel, but rather (1) to allow the student to continue at the school; or (2) to extend the suspension for five more days before the student returns to the school. In addition, the letter should note that, “in the opinion of the Principal, the continued presence of this student will not pose a threat to the safety, security and welfare of the other students and staff in the school.”
- 11.5.2 If the evidence of the incident supports expulsion, the Principal should inform the Executive Director in the Request for Review that a decision to expel the student has been made and should be reviewed. The Principal must also include a decision on whether or not the student should have the ability to return to the sending school following the period of expulsion. Copies of all required documentation must be attached to this memorandum.

11.6 Request for Review

- 11.6.1 No later than two (2) school days after the formal expulsion hearing, the Principal must submit to the Executive Director the Request for Review form, with all relevant materials

attached. Those materials include copies of the Notification of Expulsion Hearing, Notification of Expulsion, a recommendation for the length of the expulsion, whether or not the student should have the ability to return, student records (address, report cards, progress reports, transcript), conduct history, action history, student attendance, academic standing report and an audio recording of the hearing, as well as any additional materials related to the incident: records from the Academy's Counseling and Intervention Program, and other materials. For students with disabilities, additional documentation is required [see Section 13]. The Request for Review must be completed and signed by the Principal.

- 11.6.2 The Executive Director will review the case and all materials for procedural and evidentiary compliance with the Code of Conduct. No Later than three (3) school days after receiving the Request for Review and all materials, the Executive Director must decide to either stand the Principal's decision or to overturn it.
- 11.6.3 If the Executive Director supports the expulsion, he or she notifies the Principal. The Principal must notify the parent in writing, in the primary language spoken in the home.
- 11.6.4 The Executive Director may overturn the Principal's decision if procedural guidelines, particularly as they apply to due process – e.g., notification and evidentiary requirements – have not been followed.
- 11.6.5 Expelling a student who is identified, as a student with disabilities requires a rigorous review according to both federal and state special education laws. Disciplinary procedures already in place for students with disabilities must be followed. These procedures are based on federal and state laws and regulations and are set forth in Section 13.

11.7 Issuance of Findings and Notification of Student and Parent

After this review by the Executive Director, the student and parent shall be notified by the Principal, of the decision.

- 11.7.1 In the event a decision has been made to expel the student and that decision has been supported by the Executive Director, the Principal must inform the student and parent in writing, in English and the primary language spoken in the home, if different, or other means of communication where appropriate [see Notification of Expulsion, Attachment 1.14]. That letter must identify the disciplinary offense, the date on which the hearing took place, the participants at the hearing, set out the key facts and conclusions of the Principal, include notice of the student's right to continue receiving educational services and make academic progress, a list of Legal Services offices and other advocacy groups [Attachment 3.1], and explain the right of the student and parent to appeal the expulsion to the Superintendent within five (5) school days of receiving the letter, provided that, if requested, an extension of seven (7) additional days shall be granted. Two copies of the Notification of Expulsion letter should be delivered to the student's home. One copy is for the student and parent; the second copy is to be signed by the parent (or student if he or she is 18 years old or older) and returned to the school. Copies of all correspondence shall be kept on file by the school and the Executive Director.
- 11.7.2 In the event a decision has been made not to expel the student (or that a preponderance of evidence to support an expulsion ruling has not been presented) and that decision has been supported by the Executive Director, the Principal must inform the student and parent in

writing. Two copies of the letter should be delivered to the student's home. One copy is for the student and parent; the second copy is to be signed by the parent (or student if he or she is 18 years old or older) and returned to the school. Copies of all correspondence should be kept on file by the school and the Executive Director.

11.8 Appeal to Expulsion

All provisions provided to students for the appeal of a suspension in sections 7.8 and 8.6 apply to the appeal of an expulsion. Additionally, the following provisions apply to an expulsion hearing:

The expelled student and parent shall have five (5) calendar days in which to request in writing a private appeal and hearing before the Superintendent (or designee). The Hearing Officer will schedule the appeal hearing (sending written notice of such) to take place within three (3) days of receipt of request making efforts to schedule it on a day/time enabling both the Hearing Officer and parent(s) to attend. Parent may request one extension of the appeal hearing of up to seven (7) calendar days.

Issues related to due process, evidence, and appropriateness of the penalty (including ability to return) may be challenged on appeal and thereby reviewable by the Hearing Officer.

11.8.1 The imposition of the expulsion may be stayed by the Hearing Officer pending review.

11.8.2 If the student is expelled during the first marking period, the Superintendent's Hearing Officer will hold an automatic review within the first three weeks of the third marking period.

11.8.3 Felony Conviction. In accordance with Massachusetts General Law, Chapter 71, Section 37H ½, a student expelled for conviction of a felony may appeal the expulsion to the Superintendent. The student must request the appeal no later than five (5) calendar days following the date of the expulsion, provided that a student or parent may request, and if so requested, shall be granted an extension of up to seven (7) days. The Superintendent (or designee) must hold a hearing with the student and the student's parent within three (3) school days of the request and render a decision within five (5) calendar days of the hearing. Standard procedures for conducting a hearing and appeal will be followed.

11.9 Alternative Education and Expulsion Period

11.9.1 Following an expulsion decision, the Academy shall continue to provide educational services. The services shall provide the opportunity to continue making academic progress and earn credits during the exclusion, and a reasonable opportunity to make up all assignments and tests and shall receive academic credit for such work completed. The Executive Director or designee shall meet with the student and the parent to explore a range of available alternatives that would allow the student to continue his or her education during the expulsion period, including, but not limited to: home student, adult education programs (day, evening, and modified combination), and alternative programs.

Section 12: Substance Abuse

12.1 For students accused of having violated Section 5.1.3.2 (possession of a controlled substance) or 5.11.1 (possession or use of alcohol) the school discipline process will be

temporarily halted and Section 14 procedures will be implemented. Upon completion of this process, the Principal, with input from the Academy's Clinical Social Worker and the Executive Director will determine if discipline will be pursued. In addition, a school shall apply the procedures of Section 12 to a student suspended (see Section 12.2) of being under the influence of a controlled substance.

- 12.2 In cases involving a controlled substance or alcohol trained school staff (in the absence of this call Boston Police Department) must determine "Reasonable Suspicion" of drug or alcohol use/activity by the student, resulting in the violation of district policy. To determine "Reasonable Suspicion," the following factors are possible, but not exclusive, indicators or elements to consider in conjunction with other relevant information, including the student's explanation:
 - 12.2.1 The physical symptoms or manifestations of drugs or alcohol use such as altered or slurred speech or repeated incoherent statements; dilated or constricted pupils, flushed skin, excessive sweating; excessive drowsiness or loss of consciousness, excessive scratching, picking of scabs, red or yellow eyes, shakes, grinding teeth without reasonable explanation.
 - 12.2.2 Unexplained, abrupt or radical changes in behavior such as violent outbursts, hyperactivity, paranoia, delusions, frequent and/or extreme fluctuations of mood swings without reasonable explanation.
 - 12.2.3 Inability to walk steadily or in a straight line, or perform normal manual functions essential the schoolwork without reasonable explanation.
 - 12.2.4 Unexplained sensory or motor skill malfunctions.
 - 12.2.5 Smell of alcoholic beverage on the student.
 - 12.2.6 The direct observation of drugs or alcohol use while at school.
 - 12.2.7 A report of reasonable suspicion by a reliable and credible source.

Section 13: Students with Disabilities

- 13.1 Students with disabilities and/or students on Section 504 plans, as defined by federal law and regulations, shall be subject to the provisions of the Code, except as otherwise provided by this Section and by the Student's IEP and/or 504 Plan. The definition of a student with a disability is found in Section 19.19.
- 13.2 Special education staff, including the Special Education Coordinator/Program Director or designee, shall be involved in all administrative decisions under this Code involving students with disabilities.
 - 13.2.1 Counseling and Intervention Program Referrals
Any time a student who has an IEP or 504 Plan is referred to a counseling and intervention program a second time, the case will be flagged for review by the Support Service Coordinator for a Manifestation Determination Meeting and/or a reconvene of the IEP Team.
- 13.3 Prior to an administrative decision under the Code, the Principal shall verify:

- a. Whether or not the student has been designated a student with disabilities or has been referred for a special education evaluation, but not yet determined to have disabilities; and
- b. That the Individualized Education Program (IEP) of every student with disabilities will indicate why the student is or is not expected to meet the Code of Conduct, and, if not, what modification of the Code is required. If modifications to the Code are required, such modifications shall be described in the IEP.

13.3.1 If the decision will not impact the student's placement, and/or not result in a cumulative suspension of more than ten (10) days during a school year, a Manifestation Determination Meeting **of relevant Team members** is not required.

13.3.2 If the decision will impact the student's placement and/or result in a cumulative suspension of more than ten (10) days during a school year, a Manifestation Determination Meeting of relevant Team members is required.

13.4 Students Not Yet Eligible for Special Education

Under state and federal laws and regulations, a student who has not been determined to be eligible for special education and related services, and who has engaged in behavior that violated any rule of Code of Conduct, may assert any of the protections provided to students with disabilities if the school had knowledge that the student was a student with a disability **before** the behavior that precipitated the disciplinary action occurred.

13.4.1 The school department is deemed to have knowledge the student is a student with a disability if prior to the incident:

13.4.2 The parent of the student has expressed concerns **in writing** to school department staff that the student is in need of special education services.

13.4.2.1 The parent has requested an evaluation of the student; or

13.4.2.2 The teacher of the child or other school personnel has expressed specific concerns about the pattern of behavior of the child to the Director of Special Education or other special education personnel.

13.4.3 If there is no prior knowledge of disability, the student may be subject to the same disciplinary measures as those applied to students without disabilities with the following limitations: If a request is made for an evaluation during the time period in which the student is subjected to disciplinary measures, the evaluation should be conducted in an expedited manner; and

13.4.3.1 Until the evaluation is completed, the student remains in the educational placement determined by the school authorities.

13.5 The following provision shall apply whenever a school proposes one of the following actions: to suspend a student with disabilities for more than ten (10) cumulative school

days in a school year; or to expel a student with disabilities. The definition of a student with a disability is found in Section 19.19.

A free appropriate public education (FAPE) must be provided to students with disabilities during any period of suspension of more than ten (10) cumulative days, alternative placement, or expulsion.

13.5.1 In accordance with federal laws and regulations, the Principal or Designee of the Academy:

1. Will notify the Executive Director or designee, of the misconduct for which suspension of a student with disabilities for more than ten (10) cumulative school days is proposed for that the procedures required by federal and state law and regulations can be implemented consistently;
2. Will record and maintain the number and duration of suspensions of students with disabilities;
3. Will ensure that no student with disabilities is suspended, or out of placement for more than ten (10) cumulative school days in the school year except as provided by federal laws and regulations.

13.5.2 Any time a student who has an IEP or a 504 Plan is referred to a counseling and intervention program a second time, the case will be flagged for review by the Support Service Coordinator for Manifestation Determination Meeting and/or reconvene of the IEP Team.

13.5.3 Manifestation Determination Meeting

When it is known that the suspension(s) and of a student with disabilities will accumulate to more than ten (10) cumulative school days or if the student with disabilities is out of placement for more than 10 days, in a school year, due to involvement in a behavioral incident, a review of the IEP must be conducted by relevant members of the student's Special Education Team prior to the exclusion taking place. Parent must be invited in writing to this Manifestation Determination Review Team meeting.

- a) At that review, the Team will determine if the student's misconduct was a manifestation of the student's disability (see procedures outlined in Section 13.4.3). This must take place within ten (10) school days of the occurrence of the behavioral incident. Depending on the result of that determination, the proposed suspension hearing may or may not be held.
- b) At the same time, the Team, if it has not already done so, must also conduct a Functional Behavioral Assessment (FBA) of the student's behavior, and develop a Behavior Intervention Plan.
- c) (BIP) to address the targeted behavior as soon as possible.
- d) If the student has a Behavior Intervention Plan, the Team must review and modify it as necessary to address the target behavior.

13.5.4 Circumstances under which the student may not be excluded for more than ten (10) cumulative school days:

- A. If relevant members of the Team conclude that the student's misconduct is a manifestation of the student's disability, the student shall not be excluded. In making the determination, the Team must decide the following:
 - h. First consider, in terms of the behavior subject to disciplinary action, all relevant information including:
 - Evaluation and diagnostic results, including the results of other relevant information supplied by the parents or the student;
 - Observations of the student;
 - The student's IEP and placement.

Then determine:

- Was the conduct in question caused by, or did it have a direct and substantial relationship to, the student's disability;
 - Was the conduct in question the direct result of the District's failure to implement the student's IEP.
- B. If relevant members of the Team and other qualified personnel determine that any of the standards in 13.4. 3(a) were not met, the behavior must be considered a manifestation of the student's disability.
- C. The review described in 13.4.3 (a, b) may be conducted at the same Team meeting that is convened under 13.4.3.
- D. If a new program or placement is designed for the student as a result of the review, the new program or placement shall be implemented immediately following parental approval of the IEP. If the parent rejects the IEP, the school or parent may request either mediation or a hearing before the Bureau of Special Education Appeals (BSEA) of the Massachusetts Division of Administrative Law to determine the appropriateness of the program. Pending mediation or a hearing, the student shall remain in the placement in effect when the dispute arose, unless another placement is agreed to by the school and the student's parent, or a court order, or a BSEA Hearing Officer permits the school to change the student's placement based on a showing that the student's continued presence in school presents a substantial likelihood of injury to the student or to others.

13.5.5 Circumstances under which the exclusion may be imposed for more than ten (10) cumulative school days:

- a. If the school proposes to impose an exclusion which will result in more than ten (10) cumulative school days of exclusion in the school year, and the Team concludes that the student's misconduct is not a manifestation of the student's disability, the school shall:
 - 1. Ensure that the Team members develop an alternative education plan that provides a free appropriate public education to the student during the period of exclusion, which shall be referred to as "the interim alternative education plan";

2. Present the interim alternative education plan to the student's parent along with written notice required by federal and state laws and regulations [Parent's Notice of Procedural Safeguards]. The failure or refusal of the parent to consent to the provision of services under the interim education plan shall not prevent implementation of the exclusion. Nevertheless, if the parent requests a hearing to contest the placement, Manifestation Determination or the exclusion, the provisions of Section 13.4.4 (b) shall apply.

13.5.5.1 If the parent requests a hearing the student will continue in the interim alternative education placement pending the result of the hearing or until the conclusion of the exclusionary period. If Parent prevails at hearing, the student will be immediately placed according to the decision of the Hearing Officer. If the Academy prevails, student will remain in the interim alternative educational setting through the conclusion of the period of exclusion.

13.5.6 A change in placement, determined by the Team, may be made with or without the parent's permission to an interim alternative education setting for a period of up to but not exceeding forty-five (45) calendar days regardless of whether the behavior is a manifestation of the student's disability, as long as a free appropriate public education (FAPE) is provided, if one or more of the following apply:

- i. A student carries or possess a weapon at school or to a school function;
- ii. A student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or at a school function.
- iii. A student has inflicted serious bodily injury upon another person while at school or at a school function. "Serious bodily injury" is defined as that involving a substantial risk of death or extreme physical pain.
- iv. The system has demonstrated at an administrative hearing at the BSEA by substantial evidence that maintaining the current placement of the student is substantially likely to result in injury to the student or others. In this case, the change of placement may be ordered by a BSEA hearing officer.

13.5.7 Notice to and Review by the Executive Director

- a) Whenever a proposed suspension or expulsion will result in exclusion of a student with disabilities from school for more than ten (10) cumulative school days in the school year, the Academy shall immediately, send written notice of the proposed suspension or expulsion to the Executive Director (or designee) for review and comment.
- b) Such written notice shall demonstrate that:
 - The school has provided due process as required by the Code of Conduct;
 - The Team has determined that the behavior resulting in the violation of the Code was not a manifestation of the student's disability;

- A functional behavior assessment or review of an existing behavior plan has been completed;
- The disciplinary action is for a stated and limited number of days;
- The action is necessary in light of the needs of the student and other students in the school;
- The administrators have conferred with appropriate special education staff as to the disciplinary action and have followed all the procedures outlined in this paragraph, including notice to the Parent, Guardian or Authorized Caregiver of the right to appeal.

The Executive Director (or designee) will review all the information presented by the school officials and, within an appropriate period of time after receipt, inform the school and Operational Leader that the plan and process comply with the Code of Conduct and Special Education regulations.

Section 14: Discipline and Schoolwork

- 14.1 A student who misses any class because of a disciplinary exclusion shall be given the opportunity to continue making academic progress during the exclusion, and have a reasonable opportunity to make up all assignments, tests, homework, quizzes, papers, and projects and shall receive academic credit for such work completed (see Section 11.11 for procedures regarding education and expelled students).
- 14.2 Principals shall develop a school-wide education service plan for students who miss any class because of disciplinary exclusion totaling more than 10 cumulative days. The school shall provide to the student and Parent/Guardian/Authorized Caregiver of the student with a list of alternative educational services. The services shall provide the opportunity to continue making academic progress and earn credits during the exclusion, and a reasonable opportunity to continue making assignments and tests and shall receive academic credit for such work completed.

In no case shall punishment for violation of this Code or for violation of school rules mandated reduction of grades. The services shall provide the opportunity to continue making academic progress during the exclusion.

Section 15: Expunging Records

- 15.1 Whenever it is determined by a hearing, appeal, or informal administrative decision that a student did not commit a violation with which he or she has been charged, all references to the incident and the disciplinary proceedings shall be expunged immediately from the student's record. A suspension or appeal overturned for procedural errors shall result in the days of suspension/expulsion being expunged from the student record, but the Hearing Officer will determine the extent to which additional references to the incident will be removed from the student record. The hearing officer shall inform parents and students in writing the records to be expunged.
- 15.2 School employees shall not disclose to institutions of post-secondary education any portion of a student's record that includes information about in-school suspension, out of school

suspensions, dismissals, expulsions or any other disciplinary violation or misconduct. No school employee, including college or guidance counselors shall release to or discuss with any institution of post-secondary education any information pertaining to a student's disciplinary history unless granted permission with written consent from the Parent/Guardian/Authorized Caregiver, or required by law.

Section 16: Physical Force

A student shall not be subject to corporal punishment. School employees may use reasonable and prudent physical force to retrain a student whose actions it is reasonably believed are likely to result in any physical injury to any person including the student. Any school employee who uses plainly unreasonable or unjustified force will be subject to discipline.

Section 17: Behavioral Emergencies: Physical Restraint Policy

Physical restraint is used only in emergency situations after other less intensive alternatives have failed or have been deemed inappropriate. Physical restraint should be administered only when needed to protect a student or other students and staff from imminent, serious physical harm as a measure of last resort. When necessary, physical restraint should be administered in the least intrusive manner possible and should be used to prevent or minimize harm to the student.

The Massachusetts Department of Elementary and Secondary Education established regulations governing the use of physical restraints on students. These regulations supersede all previously established procedures. The Academy is required to follow the provisions of 603 CMR 46.00 which regulates the use of physical restraint on students in Massachusetts public school districts, charter schools, collaborative and special education schools.

Section 18: Promulgation and Distribution

18.1 Uniformity

This Code, together with any additional rules found elsewhere in the Community Handbook shall constitute the sole rules and regulations of the Academy governing the behavior of students and procedures for discipline and shall be in effect at the Academy.

18.2 Effective Date

This Code and a statement highlighting its major provisions shall be effective upon approval by the Academy's Board of Trustees and filing with the Commissioner of Education in accordance with Massachusetts General Laws Chapter 71, Section 37H. Additional rules and alternative measures established under this Code shall become effective upon the distribution required under those sections and filing with the Commissioner under M.G.L. Chapter 71, Section 37H.

18.3 Notice and Distribution

Subsequent to the approval of this Code, a summary shall be distributed to all staff, to students at the secondary level, and to parents. It shall be disseminated to parents in English and in the primary language spoken in the home of the student.

The Code will be published and disseminated to administrators, Building Administrators, teachers, and other staff in the school system; and a copy will be made available to any person upon request and without cost.

This Code and a statement highlighting the major provisions, shall also be permanently posted in conspicuous places in the Academy, and shall be orally presented to students attending the Academy. Such oral presentation may be made at an assembly conducted for that purpose, by homeroom teachers, administrators, the student government, or any other manner calculated to provide effective oral notice to all students.

Section 19: Definitions

As used in this Code, the following words shall have the meanings set forth below:

- 19.1 **Academic School Employee:** includes only executive director, building administrators, assistant building administrators, directors, assistant directors, supervisors, teachers, substitute teachers, paraprofessionals, librarians, guidance counselors, and such other persons as may be actively engaged in the teaching process
- 19.2 **Acceptable Use Policy for Networks, Including the Internet:** The Academy policy to assure that students and staff use school-owned technology to access the network in a responsible, legal and ethical manner.
- 19.3 **Assault:** “Assault” is an attempt or threat to physically harm another person with the apparent present ability to do so and the victim has reasonable fear or apprehension of immediate bodily harm. Assault is committed without physical contact. A completed assault is typically referred to as a battery.
- 19.4 **Behavior Intervention Plan (BIP):** A plan developed by a special education Team based on information obtained from the Functional Behavioral Assessment to address the student’s behavior.
- 19.5 **Building Administrator:** The person primarily responsible for carrying out the administration of school policy in the school building: the principal, executive director, or program director.
- 19.6 **Bullying:** The repeated use by one or more students of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that: (i) causes physical or emotional harm to the victim or damage to the victim’s property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operations of a school. For the purposes of this section, bullying shall include cyber-bullying.
- 19.7 **Caregiver:** Individual currently providing for the student who has completed the notarized “Caregiver Authorization Affidavit” granting education decision making rights.
- 19.8 **Civil Rights Violation:** Any action taken or derisive statement made regarding a person’s race, color, national origin, ethnicity, religion, sex, sexual orientation, gender identity,

disability, age, genetics, or active military status, including statements made in person or by telephone, posed, or electronic mail, or any other means of communication, if sufficiently severe, pervasive, or persistent that they (a) interfere with or limit an individual's ability to participate in or obtain the advantages, privileges or course of student at the Academy or from any Academy program or activity; or (b) create an intimidating, threatening, or abusive educational environment.

- 19.9 **Constructively Present (CP):** Attendance code used for students who are out of school while at the Counseling and Intervention Center, cannot get to school because of a bus suspension, or are visiting an alternative placement.
- 19.10 **Controlled Substances:** any drug or substance listed in Massachusetts General Laws Chapter 94C.
- 19.11 **Cyber-Bullying:** Bullying through the use of technology or any electronic communication, which shall *include*, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyber-Bullying shall also include (i) the creation of a web page or blog in which the creator assumes the identify of another person or (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses to (v), inclusive, of the definition of bullying. Cyber-Bullying shall also include the distribution by electronic means of communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying.
- 19.12 **Dangerous Object:** Any item, object or device used in a dangerous or threatening manner, such as pencils, rulers, hair picks, etc.
- 19.13 **Dangerous Weapon:** Any item, object or device that, because of its nature and/or way it is used, is capable or reasonable perceived as being capable of causing serious injury. As defined in 18 USC, Section 930, a "dangerous weapon" means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade less than, 2 ½ inches.

As further defined by Massachusetts General Law Chapter 269, Section 10, a dangerous weapon includes any of the following, without limitation:

- i. Firearm, loaded or unloaded
- j. BB gun or air rifle
- k. Stiletto, dagger, or a device or case which enables a knife with a locking blade to be drawn at a locked position
- l. Ballistic knife or any knife with a detachable blade capable of being propelled by any mechanism
- m. Dirk knife, any knife having a double-edged blade, or a switch knife
- n. Knife having an automatic spring release device by which the blade is released from the handle, having a blade of over 1 ½ inches

- o. Sling shot, blowgun, blackjack, metallic knuckles or knuckles of any substance which could be put to the same use with the same or similar effect as metallic knuckles.
- p. Nunchaku, zoo bow, also known as klackers or Kung Fu sticks, or any similar weapon consisting of two sticks of wood, plastic or metal connected at one end by a length of rope, chain, wire or leather
- q. Shuriken or a similar pointed star like object intended to injure a person when thrown
- r. Any armband, made with leather which has metallic spikes, points, or studs, or any similar device made from any other substance or a cestus or similar material weighted with metal or other substance and worn on the hand
- s. A manrikigusari or similar length of chain having weighted ends

As further defined by Massachusetts General Law Chapter 140, Section 131J, a dangerous electrical weapon includes portable devices or weapons from which an electrical current. Impulse, wave or beam may be directed, which current, impulse, wave or beam is designed to incapacitate temporarily, injure or kill, e.g., Taser.

19.14 **Day, Business:** Any day when the Academy is open (i.e. Monday through Friday, excluding federal, state and county holidays).

19.15 **Day, Calendar:** Any day.

19.16 **Day, School:** Any day on which school is in session and students are required to be present. Unless otherwise specified, references to “day” or “days” in this Code shall mean “school day” or “school days”.

19.17 **Designee:** A person specifically assigned by the Building Administrator or Executive Director to act in his or her place (Director of Teaching and Learning, Dean of Students, Support Service Coordinator, Social Worker, etc.) in fulfilling the requirement of this Code.

19.18 **Disability, Student With A:** A student who, because of a disability consisting of a developmental delay or any intellectual, sensory, neurological, emotional, communication, physical, specific learning or health impairment or combination thereof, is unable to progress effectively in regular education and requires special education services, including a school age child who requires only a related service or related services if said service or services are required to ensure access of the child with a disability to the general education curriculum.

19.19 **Due Process:** The provision of proper notice to all parties of the charges, the opportunity to present evidence and, the right to representation and to the cross-examination of witness **notwithstanding those exceptions articulated in sections 9.5 and 13.6**, and the obligation to inform the accused of the right to appeal.

19.20 **Emancipated Minor:** A minor who is self-supporting and independent of parental control, usually as a result of a court order terminating rights and duties of the parent(s).

19.21 **Evidence, Preponderance of the:** Evidence of greater weight or more convincing than the evidence which is offered in opposition to it. Such evidence shall be clear and unambiguous.

19.22 **Evidence, Substantial:** Beyond a preponderance of the evidence; evidence that a reasonable mind might accept as adequate to support a conclusion.

- 19.23 **Executive Director:** Serves the role of superintendent within the district and/or charter school. Is the operational leader of the charter school.
- 19.24 **Expulsion:** The removal of a student from the school premises, regular classroom activities, and school activities for more than ninety (90) school days, indefinitely, or permanently for violation of section 7.1.3. The period of expulsion, consisting of placement in an alternative program, will not exceed one calendar year without student/guardian consent. [See Section 13 of the Code for further explanation and required procedures; and Section 15 for details and procedures for students with disabilities].
- 19.25 **Felony:** Any crime punishable by death or imprisonment in the state prison. All other crimes are misdemeanors [M.G.L. Chapter 274, Section 1]. Examples of felonies include:
- a. unnatural and lascivious acts with children under 16
 - b. breaking and entering and stealing property
 - c. breaking and entering with intent to commit a felony
 - d. forging a check with intent to defraud
 - e. manslaughter
 - f. possession or sale of narcotic drugs (also intent to sell narcotic drugs)
 - g. receiving stolen goods
 - h. possession of firearms
 - i. murder
 - j. indecent assault and robbery
 - k. mayhem
 - l. armed robbery
 - m. unarmed robbery but with force and violence
 - n. rape
 - o. arson
 - p. larceny of a firearm
 - q. larceny over \$250
 - r. theft of a motor vehicle*
 - s. carrying a firearm
 - t. carrying knives or other dangerous weapons*
 - u. subsequent weapons offenses
 - v. selling or distributing silencers*
 - w. use of tear gas in commission of a crime

** These crimes may be considered misdemeanors.*

- 19.26 **Firearm:** Any of the following, as defined by the federal Gun-Free Schools Act [Section 921 of Title 18 of the United States Code]:
- a. any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive
 - b. the frame or receiver of any weapon described above
 - c. any firearm muffler or firearm silencer
 - d. any explosive, incendiary, or poison gas:
 - (1) bomb
 - (2) grenade
 - (3) rocket having a propellant charge of more than four ounces
 - (4) missile having an explosive or incendiary charge of more than one-quarter ounce

- (5) mine or
 - (6) similar device
 - e. any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter
 - f. any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled
- 19.27 **Free Appropriate Public Education (FAPE):** Special education and related services as consistent with the provisions set forth in 20 U.S.C. 1400 et seq., its accompanying regulations, and which met the education standards established by statute or established by regulations promulgated by the board of education.
- 19.28 **Functional Behavior Assessment (FBA):** An assessment of behavior conducted by members of a special education Team which assists them in developing appropriate behavioral strategies to address the student's behavior in the future. This should be held within ten (10) school days.
- 19.29 **Gender Identity:** A person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth. Gender-related identity may be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of gender-related identity or any other evidence that the gender-related identity is sincerely held as part of a person's core identity: provided, however, that gender-related identity shall not be asserted for any improper purpose [M.G.L. Chapter 4, Section 7].
- 19.30 **Goss V. Lopez:** A United States Supreme Court case which recognizes that students are due some form of process in the suspension/expulsion context.
- 19.31 **Hazing:** 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 [M.G.L. Chapter 269, Section 17-19, and 603 C.M.R. 33.03].
- 19.32 **Hearsay:** An oral or written statement made by a person not testifying at a hearing/trial, which is offered at the hearing/trial to prove the truth of the matter(s) asserted in the statement.
- 19.33 **Manifestation Determination (MD):** A meeting of the school district, parent, and relevant members of a student's IEP Team conducted within ten (10) **school** days to determine if the misconduct which occurred was caused by, or had a direct and substantial relationship to the student's disability or if the conduct in question was the direct result of a failure to implement the student's IEP.
- 19.34 **Misdemeanor:** A crime that is less serious than a felony and is usually punishable by fine, penalty, forfeiture, or confinement in a place other than state prison.

- 19.35 **Mock Gun:** Any device which looks reasonably like a firearm and is intended to put the victim in fear.
- 19.36 **Non-Academic School Employees:** School secretaries, custodians, cafeteria workers, lunchroom monitors, transitional aides, bus monitors, instructional aides, security aides, student teachers or interns, and such other school employees that are not actively engaged in the teaching process.
- 19.37 **Object of No Reasonable Use:** Any object that is of no reasonable use to a student in school, including but not limited to: any knife not defined as a dangerous weapon, drug paraphernalia (e.g. grinder, rolling papers, hookah pipes, etc.), a rock, brick, mock gun, fireworks, or laser pointer. Note that under a City Ordinance, laser pointers are not permitted in school buildings.
- 19.38 **Parent:** A student's mother or father or both or guardian, or a person or agency legally authorized by court order to act on behalf of the child in place of or in conjunction with the mother, father, or guardian.
- 19.39 **Section 504:** Refers to Section 504 of the Rehabilitation Act of 1973. Its purpose is to ensure that no individual is excluded from participation in, or denied the benefits of, or denied access to, any program or activity based solely on their disability. Certain students who may not be eligible for services under Chapter 766 may still be determine to have a disability within the definition of Section 504. A group of persons knowledgeable about a student in this category must develop an Accommodation Plan for the student which the school must implement.
- 19.40 **Self-Defense:**
1. Reasonable Apprehension: A person cannot lawfully act in self-defense unless he/she is attacked or is immediately about to be attacked.
 2. Duty of Retreat: A person cannot lawfully act in self-defense unless he/she has exhausted all other reasonable alternative before resorting to force. A person may use physical force in self-defense only if he/she could not get out of the situation in some other way that was available and reasonable at the time.
 3. Excessive Force: A person cannot lawfully act in self-defense if one uses more force than necessary in the circumstances to defend oneself.
- 19.41 **Sexting:** The act of sharing or sending sexually explicit messages or photos electronically, usually via computer, cell phone, PDA's, or other electronic devices.
- 19.42 **Sexual Assault:** Any sexual act against another person either by force, against their will, or by threat of bodily injury. It also includes any sexual act against another person who is incapable of giving consent either because of her/his temporary or permanent mental or physical incapacity or because s/he is a minor. Such crimes as indecent assault and battery, rape, rape with force, rape and abuse, assault with intent to rape and unnatural and lascivious acts constitute a sexual assault.

Indecent assault and battery include, but is not limited to, inappropriate and unwanted touching of private parts of the body. A person under the age of 14 is legally unable to consent to this type of sexual activity.

Sexual assault can occur adult to adult, adult to student, student to adult, male to female, female to male, female to female and male to male.

- 19.43 **Sexual Harassment:** Unwelcomed conduct of a sexual nature which includes unwelcome sexual advances, request for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature when: -(i) submission to or rejection of such advances, request or conduct is made either explicitly or implicitly a term or condition of the provision of the benefits, privileges or placement services or as a basis for the evaluation of academic achievement; or (ii) such advance, requests or conduct have the purpose or effect of unreasonably interfering with an individual's education by creating an intimidating, hostile, and humiliating or sexually offensive educational environment [M.G.L. Chapter 151C, Section 1]. Under Title IX, sexual harassment is conducted based on sex that is so severe, pervasive or persistent that it creates a hostile environment by denying or limiting a student's ability to participate in, or receive the benefits, services or opportunities of, the school's services, programs, and activities. Sexual violence is a form of sexual harassment.
- 19.44 **Student Records:** All information concerning a student maintained in a form by the Academy that is organized on the basis of the student's name or in a way that the student can be individually identified.
- 19.45 **Suspension:** The removal of a student from the school premises and regular classroom activities. "Suspension" applies to short-term suspension and long-term suspension unless otherwise stated [refer to Section 7 for consistent language]. A single short-term suspension may not exceed three (3) school days for a student age 15 or younger or five (5) school days for a student age 16 or older. A long-term suspension is a removal for more than ten (10) consecutive or cumulative school days.
- 19.46 **Suspension, Emergency:** A temporary suspension imposed for not longer than the day of the alleged incident and two (2) additional days of school. It may be imposed when the student has allegedly committed a suspendable offense, *and* his/her presence poses a continuing danger to persons or property or of interference with the instructional process, *and* there is no alternative available to alleviate the danger or interference, *and* it is impossible because of the student's behavior to provide the student with notice and hearing prior to the emergency suspension.
- 19.47 **Suspension, In-School:** Removal of a student from regular classroom activities, but not from the school premises, for no more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple infractions during the school year. In-school suspension exceeding more than (10) consecutive or cumulative days shall be considered a long-term suspension for due process, appeal and reporting purposes.
- 19.48 **Suspension, Indefinite:** A suspension that may be imposed when a student has been charged with a felony (age 17 or older), or felony delinquency (under 17), if the principal or executive director of the school in which the student is enrolled determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school prior to such suspension taking effect, the student shall receive written notification of the charges and reasons for such suspension. In addition, the student shall also receive written notification of his right to appeal and the process for appealing such suspension. Any such suspension shall remain in effect prior to any appeal hearing [M.G.L. Chapter 71, Section 37H ½].

- 19.49 **Suspension of a Student with Disabilities:** Any action which results in the removal of a student from the program prescribed in his or her IEP. The term includes in school suspension as well as any exclusion from transportation services which prohibits the student's participation in his or her prescribed program.
- 19.50 **Team:** In reference to special education, the group of individuals responsible for creating and implementing a student's Individualized Education Plan (IEP). Team membership can and should vary depending upon the educational needs of individual students. Participants usually include:
- g. the classroom teacher(s)
 - h. the school administrator or designee
 - i. parents or legal guardians and, if appropriate, the student
 - j. other school-based and district support staff if they have been involved in assessing the student's strengths and needs, or are going to be involved in the delivery of the IEP.
- 19.51 **Weapon:** See 19.14, Dangerous Weapon; and 19.27, Firearm.

Section 20: School-Wide Education Service Plan

In order to promote continued academic progress for students who are removed from their classroom or school, whether pursuant to MGL §37H, §37H 1/2, or §37H 3/4, the School has the obligation to provide each student who is suspended or expelled an opportunity to make academic progress during the suspension or expulsion. Students and parents will be notified in writing of this opportunity at the time of suspension or expulsion.

Pursuant to MGL c. 76 § 21, students who are suspended from school for 10 days or less, whether in or out of school, will have the opportunity during the period of suspension to earn credits, make academic progress, and be allowed to complete assignments, including, but not limited to, homework, quizzes, exams, papers and projects missed. The Director of Teaching and Learning/Principal shall inform the student and parent of this opportunity in writing when such a suspension is imposed.

Also pursuant to MGL c. 76 § 21, students who are expelled or suspended for more than 10 consecutive days must be provided an equitable opportunity to receive education services that are identified in a school-wide education service plan.

The Academy's School-Wide 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. In developing changes to the overall School-Wide Education Service Plan, or changes to a specific Education Service Plan for an expelled or suspended student, the Director of Teaching and Learning/Principal may seek the input of relevant health and human service, housing and nonprofit agencies, education collaboratives, and other service providers.

For each student expelled or suspended from school for more than ten consecutive days, whether in school or out of school, the Director of Teaching and Learning/Principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the

student and contact information for a school district staff member who can provide more detailed information. Upon selection of an alternative educational service by the student and the student's parent or guardian, The Director of Teaching and Learning/Principal (or his designee) shall facilitate and verify enrollment in the service. The Director of Teaching and Learning/Principal (or his designee) shall document the student's enrollment and attendance in education services via daily attendance logs. For data reporting purposes, The Academy shall track and report attendance, academic progress, and such other data as directed by the Department.

Students exempt from attending school under MGL c. 76 § 1 shall not be subject to this section.

Community Handbook/Student Code of Conduct 2019-2020 Acceptance of Terms

I acknowledge that I have received and accept Academy's Community Handbook/Student Code of Conduct 2019-2020 and **all** its policies. I understand that it is my responsibility to read this handbook completely and discuss with my child(ren) the expectations that the Academy has for their academic achievement and behavioral performance.

I also understand that I am expected to be actively involved in my child's education and to maintain open communication with the teachers and administrators of the Academy.

If I have any questions or comments regarding the Handbook, I will call the school's main telephone number (617) 474-7950 to speak to a school administrator.

Student Name: _____

Student Signature: _____

Parent/Guardian Name: _____

Parent/Guardian Signature: _____

Date: _____

| |
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| <i>*This form MUST be signed and returned to the student's teacher no later than <u>Tuesday, September 20, 2019.</u></i> |
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