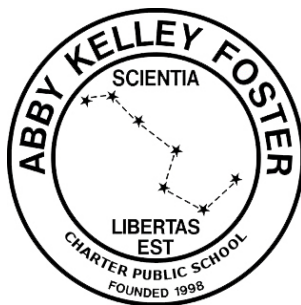


# Abby Kelley Foster Charter Public Middle School



## Parent/Student Handbook 2022-2023

*The mission of the Abby Kelley Foster Charter Public School is to assist parents in their role as primary educators of their children by providing a classical liberal arts education grounded in the great works of Western Civilization and aimed at academic excellence, musical competence and character formation.*

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# OVERVIEW

## TRANSLATION INFORMATION:

### English

Dear Parents and Guardians:

The Parent/Student Handbook is an important document detailing the policies and procedures of the Abby Kelley Foster Charter Public School. The Parent/Student Handbook includes information regarding; discipline, due process, civil rights, special education, academics, and general school policy. If you or your child require the services of a translator or school documents to be translated, please contact your child's building principal to arrange for services.

Additionally, if you or your child require the availability of information regarding academic counseling, college counseling, general curriculum requirements, and information regarding vocational/occupational opportunities to be translated, please contact your child's building principal.

### Spanish:

#### AVISO DE TRADUCCIÓN

Queridos Padres y Tutores:

El Manual Padre/Estudiante es un documento importante, detallando las pólizas y procedimientos de Abby Kelley Foster Charter Public School. El Manual de Padre/Estudiante incluye información sobre disciplina, proceso debido, derechos civiles, educación especial, académicos y póliza general de la escuela. Si usted o su niño requiere los servicios de un traductor por favor comuníquese con el principal de la escuela de su niño para que haga los arreglos para el servicio.

Adicionalmente, si usted o su niño requiere la disponibilidad de información sobre consejería académica, consejería colegial, requisitos generales de currículo e información sobre oportunidades vocacional/ocupacional para ser traducido, por favor comuníquese con el principal de la escuela de su niño.

### Portuguese

#### AVISO DE TRADUÇÃO

Caros Pais e Guardiões:

O Manual de Pai /e de Estudante é um documento importante, pormenorizando posições e procedimentos da Abby Kelly Foster Charter Public School. O Manual de Pai/ Estudante inclui informação relativa: disciplina, direito de julgamento justo, direitos civis, educação especial, acadêmico e política geral escolar. Se você ou sua criança requiere o serviço dum tradutor ou documentos escolares serem traduzidos por favor contate com o diretor do edifício da sua criança para organizar esses serviços.



Adicionalmente, se você ou sua criança necessitar a disponibilidade da informação quanto ao aconselhamento acadêmico, requisitos gerais do currículo escolar e informação quanto a oportunidades vocacionais/ocupacionais para serem traduzidas, por favor contate com o diretor do edifício da sua criança

### INFORMACJA nt. USŁUG TŁUMACZENIOWYCH

Drodzy Rodzice i Opiekunowie

Informator dla rodziców/uczniów (Parent/Student Handbook) jest ważnym dokumentem, wyjaśniającym szczegółowo zasady funkcjonowania i procedury obowiązujące w Stołecznej Szkole Publicznej (Charter Public School) Abby Kelley Foster. Informator zawiera informacje dotyczące: dyscypliny, obowiązujących procedur, praw obywatelskich, nauczania specjalnego, oraz polityki szkoły w zakresie poziomu nauczania i zasad ogólnych. Jeżeli Wasze dziecko będzie potrzebowało pomocy tłumacza, lub wystąpi konieczność przetłumaczenia dokumentów szkolnych, prosimy o kontakt z kierownikiem budynku w którym uczy się Wasze dziecko, celem uzgodnienia zakresu pomocy.

Ponadto, jeżeli Państwo lub Wasze dziecko potrzebujecie pomocy tłumaczeniowej dla skorzystania z doradztwa w zakresie doboru kursów i poziomów w procesie nauczania lub wyboru koledżu, albo ogólnych wymagań dotyczących programu nauczania, czy też informacji dotyczących możliwości kształcenia zawodowego, prosimy o kontakt z kierownikiem budynku Waszego dziecka.

### Enfòmasyon sou sèvis tradiksyon

Chè Paran e Gadyen:

Manyèl pou Paran/ Etidyan an se yon dokiman enpòtan ki bay tout detay sou prensip ak regleman Lekòl Piblik Abby Kelley Foster Charter. Nan Manyèl sa a gen enfòmasyon konsènan disiplin, pwosede adekwa, dwa sivil, edikasyon espesyal ak prensip akademik e jeneral pou lekòl la. Si ou menm oubyen pitit ou bezwen sèvis yon moun ki pou tradwi, oubyen si w ta renmen pou dokiman yo ta tradwi, silvouplè kontakte direktè lekòl pitit ou a kap fè aranjman pou ka jwenn sèvis sa yo.

Anplis, si ou menm oubyen pitit ou ta bezwen pou enfòmasyon ki disponib konsènan konsèy akademik, konsèy pou kolèj, ekzijans pou pwogram jeneral la e enfòmasyon konsènan opòtinite pou pwogram vokasyonèl la ta tradwi, silvouplè kontakte direktè lekòl pitit ou a.

### Awofoo ne Ahwesofoo.

Awofò ne sukuufo nkyerekyere nhoma ye book bi a eho hia yie, ekyerekyere ekwan ahoroò fa Abby Kelley Foster public school ho. Awofò ne asukuufo nhoma ka fa ahokye ne ahodie kwan a yefa so wo kwan pa so wo fahodie nkyerekere soronko, ene sukuu nkyerekyere nyinaa. Se wo ba no hyia se obi kyerekyere no saa nnema yi nyinaa ase a, ko hu sukuu no titinani.

Afienso, se wo ba no nhyiaa nsem fa sukuu akwankyere, college akwankyere, sukuu nkyerekyere fa nsano adwuma ne adwuma ahoroò akwanya a ko hu sukuu no titina panin (Principal).

Kính Thưa Quý Phụ Huynh và Người Giám Hộ:

Cẩm nang cho các Phụ Huynh/Học Sinh là một tài liệu quan trọng, thông tin chi tiết về chính sách và thủ tục của Trường Học Công Cộng Abby Kelly Foster. Cẩm nang cho các Phụ Huynh/Học Sinh bao gồm các thông tin liên quan đến: kỷ luật, do quá trình, các quyền công dân, giáo dục đặc biệt, học tập và các chính sách học chung chung. Nếu quý vị hoặc con của quý vị yêu cầu dịch vụ của một thông dịch viên hoặc những tài liệu của trường cần dịch lại xin vui lòng liên lạc hiệu trưởng trường con em của quý vị để sắp xếp cho các dịch vụ này.

Ngoài ra, nếu quý vị hoặc con của quý vị yêu cầu những thông tin liên quan đến tư vấn học tập, tư vấn về trường đại học, sự đòi hỏi chung của chương trình giảng dạy và thông tin liên quan đến nghề nghiệp/cơ hội nghề nghiệp để được dịch lại, xin vui lòng liên lạc hiệu trưởng trường con em của quý vị.

尊敬的父母和監護人:

家長/學生手冊是一份重要的檔，詳細說明了艾比凱利福斯特特許公立學校的政策和程式。家長/學生手冊包括有關的資訊：紀律、正當程式、公民權利、特殊教育、學術界和一般學校政策。如果您或您的孩子需要翻譯的翻譯或學校檔的服務，請聯繫您的孩子的建築校長安排服務。

此外，如果您或您的孩子需要提供有關學術諮詢、大學諮詢、一般課程要求和有關職業/職業機會的資訊，請聯繫您的孩子的建築校長。

The Abby Kelley Foster Charter Public School provides students with an environment that emphasizes the strength and structure of a rigorous academic program. The school was founded by a group of community leaders in Worcester dedicated to enhancing school choice in public education and is named after Abby Kelley Foster, a nineteenth-century Worcester resident who was a leader in the abolitionist and women's rights movements.

Our school opened in 1998 in a renovated mill building to serve students in the greater Worcester region. Today 1,426 students are enrolled in Kindergarten through grade 12 studying a comprehensive liberal arts curriculum.

All visitors including parents are required to sign in with the receptionist and wear a visitor's pass. Faculty and staff have been instructed to escort anyone not having a pass immediately to the office for identification.

**THE SCHOOL ADMINISTRATION MAY AMEND OR UPDATE THE POLICIES AND PROCEDURES OUTLINED IN THIS HANDBOOK AT ANYTIME DURING THE SCHOOL YEAR.**

## **Elementary & Secondary Education Act**

Abby Kelley Foster Charter Public School makes every effort to comply with federal education regulations and requirements. This legislation requires school district personnel to notify parents/guardians of a variety of issues regarding their children's education. Among them is to notify parents/guardians of students attending Title 1 schools of their right to know about the qualifications of the teachers and instructional assistants who work with their children.

In a Title 1 school, parents/guardians have the right to know the professional qualifications of classroom teachers who instruct their children. This regulation allows parents/guardians to ask for certain information about a student's classroom teacher and requires that the district provide the parents/guardians with the requested information in a timely manner if a parent/guardian asks for it. Specifically, parents/guardians have the right to ask for the following information about each of their children's classroom teachers in a Title 1 school:

- Whether the Massachusetts Department of Elementary and Secondary Education has licensed, qualified, or waived the teacher for the grades and subjects that he or she teaches.
- The teacher's college major, whether the teacher has any advanced degrees and, if so, the subject of the degrees.
- Whether any instructional assistants or other related service providers meet the above stated qualifications.

If parents/guardians would like to receive information regarding your child's teacher, please contact the Director of Government Relations/Special Education.

## **Non-Discrimination Act**

Charter schools may not discriminate on the basis of race, color, national origin, creed, sex, gender identity, ethnicity, sexual orientation, mental or physical disability, homelessness, age, ancestry, athletic performance, special need, proficiency in the English language or in a foreign language, or academic achievement in admitting students, nor may charter schools set admissions criteria that are intended to discriminate or that have the effect of discriminating on any of these bases. M.G.L. c. 71, § 89(1); 603 CMR 1.06(1).

## **Attendance Policy**

Abby Kelley Foster believes that regular school attendance is imperative to academic success. A student must attend school for at least three hours to be marked present. A student must be marked present before 11:00 a.m. in order to receive credit for that day. Class attendance is one of the requirements for academic promotion.

Students removed from school during regular sessions lose valuable education time. Additionally, such absences send a negative message to the child about the importance of being in school. The decision to provide student work in advance prior to a scheduled absence will be made by the Principal/assistant principal and/or designee

Massachusetts General Law requires every child between the minimum and maximum ages established for school attendance by the Massachusetts Board of Education to attend school during the number of days required in each school year.

### **Cutting Class**

Students who cut classes on any given day will receive a Saturday detention. Students who cut multiple classes will be subject to more serious disciplinary and academic consequences

### **Absences**

Parents must notify the school by 8:00 a.m. the day that their child will be absent. If a phone call is not made, the parent may expect a call from the school office. Students are required to bring a note to the homeroom teacher within two (2) days when they return to school that includes the following:

- The date of the absence
- The reason for the absence
- A phone number where a parent or guardian can be reached
- The parent/guardian signature

Students who are absent are responsible for the work they have missed. Students are allowed two days for every day of excused absences to make up work missed.

### **Notifications to Students & their Parents/Guardians**

Parents and/or guardians may receive written notification at the student's 5th absence from school and every multiple of five (5) up to thirteen (13) absences. The failure of parents/guardians to receive these notifications does not change the facts or consequences regarding a student's absences.

### **Absences & Extracurricular Activities**

If a student has been absent during the school day, he or she will not be allowed to attend an extracurricular or athletic school activity that day. If a student misses the dress rehearsal or the practice before a performance or game, he or she will not be allowed to perform or play.

If a student starts school after half of the academic day has passed, then that student will be marked absent from school for that day. The student may not participate in any school activity (e.g., sports, dances, prom) during the rest of that day.

If a student leaves school before half of the academic day has passed, then that student will be marked absent from school for that day. The student may not participate in any school activity (e.g., sports, dances) during the rest of that day.

### **Tardiness**

All students should arrive by 7:15 a.m. Students who arrive after 7:25 a.m. will be marked tardy. A student who is not in his/her assigned seat at the start of homeroom or class is considered tardy. The principal/assistant principal will monitor tardiness and when necessary

assign appropriate consequences. Students will receive an **OFFICE DETENTION AFTER ACCUMULATING 7 TARDIES PER QUARTER.**

### **Truancy**

Chronic truancy, defined as **seven (7)** or more days of unexcused absences, and/or excessive or repeated tardiness to school may be addressed by the school filing an appropriate action with Worcester Juvenile Court and/or result in retention. This procedure applies to all grade levels.

### **Early Dismissal**

Students should not be dismissed early from school unless it is absolutely necessary. Families should schedule appointments after school hours. If it is absolutely necessary to dismiss your child from school, it must be **BEFORE 1:30 pm** due to interference with the school dismissal procedures.

### **Changes in Student Dismissal**

For the safety of our students, dismissal changes must be made in writing to the homeroom teacher. If the teacher does not receive written notification, the student will be dismissed as usual. Parents should not make dismissal changes by phone, fax, or email.

### **Late Pick-ups**

It is the parent's responsibility to pick up students on time from school and after school activities. **Students are considered a late pickup if they are not picked up from school by 3:15 p.m. on a full day and 12:15 p.m. on a half day.** Parents who are tardy in picking up their child(ren) after school may be charged a \$25 fee (per child). Students will lose the privilege of attending an after school club if they are picked up late from the club more than once. All parents are required to sign the activity permission slips which clearly state the pickup time for every after school club. If we cannot reach a parent or guardian by 5:00 p.m. on a full-day and 2:00 p.m. on a half-day, we will determine that the child has been abandoned and the Worcester Police Department will be notified. Additionally, as mandated reporters, we are required to file a form Massachusetts General Law Chapter 119 Section 51A, "Reporting of Suspected Abuse or Neglect of a Child."

### **Snow Days**

In the event of a snow day, parents should listen to local radio stations AM580 (WTAG) and television stations WBZ 4, WCVB 5, FOX 25 or WHDH 7.

### **Delayed Openings and Emergency Closings**

In the event of a delayed opening or an emergency, such an off site evacuation or lockdown, parents will be contacted via phone by the ONE CALL SYSTEM.

## **STUDENT TRANSFERS**

Parents/guardians must notify the Principal and/or designee concerning their child's transfer to another school. The school office will then request parents to complete a permission to release records form at Abby Kelley Foster before any student records are forwarded to another school. All books and other school property must be returned to the school; any outstanding balances must be settled.

We will consider a student withdrawn from Abby Kelley Foster if the student does not attend class during the first five days of the school year. This applies specifically in cases where a parent has been unresponsive in signing a withdrawal form and/or where we have credible information that the child is enrolled in another school or not living in the area.

**ABBY KELLEY FOSTER CHARTER PUBLIC SCHOOL CONSIDERS A STUDENT WITHDRAWN FROM THE SCHOOL ONCE THE PARENT/GUARDIAN HAS COMPLETED AND SIGNED A WITHDRAWAL FORM AND/OR THE SCHOOL IS IN RECEIPT OF A RELEASE OF RECORDS FROM ANOTHER SCHOOL DISTRICT.**

## **SCHOOL UNIFORM POLICY**

School uniforms create an environment conducive to learning. Students at the Abby Kelley Foster Charter Public School are required to wear uniforms. This policy is designed to allow students to focus their attention on academics. Student's appearance must never distract from or disrupt the regular education process. All attire should be kept neat, clean and in good condition at all times. Personal hygiene must meet the highest standard.

To ensure that the school's uniform policy has the desired effect, it is important that it be implemented consistently. School leaders, faculty and staff will do their best to respond immediately to violations of the policy and families/parents may be contacted regarding uniform issues. Uniform infractions will result in disciplinary action.

The Administration (Executive Director and/or Principal) reserves the right to make minor changes to the uniform guidelines to enforce the spirit of the dress code. The color and style of the uniforms will not be altered without Board approval; however, provisions for jewelry and hair are subject to change.

Any lost uniform items will be kept in a Lost and Found Area for two weeks; after that time, any unclaimed items will be donated. The school is not responsible for lost/stolen items or those left at the playground, activity center, or gymnasium throughout the school day. We recommend that clothes are labeled with student's name if you are concerned about items being lost.

### **Student Identification Cards**

Abby Kelley Foster requires all students to wear Student Identification Cards on a breakaway lanyard. All students are required to carry their picture ID with them at all times.

Student ID cards and lanyards are provided free of charge at the beginning of each school year. Student ID cards monitor school meals, library books and safety.

There is a \$5.00 replacement fee for lost cards and lanyards and a \$1.00 replacement fee for damaged lanyards.

## **Middle School Uniform Requirements**

### ***Mask guidance***

Masks are optional for students to wear. Masks must be a solid color (no writing, images or graphics). Masks with an official AKF logo are permitted (the logo must be printed on a solid color mask). Face Shields alone [without a mask underneath] are not in compliance.

### **Dress Code**

The School does not allow:

- Stripes, designs, writing or any logo other than AKFCS approved logo is not allowed on any uniform shirt.
- Hats and bandannas are not allowed in the building and are not part of the uniform.
- Shirts must be kept tucked in at all times and clean.
- All shirts must fit comfortably, not too tight or baggy. Only the top button is allowed to remain unbuttoned on all shirt styles.
- Variations of the color blue or maroon are not allowed.
- T-shirts, sweatshirts or outerwear are not part of the uniform.
- Students are not allowed to wear any long sleeve shirts under their uniform shirts.
- Pants should be traditional style tan khakis for all grades K-12 or black chinos/dress pants (for 8th graders only). All bottoms must fit comfortably, not be too tight or baggy. Pants may not be wide-legged; this includes all styles of bell-bottoms, baggy, oversized, or flares. Denim or denim-style pants are not allowed. Cargo pants (or pants with large pockets), capris or leggings/Jeggings are not allowed. No Joggers. Pants should be worn at the waist and should not have ragged cuffs or fall below the top of the heel of the shoe.

### **Uniform Shirts All Grades**

**LIGHT BLUE ONLY** in the following styles:

- Collared polo shirt/golf shirt with long or short sleeves with or without the AKFCS logo
- Oxford style button down with long or short sleeves.

### **SWEATERS**

- V neck gray sweaters are the only sweater allowed. The sweaters must be pull-over. Gray cardigans or gray crew neck sweaters are not allow. **Students are not allowed to wear any other sweatshirts or vest during the school day.** During the spring and fall seasons, please use discretion in the wearing of a gray V-Neck sweater based on the weather and the temperature within the building. A student may be asked to take off the sweater if it appears to be causing overheating. The sweaters must be pull-over.

### **Uniform Bottoms All Grades**

- Color: Khaki
- Style: Chino pants, shorts, skirt, skort, or jumper
- All bottoms must fit comfortably, not too tight or baggy. The length of the pants should reach below the ankle. Skirts, skorts, and jumpers must be knee length, no floor length skirts or mini-skirts. Shorts must be mid-thigh length; no "short shorts" will be allowed. Shorts may only be worn in August and September, May and June. Khaki/ tan colored denim or denim-style pants are not allowed. Cargo pants (or pants with large pockets), capris, leggings/jeggings, or jams are not allowed. Students may wear a school chosen PLAID skirt that must be purchased from Allen's Uniform Stores.
- Navy tights or navy knee socks must be worn with the skirt.

### **SHOES and SOCKS**

Comfortable/safe shoes or sneakers are required. Shoes must have a closed toe and heel; (No Crocs, sandals, flip flops, dress shoes with heels, or open toe shoes allowed). Heels should not exceed two inches (2") from the back top of the heel to the bottom. Students should bring sneakers to change into for physical education. Students may wear boots to school on snowy days, but must change into appropriate school shoes upon arrival. A boot is defined as any footwear that covers the anklebone.

#### ***Socks***

Socks must be a solid color and may not disrupt the learning environment.

- Color: White, Khaki, Burgundy, Brown or Black
- Style: Ankle socks, knee socks, or tights.
- Plain socks or tights must be worn. No designs, stripes or logos on the socks or tights are allowed.

### **Belt- Optional**

- Color: Black

Students may be required to wear a belt if their pants do not fit properly at the waist, but otherwise a belt is not required. Belts must be black or brown and may not have any design or other color.

### **PE UNIFORM**



- Students are allowed to wear a school chosen AKFCS Athletic Department T-Shirt for days when they have gym class. Students must wear blue uniform shirt all other days. The approved Gym T-Shirt can be purchased at the Middle School Office after the start of school.
- All students are required to wear **SNEAKERS for gym class**. Those students without appropriate footwear will receive a zero for that class.

### **Jewelry**

Students may wear one pair of simple stud earrings or very small hoops. No other jewelry is allowed. Watches are allowed as long as they are not a distraction to the student and/or the class.

### **Hair and Facial Hair**

Hair must be kept clean and neatly styled. Functional items are allowed, i.e. hair clips, headbands, etc.

### **Make-up**

Grades 4-6 **NO MAKEUP IS ALLOWED.** Grades 7 students are allowed to wear light and tasteful make-up and nail polish as determined by the School. Black nail polish is not allowed. Tattoos, body piercings (nose, lip, etc) and/or other body markings are not allowed.

### **Uniform Violations:**

School leaders, faculty, and staff will do their best to respond immediately to violations of the policy. First-time offenders will be required to change into a uniform from the spare uniform bank, if possible, and the parent will be contacted. The second time a student arrives at school out of uniform, the parents will be called to bring the student a uniform. Families are expected to support the school when out-of-uniform issues arise. The family will be expected to bring the child what is needed, or the child will not be allowed to return to class.

### **Lost or Stolen Items**

Students should leave all money, jewelry, and other personal property at home. Any lost uniform items will be kept in a Lost and Found Area for two weeks; after that time, any unclaimed items will be donated. The school is not responsible for lost/stolen items or those left at the playground, activity center, or gymnasium throughout the school day. We recommend that clothes are labeled with student's name if you are concerned about items being lost.

### **Lockers**

The lockers are school property. The school reserves the right to access lockers when deemed necessary. Students must use the locker assigned to them for the current school year, and they are accountable for that locker and its contents. Opening another student's locker is an invasion of privacy and may lead to disciplinary action.

- All students will be assigned a locker
- Lockers must be locked at all times.
- Students may not decorate the outside of their lockers.
- Anything attached to the inside of the locker must be removed prior to the end of the school year.
- The school is not responsible for lost or stolen items.
- Students are responsible for replacing lost or broken locks.
- Locker swapping is not allowed.

### **Non-School Related Items**

Students should leave valuables and other personal property at home. Students are encouraged to leave all money, jewelry, and other personal property at home. Students may not bring candy, gum, toys, playing cards, electronic items, or other non-school-related items to school. The School assumes no responsibility for the loss or theft of such articles. Toy weapons are strictly prohibited. Any inappropriate item that is brought into school will be confiscated.

## **ELECTRONIC DEVICE POLICY**

### **Mobile devices**

A student shall not use a beeper, pager, film/digital camera or any device with a digital camera, other mobile telecommunications or two-way radio communications device of any type, iPods/MP3 player, Bluetooth and other wireless devices, and any potentially disruptive electronic device on school premises or at a school-sponsored situation without expressed permission of appropriate school personnel. Any such device found in a locker may be considered to be in the possession of the student assigned to the locker for purposes of disciplinary action. Students may not use unauthorized laptops or electronic devices at any time. However, cell phones and iPods/MP3 players may be brought to school but must be secured in the student's locker. Abby Kelley Foster is not responsible for lost or stolen property. Cell phones and iPods/MP3 players may not be used during school hours and must be turned off.

However, cell phones may be used at after-school or sports activities, only with the permission of the coach, instructor, or other program director. Cell phones may not be used at any time on school grounds for text messaging, photos, or other functions. Cell phones shall not be used at any time on school grounds or at school-sponsored events for text messaging, photos, or other functions. A student shall not possess a laser pointing device of any type on school premises or in a school-sponsored situation unless such device is distributed by a teacher or its use is authorized by a teacher in connection with school work. Use of a laser pointing device against the face, eyes, or head of another person on school premises or at a school sponsored

situation may be considered use of a weapon for disciplinary purposes including the possibility of expulsion.

The use of technology, whether owned or not owned by the Abby Kelley Foster Charter Public School, whether on or off school property, is subject to the Bullying Prevention and Intervention Plan and other disciplinary rules promulgated by Abby Kelley Foster. Impermissible use of any technology will be subject to discipline, up to and possibly including expulsion from school.

### **Cell Phone Violations:**

- 1st offense - Office detention.
- 2nd offense - Saturday detention and parents must pick up the phone.
- 3rd offense - The phone is confiscated for the remainder of the year and Saturday detention.
- 4th offense - The student will be suspended.

At the Administration's discretion, following **any** electronic device infraction, students may be required to check their device in at the front desk each day.

## **School Nutrition Program**

### ***Middle School Meal Program***

Abby Kelley Foster Charter Public Middle School offers all students nutritional meals daily. The school contracts with Preferred Meals Systems, a registered vendor with the National School Nutrition Program for all Breakfasts and Lunches. During the months of September thru May, the High School kitchen satellites launched over to the 6th and 7th grade students. **Sharing food with other students is prohibited in order to minimize the spread of viruses and the risk of allergic reaction.**

Menus are posted on our AKFCS Website.

### **Meal Applications**

Families who receive a Notice of Direct Certification at the beginning of the school year are not required to complete a Free/Reduced Meal Application. All other families are requested to complete and return a meal application at the beginning of each school year. REMEMBER: only one application per family is necessary. At any time during the school year, if income/circumstances/family size should change, you can request another application, complete with new information, and submit it to the Food Service Department.

### **Policy Regarding Non-Payment of Meals**

Middle School students are required to have a credit balance in order to purchase meals. The cafeteria computer has a "debit system" for students. Their ID cards are scanned and without sufficient money on the account, the student would be in jeopardy of not receiving the meal of the day. If student's funds are low, below \$20.00, they are given a notice to bring home ~ payment onto their accounts is expected. Outstanding balance notices are sent home weekly.

### **Cafeteria**

In order to provide all students with a safe and healthy lunch period, the following rules apply:

- Students must report during the assigned lunch period.
- Students must be seated during lunch and remain in the cafeteria until dismissed.
- Students must deposit trash and recyclables in designated areas.
- Students must leave tables and chairs in good order.
- Students must behave in a manner consistent with the Abby Kelley Foster mission and code of conduct.

## **School Wellness Policy**

As part of the total learning environment, the Abby Kelley Foster Charter Public School promotes a healthy school environment by supporting wellness, good nutrition, and regular physical activity.

AKFCPS will provide a learning environment for developing and practicing lifelong wellness habits. The entire school environment, not just the classroom, shall be aligned with healthy school goals to positively influence a student's understanding, beliefs and habits as they relate to good nutrition and regular physical activity. A healthy school environment should not be sacrificed because of a dependence on revenue from high-added fat, high-added sugar, and low nutrient foods to support school programs. All foods available on school grounds and at school sponsored activities during the instructional day should meet or exceed the USDA's nutritional standards.

We strive to provide more opportunities for students to engage in physical activity. Our quality physical education program is an essential component for all students to learn about and participate in physical activity. Physical activity is often times included in our daily education program as well as after school activities.

We must all consider the critical role student health plays in their academic stamina and performances. The school's environment should ensure students' basic nourishment and activity needs are met. We have a school wide Wellness Committee that meets quarterly and reviews the implementation of the policy.

## **Health & Safety**

### **Emergency Cards**

At the beginning of each school year, parents or guardians must complete an updated emergency card for each student. The information must be kept updated regarding who can be reached in case of an emergency. Please keep your child's homeroom teacher updated regarding address or phone number changes.

### **Fire Drills/Evacuations/Lockdowns**

The school will have regular fire drills throughout the school year. A school safety team has been established and trained in all areas regarding school safety. The safety team oversees all fire drills, evacuations and safety concerns. Specific signals and procedures have been established for all types of disaster drills. Safe areas have been designated. Teachers are equipped with instructions. Students will practice all drills on a regular basis.

### **Student Records and Confidentiality**

The Abby Kelley Foster Charter Public School is dedicated to complying with all confidentiality laws protecting the privacy of students and their families. Except for school personnel, the student's parents and certain other exceptions named in the state regulations, no individual or organization is allowed access to information in the student record without the specific, informed, written consent of the parent.

Information regarding a student will be shared only with parents or guardians, appropriate members of the school's faculty and staff, and any professional consultants retained for the purpose of measuring and/or improving instructional quality. When information regarding student performance is made public, it will be presented in such a way as to avoid the identification of individual students.

Federal and state laws provide parents and eligible students (age 14 or older and/or have entered 9 th grade) with rights of confidentiality, access, and amendment relating to student records. Copies of the Massachusetts student records regulations CMR 603: 23.00 are available at the school.

Release of student records generally requires consent of the parent or eligible student. However, the regulations provide certain exceptions. For example, school faculty and administration have access to student records as needed. Abby Kelley Foster Charter Public School also releases records to authorized school personnel of a school to which the student seeks or intends to transfer upon written parent notification.

### **Age of Majority**

A student who reaches the age of 18 may choose to act on his/her own behalf in educational matters. However, a parent may continue to exercise all rights until expressly limited by the student. A student who is at least 18 years of age who wishes to limit the rights of his parents should make that request in writing to the Executive Director. The Executive Director or designee will notify the parent that such a request has been made and will be honored. As provided in MGL Chapter 71, Sec 34E, the parent of any student enrolled at Abby Kelley Foster retains the right to inspect the student record, regardless of the age of the student.

### **Access and Amendments**

A parent or eligible student has a right to access student records and seek an amendment if the parent or eligible student believes them to be inaccurate, misleading, or in violation of the student's privacy rights. In order to obtain access or to seek an amendment to student records, please contact the Principal/assistant principal.

## Record Request from Non-Custodial Parents

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

## Release of Student Record Information

With few exceptions, information in a student's record will not be released to a third party without written consent of the eligible students and/or a parent having physical custody of a student under the age of 18 years of age. Two notable exceptions are:

1. **Directory Information**-Directory information includes a student's name, address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of members of athletic teams, class, participation in official school extracurricular activities and sports, degrees, honors and awards and post-high school plans.
2. **Recruiting Information for the Armed Forces and Post-Secondary Educational Institutions**-Upon request from military recruiters and/or representatives from postsecondary educational institutions, Abby Kelley Foster Charter Public School will provide the name, address and telephone listing for all secondary students. Under the No Child Left Behind Act and the National Defense Authorization Act, local education agencies are required to provide military recruiters the same access to secondary school students as they provide to post-secondary institutions and prospective employers.

If an eligible student and/or parent do not want directory information or recruiting information released, they must notify the Principal/assistant principal in writing within two weeks of receipt of this handbook. Otherwise, the information will be released without further notification.

A parent and/or eligible student may specify that only certain types of directory information or recruitment information may be released and that parent or eligible student may rescind a release at any time during the school year by providing written notification to the Principal/assistant principal.

Please refer to the Student Records Regulations for a description of other circumstances in which a student's record may be released without consent of the parent or eligible student.

## Photographing/Videotaping of Students

We strive to attain and maintain a safe and controlled environment for your child at all times throughout the school day. To this end, please be advised that the Abby Kelley Foster Charter Public School reserves the right to utilize video and/or audio recording devices on school property including school buses and athletic fields for purposes of monitoring student behavior. Unless you notify us otherwise, your signature on the return form of this Handbook constitutes an acknowledgement that you have been informed of and agree to the use of such recording devices. This could include but is not limited to our Film Editing and Digital Photography classes.

For the purpose of professional development and instructional improvement, the school reserves the right to utilize video and/or audio recording devices in the classroom for internal use only.

The Abby Kelley Foster Charter Public School's strong academic offerings and impressive results have generated significant public interest and some media coverage. If for any reason you do not wish to have your child photographed, videotaped, or otherwise contacted by the media, please inform the School in writing.

### **Child Abuse and Neglect**

If a school staff member suspects that a student is being abused or neglected, he/she is required by law (M.G.L. Ch. 119 §51A) to report it to the Massachusetts Department of Children and Families. All reports are confidential.

### **Nurse**

The Abby Kelley Foster Charter Public School has the services of an on-site nurse to assist students who become ill or are injured while at school. Parents will be notified if appropriate when a student is referred to the nurse. A student must see the nurse prior to going home ill. The nurse or Principal/assistant principal are the only people who make the determination to send a student home.

Parents or students are invited to consult with the nurse on matters related to hygiene, nutrition, medication administration, substance abuse, depression, child abuse and neglect, or other issues of concern. If your child has any specific health, safety or security needs, please inform both the homeroom teacher and the school nurse so that appropriate accommodations can be made.

If school personnel believe that the student is experiencing a medical emergency, they will contact 911 for assistance. In the case of a medical situation, if the nurse's decision is to call 911, then the school administration is instructed to assist in the nurse's decision.

If in that situation, a parent/guardian is present and on site, and does not want 911 to be called, the principal and the nurse will explain the emergency 911 protocol to the parent and contact 911 if he or she determines that the circumstances warrant intervention by emergency services.

### **Vision and Hearing Screening**

All students in grade 10 are required to receive an annual hearing and vision screening from the school nurse. In the event that special hearing or vision concerns are detected, notices are sent to parents.

### **Scoliosis Screening**

All students in grade 9 are required to receive an annual scoliosis screening from the school nurse.

### **Physical Examinations**

A periodic physical examination is important for all children and adolescents. Current law (M.G.L. Ch.71 §57) requires physical examinations of school children six months before

entry into school or during the first year after entrance and at intervals of either three or four years thereafter. Students are also required to have a physical or provide proof of their physical status in order to play in individual or team sports.

## **Immunizations**

The Abby Kelley Foster Charter Public School adheres to the Massachusetts requirements for student immunizations in order to register for school. Parents must submit a doctor's record stating that their child has been immunized against diphtheria, pertussis (whooping cough), tetanus, poliomyelitis, German measles (rubella), mumps, and hepatitis B. In addition, varicella (chickenpox) immunizations is required if a child has not had chickenpox. The records must include the month, day and year when the immunizations were given.

## **Medication**

Many students take medication while at school. The Commonwealth of Massachusetts has policies to regulate the health and safety of children needing medicines during the school day. A form must be on file in the child's health record before the nurse can administer any medicine – prescription or non-prescription – at school. This form includes the following:

1. Signed consent by the parent or guardian to give medicine.
2. Signed medication order. The form should be taken to the child's primary care physician for completion and returned to the school nurse. This applies to both prescription and non-prescription medicine. Even cough drops and Tylenol require a signed medication order. Medication may not be distributed without a signed medication order.
3. The parent should deliver medication to the school in a pharmacy or manufacturer-labeled container. Ask the pharmacy to provide separate bottles for school and home. No more than a 30-day supply of the medicine should be delivered to school.

When the child needs medication to be given during the school day, please act promptly and follow these policies so we may begin to give the medicine as soon as possible. It is the parent's responsibility to see that the prescription is renewed so the child does not run out of his/her medication.

## **Inhaler Use**

Students may carry prescription inhalers during the school day provided the school nurse receives written notification from the parent/guardian and a written medication order signed by the student's licensed prescriber is on file in the student's health record.

## **Crisis Procedure**

In the event of a family crisis or tragedy, please contact the administration. The school will follow a specific plan of action to help staff and students come to terms with the impact.

## **Accidents**



The nurse or a trained staff member will administer initial treatments of minor injuries. The student's emergency contact person will be notified immediately by phone whenever medical treatment is administered to a student, and an incident report will be kept in the student's permanent file. The school must have working phone numbers for students' parents and for alternate contacts in the event that a parent is unavailable. Please keep this information updated. If school personnel believe that the student is experiencing a medical emergency, they will contact 911 for assistance.

## **Religious Objections**

If parents have any objections on the basis of their religion to routine physical examinations, first aid in emergencies, or other medical procedures that might occur in school, it is important that they contact the school in writing so that information may be recorded. Notwithstanding the receipt of such notice, if school personnel believe that the student is experiencing a medical emergency, they will contact 911 for assistance.

## **Sex Education Parents Notification**

In accordance with Chapter 71, Section 32A, of the Massachusetts General Laws, the Principal/assistant principal will notify parents of any curriculum that primarily involves the issue of human sexuality prior to teaching of these units. The notice will inform parents how they can review the content and material of the classes. The Executive Director will, to the extent practicable, ensure that parents and guardians have the right to exempt their children from any portion of said curriculum by notice to the Principal/assistant principal in writing. No students will be penalized due to such exemption, and students so exempted will be assigned an alternative activity during instruction.

Any parent/guardian who is dissatisfied with the decision of the principal/assistant principal concerning notice, access to instructional materials or exemption for the student under this policy may send a written request to the Executive Director (Superintendent) for review of the issue. The parent/guardian who is dissatisfied with the decision of the Executive Director (Superintendent) may send a written request to the Board of Trustees for review of the issue. The parent/guardian will receive a written response within four weeks of the request.

## **Pregnancy Policy**

As an educational institution, the Abby Kelley Foster Charter Public School is committed to creating and maintaining a school that prevents discrimination of all types while ensuring the health and safety of all who learn here. Pursuant to this mission, it is the policy of the school that pregnant students are permitted to remain in regular education classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy. In addition, after giving birth, the student will be permitted to return to the same academic and extracurricular programs as they did before they gave birth.

A pregnant student is encouraged to attend school through her pregnancy. Reasonable accommodations will be given to assist her in taking advantage of educational programs. Tutoring services will be offered to the student while she is under extended doctor directed

absences.

## **Transportation Policy**

### **Student Bus Rider Conduct Policy**

In order to provide safe and efficient transportation we need the help and cooperation of both students and parents. The safety of your child on the bus is a serious matter. We must implement certain rules and expectations in order to ensure that our students travel safely without incident. Students who engage in any type of misbehavior will be reported. The school and the transportation company acknowledge that students riding the bus are under the authority of the school bus driver. Please review the rules and expectations with your child.

Transportation will be provided from designated pick-up and drop-off points and will not be a door-to-door service. All students who reside in Worcester or live within the charter region (Auburn, Holden, Leicester, Millbury, Oxford, Shrewsbury, Sutton, and West Boylston) are eligible for bus transportation services.

Transportation is a privilege and not a legal right, and as such, the privilege may be withheld by the school under certain circumstances. **Students may have their transportation privileges suspended or revoked permanently due to disciplinary infractions both on the school bus and during the school day.** Parents/guardians will be responsible for finding transportation for their child. The school bus is an extension of the school day and we must consider the safety of all students.

We strive to attain and maintain a safe and controlled environment for your child at all times throughout the school day. To this end, please be advised that the Abby Kelley Foster Charter Public School reserves the right to utilize video and/or audio recording devices on buses for purposes of monitoring student behavior. Please be aware that students may be videotaped while riding the school bus for safety. Unless you notify us otherwise, your signature on the return form of this Handbook constitutes an acknowledgement that you have been informed of and agree to the use of such recording devices. Parents do not have the right to view bus videos.

### **Bus and Bus Stop Assignments**

Students are assigned a BUS and BUS STOP ASSIGNMENT at the beginning of each school year by the transportation director. The school **WILL NOT** allow students to ride on a different bus at any time during the school year. All Students must ride the BUS they have been assigned. Any student found in violation of their bus assignment may lose their transportation privileges. If a student changes their address, a new ARRIVAL/DISMISSAL form **MUST** be filled out and submitted to the transportation director and a new bus and bus stop assignment will be assigned.

Students must be at their assigned bus stop and waiting in view (not inside a vehicle) at least 10 minutes prior to their designated pick up time.

### **Bus Riding Rules and Expectations**

Abby Kelley Foster views bus transportation as an extension of the school day and acknowledges that students riding the bus are under the authority of the bus driver. Failure to adhere to the bus expectations may result in consequences up to and including total loss of bus riding privileges.

Types of behaviors that **WILL** result in a loss of bus riding privileges:

- Engaging in fighting, wrestling, or unsafe behavior.
- Touching the emergency door unless instructed by the driver.
- Bringing animals or dangerous items (lighters, sharp objects, fireworks, explosives, etc.) on the bus.
- Using loud or vulgar language on or around the bus.
- Putting their head, arms, legs, or any body part or object outside the bus window.
- Vandalizing, damaging or writing on the bus. (any/all damages will be charged to the students)
- Throwing items from the bus.
- Engaging in sexual activity on the bus.

Consistent minor infractions may lead to a loss of bus riding privileges. The Principal, in consultation with the administration, will determine the length of all bus suspensions. A student's **first offense** could lead to loss of bus riding privileges for the entire school year.

## **School Travel Policy**

### **Trip Approval Process**

Requests for field trips involving late night or overnight travel will be presented to the Board of Trustees by the Executive Director for approval. Teachers and other school staff are prohibited from soliciting privately run trips through the school system. The trip approval process should apply only to school sanctioned trips; the Board of Trustees will not 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 should generally be avoided. Such trips should generally use commercial motor coaches. Trips planned to include late night or overnight student travel should involve pre-trip checks of companies, drivers, and vehicles. School officials should ensure that the selected carrier is licensed for passenger transportation by the Federal Motor Carrier Safety Administration (FMCSA). The school should not contract with any carrier that has an FMCSA safety rating of "conditional" or "unsatisfactory."

If the school is unable to conduct an in-depth review of bus carrier qualifications, the school may elect to use ratings and pre-qualifications established by other public entities, such as the Department of Defense's approved list of motor carriers for troop transport. The contract with the carrier should prohibit the use of a subcontractor unless sufficient notice is given to the school to allow verification of the subcontractor's qualifications.

### **Trip Scheduling**

Overnight accommodations should be made in advance with student safety and security in mind. Whenever possible, the trip schedulers should 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 should 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). The School may consider travel for field trips as included in students' schedules, but the Department recommends that schools consider scheduling additional structured learning time when significant travel time is anticipated (i.e., time outside the hours of the regular school day).

Trip itineraries must leave enough time for drivers to rest in conformity with federal hour-of-service requirements and common sense. Trip scheduling should take into account 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 should provide appropriate substitute activities for any students not participating.

### **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. Ch. 71 §38R. CORI checks are recommended but not required by law for bus drivers who do not regularly work for the school and who will not have direct and unmonitored contact with students. If such checks cannot be done, a chaperone must always be present whenever students are on the bus.

All participating students must submit a signed parent/guardian permission form. Such forms shall include appropriate authorization for emergency medical care and administration of medication.

## **ACADEMICS**

At the beginning of each course, each teacher will provide a written explanation of course expectations, methods of evaluation, and the grading system. Assessments may include but are not limited to tests, quizzes, written assignments, projects, and labs. All students are graded quarterly.

### **Late Policy**

Students are expected to turn in all assignments on the date that they are due. Academic consequences for late work vary according to each classroom teacher's policy.

## Participation

Each student is encouraged to put forth his/her best effort at all times. Students will earn a participation grade in each class based on the following criteria:

- Does the student consistently complete assignments in full and hand them in on time and to the best of his/her ability?
- Does the student routinely come to class on time and with all required materials?
- Does the student regularly participate in class discussions?

## Homework Policy

Homework assignments should be regular practice for all teachers and students and should be related and/or connected to MCAS and the Massachusetts Frameworks. Assignments should be an extension of class lessons that provide students with opportunities to

- increase or practice learning objectives,
- practice skills,
- reinforce recent concepts,
- work on open-ended questions and writing skills or
- project work.

Purposeful homework will vary from day to day for each student. The combined minimum daily homework for academic assignments from middle school teachers should be developmentally appropriate for the child's age and grade level.

Teachers are responsible for including homework in their individual lesson plans and providing students with guidelines for:

- Linking assignments to learning objectives that reflect and support the Massachusetts Curriculum Frameworks, AKF curricula and school accountability plan;
- Providing learning experiences that are both important and meaningful and that can be completed independently by the student;
- Ensuring that homework is an extension of learning that takes place in the classroom and applying the same standards of performance as applied to classroom work;
- Assigning homework that is explicit and of reasonable length;
- Ensuring that the quality of homework is more important than the quantity.

## Report Cards

Report cards are issued 4 times a year with progress reports being issued half way between each quarter. Students in grade 4 will receive standards based report cards. Grade 4 will assess students according to a set of standards. Based on assessments students receive a 1-4 to indicate progress toward the standard. Students in grades 5-7 will receive traditional graded report cards to indicate overall progress.

## Promotion and Retention

The student's best interests are always considered when recommending promotion or retention for academic reasons. Each case is decided on its own merits after all factors are carefully considered. Under current law, charter schools may require students to complete the grade preceding the grade the student plans to enter. The teachers and administration reserve the right to make all decisions regarding retention and/or promotion. The following criteria may determine promotion or retention to a grade level:

- Academic achievement as indicated by a current report card, ability level or standardized test results
- Emotional and social maturity as determined by the classroom teachers
- Chronological age and physical development as compared to peers
- Number of previous retentions
- Support programs
- Attendance records

### **Standardized Testing**

All students are required to participate in school wide internal and external assessments. This allows the school to assess the effectiveness of the curriculum and student progress.

### **Massachusetts Comprehensive Assessment System (MCAS)**

As a public school all students, including students with disabilities and students with limited English proficiency, are required to take the MCAS (Massachusetts Comprehensive Assessment System). MCAS was implemented by the Education Reform Act of 1993.

### **Textbooks and Supplies**

All textbooks and instructional materials furnished by the Abby Kelley Foster Charter Public School remain school property. Parents will be required to reimburse the school for lost or damaged books.

Students are asked to furnish some of their own supplies. Teachers at each grade level prepare lists for their students. Parents can expect the supply list at the beginning of the school year and intermittently throughout the year as needed. Some items such as pencils and paper require regular replenishment provided by the parent.

### **Field Trips**

Field trips are planned throughout the year to enrich the academic program. Parents will receive advance notice of all such trips. A permission slip must be signed by a student's parent or guardian in order for the student to participate in a field trip. Students without signed permission slips will remain at the school in another class engaged in regular school work.

Although the trips are arranged to enhance the curriculum, there are times when students will not be allowed to participate due to inappropriate or poor behavior. The decision not to allow a student to participate will be determined by the school administration. Parents will be notified in advance of this action. The use of electronic devices and/or cell phones during a field trip is prohibited. Students found in violation may be subject to disciplinary action.

### **Extracurricular Requirements and School Sports**

All students must maintain passing grades in all subject areas to participate in any extracurricular activity including sports teams, academic clubs, student government and student council. The principal/assistant principal or designee reserves the right to make final eligibility decisions. Any student who fails 2 or more classes will be ineligible for all athletics and club activities.

## **CODE OF CONDUCT AND DISCIPLINE**

It is the philosophy of Abby Kelley Middle School that all students, when given guidance, instruction, positive reinforcement, support, and re-direction when necessary, can behave in a manner that facilitates academic, emotional, and personal growth. Additionally, when students behave in a productive and appropriate manner, they are positively contributing to the school community as a whole. It is the school's goal to educate the children. The purpose of discipline within the school is to ensure an atmosphere most conducive to teaching and learning. For that reason, the following Code of Conduct includes behavioral expectations, ways the school assists students in meeting these expectations, and disciplinary consequences for failure to meet these expectations. Students, parents and the school must work as partners in order that the school may successfully achieve its purpose.

### **Code of Conduct**

The Abby Kelley Foster Charter Public School recognizes that effective instruction requires an orderly environment focused on learning, and that schools have an important role to play in supporting parents' efforts to teach basic values to their children. The Code of Conduct focuses on two major areas: Be Respectful and Be Accountable while also centering on our 10 character virtues:

- Responsibility
- Respect
- Self-discipline
- Perseverance
- Courage
- Truth
- Kindness
- Fairness
- Friendship
- Citizenship

These values are the cornerstone of our school and our emphasis on character education. Students are encouraged to model the character virtues in their daily actions and to develop the habits that characterize a civil society. Students receive lessons during the school year focusing on each of these character virtues using Project Wisdom. Parents can help reinforce such lessons by talking about the virtues and encouraging students to model them at home. The behavioral expectations of BE RESPECTFUL AND BE ACCOUNTABLE are the major themes for behavior in all areas of the school. Below are the indicators for how these expectations are to be demonstrated in all areas of the school:

	<b>Hallway</b>	<b>Bathroom</b>
Be Respectful	<ul style="list-style-type: none"> <li>● Use quiet voices</li> <li>● Move with a purpose</li> <li>● Keep hands &amp; feet to yourself</li> <li>● Stay to the right, facing forward</li> </ul>	<ul style="list-style-type: none"> <li>● Use in a timely manner</li> <li>● Respect others privacy</li> <li>● Use a quiet voice</li> <li>● Treat facilities gently</li> </ul>

	<ul style="list-style-type: none"> <li>● Use kind words and actions</li> </ul>	
Be Accountable	<ul style="list-style-type: none"> <li>● Be where you are supposed to be</li> <li>● Have a pass</li> <li>● Apologize in needed</li> <li>● Be on time</li> <li>● Follow Adult Directions</li> </ul>	<ul style="list-style-type: none"> <li>● Clean up after yourself</li> <li>● Report Issues</li> <li>● Use resources appropriately</li> </ul>

	<b>Cafeteria</b>	<b>Bus</b>	<b>Library</b>
Be Respectful	<ul style="list-style-type: none"> <li>● Use indoor voice</li> <li>● Say Please and Thank you</li> <li>● Wait patiently in line</li> <li>● Ask permission to leave</li> </ul>	<ul style="list-style-type: none"> <li>● Stay in your personal space</li> <li>● Use quiet voices</li> <li>● Listen to bus driver</li> <li>● Respect the physical space</li> <li>● Load and unload in an orderly fashion</li> </ul>	<ul style="list-style-type: none"> <li>● Maintain a quiet environment</li> <li>● Respect materials and equipment</li> <li>● Say please and thank you</li> </ul>
Be Accountable	<ul style="list-style-type: none"> <li>● Clean up after yourself</li> <li>● Be prepared with ID</li> <li>● Stay in your seat</li> <li>● Follow directions</li> </ul>	<ul style="list-style-type: none"> <li>● Stay seated at all times</li> <li>● Abide by bus rules</li> <li>● Keep hands and feet to yourself</li> <li>● Follow directions</li> <li>● Be on time to your stop</li> <li>● Report unsafe behavior</li> </ul>	<ul style="list-style-type: none"> <li>● Return books on time</li> <li>● Put things where they belong</li> <li>● Stay on Task</li> <li>● Follow directions</li> <li>● Use time wisely</li> </ul>

	<b>Large Group/Assemblies</b>	<b>Field Trip</b>
Be Respectful	<ul style="list-style-type: none"> <li>● Stay Silent</li> <li>● Show appropriate appreciation</li> <li>● Focus on presentation</li> </ul>	<ul style="list-style-type: none"> <li>● Listen to Chaperone</li> <li>● Show appropriate appreciation</li> <li>● Cooperate</li> <li>● Use appropriate voice level for situation</li> </ul>
Be Accountable	<ul style="list-style-type: none"> <li>● Participate appropriately</li> <li>● Stay in your seat</li> <li>● Follow Directions</li> </ul>	<ul style="list-style-type: none"> <li>● Positively represent AKF</li> <li>● Be where you are supposed to be</li> <li>● Follow Directions</li> </ul>

The behavioral expectations have been designed to guide the efforts of teachers and staff in creating a safe, orderly environment and to reinforce our primary mission: rigorous academic learning. For this reason, they are also reflected in individual classroom expectations.

### **Ways the School Supports the Behavioral Growth of Students**



Daily interactions between staff and students provide the best opportunities for encouraging appropriate behavior and promoting the development of good habits. Staff at the school will strive to interact with students in a friendly, supportive manner at all times. Staff will attempt to interact with each student more frequently when the student is engaged in appropriate behavior than when the student is behaving inappropriately.

### **Explicit Instruction**

Students are instructed in each of the behavioral expectations throughout the year where they are taught and modeled in the respective setting.

### **Positive Interactions and Positive Feedback**

Positive interactions will include greeting students, talking to students, making eye contact, smiling, and overly praising students when such accolades are deserved. When praising students, staff will attempt to provide them with specific information about which behaviors are contributing to success. Students “caught being good” may also be awarded a Bear Paw for such behavior, which enters them in a drawing for various prizes.

### **Character Counts**

At Abby Kelley Foster Charter Public School, we believe that character development is an integral part of a student’s education. We have developed a system that recognizes character strengths in our students. Each month has a designated character virtue and monthly a student from each homeroom is elected by his/her teacher for best exemplifying that virtue. These students have their pictures taken and hung in the lobby. They also receive a certificate and have breakfast with the administration and their family each month.

### **When Students Fail to Meet Behavioral Expectations**

Please be advised that AKFCS reserves the right at the sole discretion of school officials to modify the discipline code and impose a more or less stringent punishment on a case by case basis.

At Abby Kelley Middle School, students learn appropriate conduct through explicit teacher instruction at the beginning of the year, at key points throughout the year, and on an as needed basis. Based on this approach of teaching appropriate behaviors, it is expected that students can and will behave in ways that are respectful and accountable throughout their day. Many behavioral infractions can be appropriately addressed between the teacher and student within the classroom.

It is also understood that no single set of procedures will be effective in helping every student develop the skills and attitudes necessary for success. Therefore, a series of interventions will be designed for students who have not been motivated by the school-wide procedures. As teachers adapt disciplinary procedures to meet individual needs, an emphasis will be placed on the continuing need for calm and consistent consequences. Students will learn that certain actions are unacceptable and that misbehavior has consequences.

Below is a list of possible disciplinary actions available to teachers and administrators when addressing inappropriate behavior. Many behavioral infractions can be appropriately addressed between the teacher and student without further consequences. At times however, behaviors that continue beyond a brief teacher address may receive additional consequences. For most behaviors, teachers and administrators follow a progressive discipline approach. *Progressive discipline* is the process of using increasingly stringent steps or measures when a student fails to correct a behavior after being given a reasonable opportunity to do so.

#### *Restitution*

The student is assigned a task that helps to correct the situation. Any student who damages the property of the school, staff or other students will be required to replace or pay for the item.

### *Out of Classroom Reflection*

A student whose behavior is disruptive to the class may be removed for a period of time to another location. This time is to be used to reflect on his/her actions and refocus him/herself to return to class.

### *Loss of Privileges*

A student whose behavior is disruptive to the class will lose privileges. At the discretion of school officials, students who receive disciplinary action two weeks prior to a school sponsored event/activity may not be allowed to participate. Activities may include but are not limited to field trips, sports, school performances and school dances.

### *Phone Calls to Parents*

Students are sometimes asked to call their parents in the presence of a school administrator or teacher when their behavior is preventing them from being productive at school or disrupting the learning of others. Involving the parents in the discipline and character development process sends a message to the students that we are all on the same team, working to help them become successful human beings.

### *Lunch Detention*

Lunch is a time when students can sit with friends and socialize while eating. Students assigned a lunch detention are required to have a silent lunch either in the cafeteria or in a separate setting where they are not allowed to socialize with peers.

## **Detention:**

*Procedure for Grade 4:* At times, after school time may be assigned for behavioral reflection once other strategies have been exhausted. If a detention is earned by a student, the teacher or administrator will call to notify parents and set an appropriate time. A slip will be sent home and will need to be signed and returned.

*Procedure for Grades 5, 6 & 7:* Detention is a silent period held after school. Failure to report for an assigned detention may result in further disciplinary action. When a student is absent or dismissed early from school on the day of an assigned detention, the detention will be reassigned to the next day the student attends school. Students will be given a detention slip to be signed to notify parents of the detention date. If the slip is not returned, the teacher will call home to notify parents and the student will be responsible for serving the detention on the assigned date.

*Saturday Detention:* Is an assigned period of three hours on Saturday morning. Students must report to the designated room by 8:00 a.m. Students arriving late will be sent home and must report to the principal/ assistant principal the following school day. (Grades 6 & 7 only)

*In-School Suspension:* The student is not allowed to attend any classes. The day is spent in the in- school suspension area, an administrator's office, another classroom, and/or the library. Teachers will provide work for the course(s) the student would be attending on the day of the suspension. This may be for one or more days. Students on all types of suspensions are responsible for any missed work.

*Out-of-School Suspension:* An assigned number of days that a student is removed from school. If a student is suspended, he/she may not appear on school grounds for any purpose during the school day, participate in, or attend any extra-curricular activities during the period of suspension. Students on all types of suspensions are responsible for any missed work.

## **Procedure following an Out-of-School Suspension**

The student is expected to return to school the day after the suspension. School officials may schedule a re-admittance conference between the parent(s) or guardian(s) and an administrator for the day following the suspension.

## **Resolving School Related Problems**

### **Reporting Procedure**

In order to resolve school-related problems, parents will follow this process: If a problem arises, contact the appropriate person. If your issue is unresolved please move to the next individual.

**Step 1 – Child’s Teacher**

**Step 2 – Child’s Principal**

**Step 3 – Executive Director**

**Step 4 – Board of Trustees**

## **Searches**

Searches by school officials of students and their belongings will be conducted in accordance with applicable laws and regulations. Students and their personal belongings, including but not limited to purses, backpacks, computers, cameras, cell phones, other electronic devices, and clothing, as well as student vehicles on school property or at school events, are subject to search by school personnel to the extent that the search is reasonable under all the circumstances. In the event of a search of a student or their belongings, the parent(s) or guardian(s) will be notified. To the extent possible, searches will be conducted by a school official in the presence of another adult. In the event a student is found to be in the possession of an object or substance that may give rise to a crime, the police may be notified.

When the school refers a student to the police, the parent(s) or guardian(s) will be notified. Objects, substances, or other items that are prohibited by the school rules may be held by a school official and returned to the parent(s) or guardian(s). Students have no expectation of privacy in their lockers or desks. The school retains joint custody of all lockers and desks, and such lockers and desks are subject to search by school officials at any time.

## **MAJOR BEHAVIORAL INFRACTIONS**

Abby Kelley Foster Charter Public School views all behavioral violations seriously, however, MAJOR BEHAVIORAL INFRACTIONS are considered particularly severe. The Executive Director (who is referred to as the Superintendent when referenced within the Massachusetts General Laws) and school administration reserve the right to consider any and all relevant information in its disciplinary decision making, and will impose consequences on a case by case basis. Consequences will vary accordingly.

Students on athletic teams should note that use or being in the presence of tobacco, drugs, or alcohol at any time during a season is prohibited, and will result in suspension from a team as delineated by the MIAA rules and regulations.

## **Alcohol/Illegal substances**

Use, possession, distribution, purchasing or being under the influence of alcohol or illegal substances are all strictly prohibited in school, on school grounds, or at any school events. Disciplinary actions may include but are not limited to the following: confiscation of materials, parent/guardian notification, suspension, expulsion from school, police involvement.

### **Tobacco**

In accordance with G.L.71, section 2A, it is the policy of Abby Kelley Foster Charter School to prohibit the use of all tobacco products of any type within all school facilities, on all school grounds and on all school buses by any individual. The types of tobacco include but are not limited to:

- All types of smoking tobacco, including but not limited to cigarettes, cigars, little cigars, cigarillos, pipes, clove cigarettes, blunt wraps, and any other burning of a tobacco product resulting in smoking.
- Smokeless tobacco products such as dip, snuff, tobacco chew, snus, spit pack, flavored tobacco and dissolvables as well as any other type of tobacco products that are ingested but not burned.
- Electronic cigarettes (e-cigarettes), personal vaporizer (PV) or electronic nicotine delivery products.

Students found possessing or distributing tobacco or any other related tobacco products will be subject to disciplinary action as deemed appropriate by school officials. Parent(s) or guardian(s) will be notified of any such infraction, and the behavior may be reported to the guidance counselor.

### **Group Behavior**

At the discretion of school officials, any student who is part of a group that acts in violation of school rules may share in the responsibility for behavioral infractions and may receive the same penalty as all members of the group.

### **Harassment, Bullying and Civil Rights Violations**

As part of our commitment to maintain a safe and orderly learning environment for all students, Abby Kelley Foster will be vigilant regarding bullying and harassment of all types.

Harassment refers to all unwelcome verbal, written or physical conduct targeting a specific person or persons which is sufficiently severe, persistent, or pervasive to create an intimidating, hostile, humiliating or offensive school environment, or substantially interfere with the progress of a student's education. Bullying is one form of harassment.

Cyber-bullying, cyber-harassment, or cyber threats involve the use of electronic devices such as email, cell phones, cameras, text messaging, instant messaging, defamatory personal websites, personal polling websites, etc., to support deliberate and hostile behavior by an individual or group that is intended to harm others. In short, cyber-bullying is an electronic form of bullying and will not be tolerated by Abby Kelley Foster Charter Public School.

Cyber-bullying often occurs outside of school hours on personal or home computers, yet its effects may be felt by students, staff, and administrators during the school day. When those acts threaten others or otherwise disrupt the learning environment, the school may take action. That action may result in a wide range of consequences for the student(s) involved. Those consequences could range from a conference with the parents of the student(s), suspension, or even expulsion from school depending on the nature of the deliberate misuse of electronic equipment, cyber-bullying, or cyber threat. It is also possible that cyber-bullying incidents could be reported to the police, either by the school or the individual who feels harmed by the incident.

Please refer to the Civil Rights section of this handbook for more information on civil rights issues and harassment.

## Hazing

Massachusetts General Laws Chapter 269, Sections 17, 18 and 19 state:

*Section 17:* Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

The term “hazing” as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

*Section 18:* Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to 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.

In addition to above cited penalties, students engaged in the act of hazing will be subject to detention, suspension and/or expulsion.

*Section 19:* Each institution of secondary education and each public and private institution of post secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, 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 which fails to make such report.

### **Physical Behavior**

Physically dangerous behavior includes fighting, assault, unwanted physical contact and/or physical intimidation. Staff will use professional judgment to determine whether to intervene or to use non-violent passive restraint. If students are involved in a fight, they may be suspended. The punishment given will depend on the circumstances surrounding the fight.

### **Cheating/Plagiarism**

Any teacher who determines that a student has been guilty of cheating or plagiarism shall take immediate academic and disciplinary action. The matter will be referred to the Principal/assistant principal. The student will receive a grade of zero for the work in question. Violations may result in loss of privileges and will lead to appropriate disciplinary action.

## **DUE PROCESS PROCEDURES**

Due process refers to the rights of a student to notice and a hearing before being suspended or expelled from school. The Executive Director (referred to as Superintendent when referenced within the Massachusetts General Laws) and school administration reserve the right to consider any and all relevant information in its disciplinary decision making, and will impose consequences on a case by case basis. Specific due process procedures apply for disciplining students with disabilities (see section below entitled “Discipline of Students with Special Needs”).

**Step 1 – Child’s Teacher**

**Step 2 – Child’s Principal**

**Step 3 – Executive Director**

**Step 4 – Board of Trustees**

## **Provisions Governing Due Process for Disciplinary Removals & Services During Removals**

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

Please note that students have the right to be represented counsel or a lay person of the student’s choice, at the student’s/parent’s expense, at any and all hearings concerning student discipline. If you wish to bring an attorney to any hearing or meeting at the school, please inform AKFCS immediately. If you fail to inform the school prior to bringing an attorney to a hearing, and AKFCS’s attorney is not present, then AKFCS will exercise its right to cancel and reschedule the meeting to ensure that its attorney can attend. This rescheduling may delay the hearing or meeting, and if so, your child’s disciplinary removal will be extended until a decision is rendered following the rescheduled hearing or meeting. AKFCS hereby notifies you that it may have its legal counsel present at any hearings and meetings involving student discipline.

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

This Notice of Student and Parent Rights applies to student misconduct that involves weapons, drugs, assault on school staff.

Specifically, any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife, may be subject to expulsion from the school by the principal. Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a controlled substance, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school by the principal. Any student who assaults a principal, assistant principal, teacher, teacher’s aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal.

Any student who is charged with any of the misconduct detailed above has an opportunity for a hearing before the principal. At the hearing, the student may have representation at his or her own expense, along with the opportunity to present evidence and witnesses at said hearing before the principal. After said hearing, the principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the principal to have committed the misconduct detailed above.

Any student who has been expelled from a school district pursuant to GL c. 71 §37H shall have the right to appeal to the superintendent. The expelled student shall have ten days from the date of the expulsion in which to notify the superintendent of his appeal. The student has the right to counsel, at his or her own expense, at a hearing before the superintendent. The subject matter of the appeal shall not be

limited solely to a factual determination of whether the student has violated any provisions of this section. Students who are suspended or expelled under §37H are entitled to receive educational services during the period of suspension or expulsion under AKFCS's Education Service Plan, which is described below in Section D. If the student withdraws from the charter school and/or moves to another school district during the period of suspension or expulsion, the new school/district/district of residence shall either admit the student to its schools or provide educational services to the student under the new school or district's education service plan.

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

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

### **Suspension Following Criminal or Felony Delinquency Complaint**

Upon the issuance of a criminal or felony delinquency complaint against a student, the principal of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by the principal if he or she determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student is entitled to receive written notification of the charges and the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in effect prior to any appeal hearing conducted by the superintendent.

The student shall have the right to appeal the suspension to the superintendent. The student shall notify the superintendent in writing of his request for an appeal no later than five calendar days following the effective date of the suspension. The superintendent shall hold a hearing with the student and the student's parent within three calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. The superintendent's decision shall be the final decision of AKFCS with regard to the suspension.

### **Expulsion Following Felony Adjudication or Admission**

Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the principal of a school in which the student is enrolled may expel said student if the principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and reasons for such expulsion prior to such expulsion taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the superintendent.

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



Students who are suspended or expelled under §37H½ are entitled to receive educational services during the period of suspension or expulsion under AKFCS's Education Service Plan, which is described below in Section D. If the student withdraws from the charter school and/or moves to another school district during the period of suspension or expulsion, the new school/district/district of residence shall either admit the student to its schools or provide educational services to the student under the new school or district's education service plan.

### **C. NOTICE OF STUDENT AND PARENT RIGHTS UNDER G.L. c. 71 §37H¾**

This section governs all student offenses that may be subject to short- or long-term suspensions that *do not* involve dangerous weapons, controlled substances, assault on school staff, felony or felony delinquency charges, and/or felony delinquency findings or admissions, all of which are governed by C.71 §§37H and 37H½, as detailed above.

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

Students who are suspended under §37H¾ are entitled to receive educational services during the period of suspension or expulsion under AKFCS's Education Service Plan, which is described below in Section D. If the student withdraws from the charter school and/or moves to another school district during the period of suspension, the new school/district/district of residence shall either admit the student to its schools or provide educational services to the student under the new school or district's education service plan.

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

Unless the principal determines that an emergency removal is required (*see Emergency Removals section below*) or decides to implement an in-school suspension of ten or fewer consecutive days (and no more than 10 cumulative days per school year) (*see In-School Suspension section below*), the principal may not impose a suspension as a consequence for a disciplinary offense without first providing the student and the parent with verbal and written notice, and providing the student an opportunity for a hearing on the charge and the parent an opportunity to participate in such hearing.

The principal is required to provide this verbal and written notice to the student and the parent in English and in the primary language of the home if other than English, or other means of communication where appropriate. The notice must set forth the following information:

- a. the disciplinary offense;
- b. the basis for the charge;
- c. the potential consequences, including the potential length of the student's suspension;
- d. the opportunity for the student to have a hearing with the principal concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing;
- e. the date, time, and location of the hearing;
- f. the right of the student and the student's parent to interpreter services at the hearing if needed to participate;
- g. if the student may be placed on long-term suspension following the hearing with the principal, the student's short and long term suspension hearing rights and the right to appeal the principal's decision to the superintendent (*see Hearing Rights section below*).

The principal is required to make and document reasonable efforts to notify the parent verbally of the opportunity to attend the hearing. The principal is presumed to have made reasonable efforts, and

therefore may conduct a hearing without the parent present, if the principal has sent written notice (by hand delivery, first-class mail, certified mail, email, or any other method of delivery agreed to by the principal and parent) and has documented at least two attempts to contact the parent in the manner specified by the parent for emergency notification.

### **Emergency Removal**

A principal has the authority to remove a student from school temporarily when a student is charged with a disciplinary offense and the principal determines that the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption. The principal is required to notify the superintendent immediately in writing of an emergency removal and the reason for it, and describe the danger presented by the student. The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the principal is required to:

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

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

### **Hearing Rights**

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

Short-term suspension means the removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less.

The purpose of the hearing with the principal is for the principal to hear and consider information regarding the alleged incident; provide the student an opportunity to dispute the charges and explain the circumstances of the alleged incident; and determine if the student committed the disciplinary offense, and if so, the consequences for the infraction. At a minimum, the principal is required to discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student and parent both shall have an opportunity to present and offer information, including mitigating facts, that the principal should consider in determining whether other remedies and consequences may be appropriate. Based on the available information, including mitigating circumstances, the principal shall determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.

The principal is required to provide written notification to the student and parent of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal.

Please note that if the student is in grades pre-K through 3, the principal is required to send a copy of the written determination to the superintendent and explain the reasons for imposing an out-of-school suspension, before the short-term suspension takes effect.

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

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

The purpose of the long-term suspension hearing is the same as the purpose of a short-term suspension hearing. At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights during a long-term suspension hearing:

1. In advance of the hearing, the opportunity to review the student's record and the documents upon which the principal may rely in making a determination to suspend the student or not;
2. the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense;
3. the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so;
4. the right to cross-examine witnesses presented by the school district; and
5. the right to request that the hearing be recorded by the principal, and to receive a copy of the audio recording upon request. If the student or parent requests an audio recording, the principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request.

The principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.

Based on the evidence, the principal shall determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The principal shall send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the principal and the parent. If the principal decides to suspend the student, the written determination will:

1. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
2. Set out the key facts and conclusions reached by the principal;
3. Identify the length and effective date of the suspension, as well as a date of return to school;
4. Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school;
5. Inform the student of the right to appeal the principal's decision to the superintendent or designee (only if the principal has imposed a long-term suspension). Notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate, and shall include the following information stated in plain language:
  - a. the process for appealing the decision, including that the student or parent must file a written notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days,

- the student or parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that
- b. The long-term suspension will remain in effect unless and until the superintendent decides to reverse the principal's determination on appeal.

If the student is in a public preschool program or in grades K through 3, the principal shall send a copy of the written determination to the superintendent and explain the reasons for imposing an out-of-school suspension, whether short-term or long-term, before the suspension takes effect.

### ***Superintendent's Hearing under §37H<sup>3/4</sup>***

A student who is placed on long-term suspension following a hearing with the principal has the right to appeal the principal's decision to the superintendent.

In order to appeal the principal's decision to impose a long-term suspension, the student or parent must file a notice of appeal with the superintendent within five calendar days of the effective date of the long-term suspension (in the alternative, within five calendar days of the effective date of the long-term suspension the parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven additional calendar days). If the appeal is not timely filed, the superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

The superintendent shall hold the hearing within three school days of the student's request, unless the student or parent requests an extension of up to seven additional calendar days, in which case the superintendent shall grant the extension.

The superintendent must make a good faith effort to include the parent in the hearing, and will be presumed to have made a good faith effort if he or she has attempted to find a day and time for the hearing that would allow the parent and superintendent to participate. The superintendent shall send written notice to the parent of the date, time, and location of the hearing.

The superintendent will conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence will be. An audio recording of the hearing will be made, a copy of which shall be provided to the student or parent upon request.

The student and parent shall have all the rights afforded them at the principal's hearing for long-term suspension, as detailed above in the sections entitled Principal's Hearing under §37H<sup>3/4</sup>: Short-term Suspension and Principal's Hearing under §37H<sup>3/4</sup>: Long-term Suspension.

The superintendent shall issue a written decision within five calendar days of the hearing. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than the principal, but shall not impose a suspension greater than that imposed by the principal's decision. The decision of the superintendent shall be the final decision of the school.

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

The principal may use in-school suspension as an alternative to short-term suspension for disciplinary offenses.

The principal is required to inform the student of the disciplinary offense charged and the basis for the charge, and provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident. If the principal determines that the student committed the disciplinary offense, the principal must inform the student of the length of the student's in-school suspension, which shall not exceed 10 days, cumulatively or consecutively, in a school year.

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

The principal shall also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such a meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the principal is unable to reach the parent after making and documenting at least two attempts to do so, such attempts shall constitute reasonable efforts for purposes of verbally informing the parent of the in-school suspension.

The principal shall send written notice to the student and parent about the in-school suspension, including the reason and the length of the in-school suspension (and inviting the parent to a meeting with the principal, if such meeting has not already occurred). The principal shall deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or by other method of delivery agreed to by the principal and the parent.

### ***Removal from Privileges and Extracurricular Activities***

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

### ***Education Services and Academic Progress under §37H<sup>3/4</sup>***

Students serving an in-school suspension, short-term suspension, long-term suspension, or expulsion have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school.

Students who are expelled or suspended from school for more than ten (10) consecutive days, whether in school or out of school, have an opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide Education Service Plan.

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

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

AKFCS has developed a school-wide Education Service Plan for all students who are expelled or suspended from school for more than 10 consecutive school days, whether in or out of school.

Principals shall ensure these students have an opportunity to make academic progress during the period of suspension or expulsion, to make up assignments and earn credits missed, including, but not limited to, homework, quizzes, exams, papers and projects missed.

AKFCS's Education Service Plan is subject to change, and may include, but is not limited to, tutoring, alternative placement, Saturday school, and online or distance learning.

If AKFCS expels a student or suspends a student for more than 10 consecutive school days, AKFCS is required to provide the student and the parent or guardian of the student with a list of alternative educational services. Upon selection of an alternative educational service by the student and

the student's parent or guardian, the school or school district shall facilitate and verify enrollment in the service.

### **Administrative Regulations for Use of Breathalyzers at School or at School-Sponsored Events**

The Abby Kelley Foster Charter Public School is committed to the promotion of healthful living and to the safety and well-being of its students. In keeping with this commitment, Abby Kelley High School believes that the use of breathalyzers during school-sponsored events, on or off school grounds, is an acceptable deterrent to the use of alcohol by underage drinkers. Use of breathalyzers shall be guided by this policy.

High school administrators may administer breathalyzer tests at school-sponsored dances, both on and off site, to students and their guests in order to provide a safe and healthy environment for the students, staff and community. In addition, district or school administrators at any level may administer breathalyzer tests to students attending dances, shows, athletic events and other similar school sponsored events if they believe that the use of these tests is necessary as a deterrent to the use of alcohol by underage drinkers.

### **Extracurricular/Voluntary School-Sponsored Events**

Students and their parents or guardians will be notified via annual policy notices, newsletters and event permission forms, specific advertisements and/or tickets that breathalyzers may be used at school-sponsored events. Students and their parents or guardians also will be notified that students will be denied entry and/or be removed from the event or activity in the event that they are found to have consumed and/or possessed alcohol at or preceding a school-sponsored event and could face additional disciplinary action as described in Abby Kelley Foster High School student handbook.

A breathalyzer test may be administered in the following manner at the discretion of the school administrator(s) in charge of the event:

1. The administrator(s) will test every student upon entering the school event and when the students leave the event.
2. The administrator(s) may decide to test only upon reasonable suspicion that a particular student or students was/were under the influence of alcohol.

For purposes of this policy, indications of reasonable suspicion of alcohol consumption may include, but are not limited to, such characteristics as alcohol odor, slurred speech, and unsteady gait, lack of coordination, presence of an alcohol container, bloodshot or glazed eyes, marked change in personal behavior, a report by a third party of a student's consumption of alcohol or other similar information, or behavior that is risky, aggressive, or disruptive.

The administrator(s) in charge of the event and any other school personnel who will participate or assist in the breathalyzer tests will be knowledgeable in the proper use of available breathalyzers. Breathalyzers will be properly calibrated and maintained in accordance with accepted manufacturer standards.

Under no circumstances will a student be allowed to transport himself from the event. No refunds will be provided to these students or their guests. Additional disciplinary action may follow which could include referral to an alcohol/substance abuse counseling program, in-school suspension, out-of-school suspension, expulsion, and/or other disciplinary consequences as outlined in the Abby Kelley Foster High School student handbook.

Should the student refuse to take a breathalyzer test, it will be deemed that the suspicion of the administrator is confirmed and the student will face consequences as outlined in the Abby Kelley Foster High School student handbook.

## **DISCIPLINE CHART**

Please be advised that AKFCS reserves the right at the sole discretion of school officials to modify the discipline code and impose a more or less stringent punishment on a case by case basis.

Additionally, AKFCS encourages the use of alternative behavioral measures such as writing relevant research papers and/or community service. At the sole discretion of school officials, such alternative behavioral interventions may be used in addition to or in lieu of the measures outlined in this chart.

Finally, at the discretion of school officials, any of the aforementioned behaviors not otherwise subject to expulsion may be subject to expulsion if the behaviors are repeated, chronic or otherwise severe.

### **DISCIPLINE CHART**

<b>OFFENSE</b>	<b>CONSEQUENCES</b>
Possession or Use of Alcohol	Please refer to the Handbook Section entitled M.G.L. Ch. 71 § 37H.
Assault on Educational Personnel	Possibility of expulsion. Please refer to the Handbook Section entitled M.G.L. Ch. 71 § 37H.
Possession or Use of Controlled Substance	Possibility of expulsion. Please refer to the Handbook Section entitled M.G.L. Ch. 71 § 37H.
Possession or Use of Weapon	Possibility of expulsion. Please refer to the Handbook Section entitled M.G.L. Ch. 71 § 37H.
Stealing	5 day in or out of school suspension, money restitution, and possible police/court referral at administrative discretion
Felony Charge or Conviction	Possibility of long term suspension and/or expulsion. Please refer to the Handbook Section entitled M.G.L. Ch. 71 § 37H½.

## **DISCIPLINE OF SPECIAL NEEDS STUDENTS AND SECTION 504**

The Code of Conduct applies to all students. There are specific procedures, however, for disciplining students with disabilities who are eligible for Individualized Education Program (IEP) or Section 504 services.

Under federal and state laws and regulations, students with disabilities may not be discriminated against on the basis of their disability or impairment. The following procedures will be implemented to comply with state and federal law and regulations regarding the discipline of students with disabilities. A student's individualized education program (IEP) will indicate if the student is unable to meet the regular discipline code, or if the school's code of conduct will be modified because of the student's individual needs. Any modifications to the code will be described in the IEP.

Prior to any removal of a special education student that constitutes a change of placement, the school district must send the parents a full statement of their procedural rights and inform them that the IEP Team will conduct a Manifestation Determination. Parents are members of the student's IEP Team.

Prior to any removal of a Section 504 student that constitutes a change of placement, the school district will convene the Section 504 Team to conduct a causation conference. The Section 504 Team

considers available information and makes a determination concerning the relationship between the behavior and the student's disability. If the student's behavior is caused by the student's disability, the school may not discipline the student in a manner which results in a change of placement for the student. If the behavior is not caused by the student's disability, the school may discipline the student in the same manner as non-disabled students. Special education students may be removed (suspended) from their educational placement for up to ten days in a school year without receiving services. *For additional information, please refer to the updated discipline code for more information on all students' rights to services during disciplinary removals.)*

A 'change of placement' (more than ten consecutive days or a pattern of removals) invokes certain procedural protections under the IDEA, the federal special education law. If AKFCS determines that a disciplinary 'change of placement' will be considered, then within ten days of that decision and prior to the removal, the IEP Team must convene to conduct a Manifestation Determination. If the removal of a special needs student will accumulate to more than ten days in a school year, AKFCS may remove the student from his or her IEP placement and conduct a Manifestation Determination but must provide services in an interim alternative educational setting.

At the Manifestation Determination Team meeting, the Team must review all relevant information, including the student's IEP, teacher observations and any relevant information provided by the parents, and determine whether the behavior was caused by or was in direct and substantial relationship to the child's disability, or was a direct result of AKFCS' failure to implement the student's IEP.

If the student's conduct is related to his/her special education needs or was a direct result of AKFCS' failure to implement the IEP, the IEP will be amended and/or steps will be taken to fully implement the current IEP. Additionally, if the Team determines that the behavior was a manifestation of the child's disability, the IEP Team must conduct a functional behavioral assessment and implement a behavior intervention plan. If a behavior intervention plan was previously developed, the Team must review the existing plan and modify it as necessary.

If the Team determines that student's conduct is not related to his/her special needs or to an inappropriate IEP, the school may suspend or otherwise discipline the child according to the school's code of student conduct, except that for any period of removal exceeding ten days, the school district must provide the child with a Free Appropriate Public Education (FAPE) in an alternate educational setting. Parents will be notified of the removal, the reasons therefore, and the alternate plan. Any dispute regarding the removal will be resolved through the special education mediation and hearing process. If a hearing is requested, the student must stay in the interim alternative educational setting unless the parents and AKFCS agree otherwise.

If a student carries or possesses a weapon to or at school, on school premises or at a school function; or if the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises or at a school function; or if the student inflicts serious bodily injury (injury that involves a substantial risk of death; extreme physical pain; protracted or obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ or faculty) upon another person while at school, on school premises or at a school function, the school may order a change of placement for a period not to exceed 45 days without regard to whether the behavior is determined to be a manifestation of the student's disability. Thereafter, the child will return to the previously agreed upon educational placement unless either a hearing officer orders another placement or the parent and the school agree to another placement.

Interim alternative educational placements are determined by the IEP Team.

If a student with special needs presents a danger to other students, staff, or the student himself/herself, AKFCS will immediately seek court approval to suspend or exclude the student from the school premises.



Any disputes regarding the IEP will be resolved through the Bureau of Special Education Appeals mediation and hearing process. If a hearing is requested concerning a disciplinary change of placement, the student must stay in the interim alternative educational setting unless the parents and AKFCS agree otherwise.

## School Discipline

Students are expected to meet the requirements for behavior as set forth in the Abby Kelley Foster Charter Public School Parent/Student Handbook. The regulations in 603, CMR 28.00 pursuant to MGLc.69 Section 1B and Chapter 71B, Section 3 require that additional provisions be made for students who have been found eligible for special education by an evaluation Team. The following are these additional requirements:

The IEP for each student with special education will indicate if the student's disability necessitates any modification of the discipline code. Discipline is the responsibility of the school principal and all authority for discipline rests with him/her. Any questions around procedures regarding the discipline of students eligible for special education or students who have been referred for an evaluation, or even students who may be suspected as having a disability should be addressed to the Director of Special Education. Special Education staff and guidance counselors should be familiar with the regulations regarding:

1. **Free and Appropriate Public Education, (FAPE):** Abby Kelley Foster is responsible for providing FAPE to all of its students. A student may not be suspended for more than ten school days without the provision of FAPE.
2. **Manifestation Determination:** The Team must consider whether appropriate services were in place, whether the placement is appropriate and whether the behavior was a manifestation of the student's disability. When a parent(s)/guardian(s) disagrees with the Team's decision on the "manifestation determination" or with a decision regarding placement, the parent(s)/guardian(s) has a right to request an expedited due process hearing from the Bureau of Special Education Appeals. The school will notify the parents of its decision, no later than the date of any disciplinary action, and will provide the parents with a written notice of procedural safeguards.
3. **Functional Behavioral Assessment/Behavioral Intervention Plan:** The goal of a functional behavioral assessment/Behavior Intervention Plan is to understand why a student acts as he/she does. What does the Team feel is the function of the behavior: attention? Sensory input? What behaviors could be chosen to try and redirect the student? The Functional Behavior Assessment/Behavioral Intervention Plan should include instructions on how to change the behavior.
4. **Alternative Educational Setting, AES:** In cases of a dangerous weapon or drugs, the principal may place a student in an alternative educational placement for up to 45 days. The team will consider principal recommendations.
5. **"Stay-put" provision:** Parents may request a due process hearing which invokes "stay- put", freezing the placement during the period of the expedited hearing.

## Functional Behavioral Assessment

Functional behavioral assessment (FBA) is a process for addressing student problem behaviors, the settings under which the problem behaviors may or may not be observed, and the function (the why) of the problem behaviors. This information is obtained by collecting data from direct observation and is used to develop an effective plan to reduce the frequency or severity of the problem behavior. A behavior intervention plan (BIP) is developed and implemented, if appropriate. Functional behavioral assessment should be integrated, as appropriate, throughout the process of developing, reviewing, and, if necessary, revising a student's IEP. The BIP can be mentioned and/or incorporated by reference into the IEP, but the IEP must note that BIPs are dynamic and may be modified frequently to align with a student's current level of functioning.

An FBA/BIP must be considered at all annual meetings AND whenever a child is suspended or removed from class for more than ten days.

An FBA must be conducted whenever a student's behavior is determined by the IEP Team to be a manifestation of the child's disability, AND whenever the student's behavior impacts his or her learning or the learning of others.

In the case of a student with a disability, a possible suspension of more than 10 days, or expulsion, or removal of less than 10 days that appears to be part of a pattern of removals (all of which are viewed as changes of placement) require an emergency Team meeting within ten school days of the behavioral incident in question. The purpose of this Team meeting is to make a manifestation determination in order to determine whether the student's behavior is a manifestation of the student's disability. Relevant members of the Team shall review all relevant information in the student's file, including the IEP, teacher observations, and any information provided by the parents to determine if the conduct in question is caused by or had a direct and substantial relationship to the child's disability or was the direct result of the LEA's failure to implement the IEP. If any of those circumstances are found, long-term suspension or expulsion may not be imposed.

If the behavior in question is not a manifestation of the student's disability, the student may be disciplined under the general conduct code of the school; however, the student must receive alternative services for each day of removal beyond the tenth cumulative day. The IEP Team considers all relevant information, including evaluation/diagnostic results, observations of the student, and the student's IEP and placement.

### **Student Violates School Discipline Code 45 Calendar Day Rules**

School Administrators may remove a student to an appropriate interim alternative educational setting for not more than 45 *calendar* days if the student:

- carries a weapon
- possesses or sells illegal drugs or controlled substance
- serious bodily injury upon another person at school, on school premises, or at a school function

The Team must conduct a Functional Behavioral Assessment and Manifestation Determination. A Hearing Officer can extend the 45-day period.

The Hearing Officer may order a 45 *calendar* day placement in an interim alternative educational placement if the District proves that the presence of the student poses a danger. Danger is considered as:

- Likelihood to result in injury to the student or others
- Appropriateness of the student's current placement
- Reasonable efforts made to minimize risk of harm
- The interim Alternative Education Placement meets requirements – access to curriculum and program designed to address behavior

The Team must conduct a Functional Behavioral Assessment and Manifestation Determination. The Hearing Officer can extend the 45-day period.

The District uses interim alternative educational settings when students are removed from their current placement.

When a student with a disability is reported to the police for an alleged crime, special education and disciplinary records must be furnished to the police.

The **Individuals with Disabilities Education Act Regulations at 34 CFR § 300.529** state the following:

Nothing in this part prohibits an agency from reporting a crime committed by a child with a disability to appropriate authorities or to prevent State law enforcement and judicial authorities from

exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a child with a disability.

An agency reporting a crime committed by a child with a disability shall ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom it reports the crime.

An agency reporting a crime under this section may transmit copies of the child's special education and disciplinary records only to the extent that the transmission is permitted by the Family Educational Right and Privacy Act. (Authority: 20 U.S.C. 1415(k)(9))

## **PHYSICAL RESTRAINT**

In compliance with the Commonwealth of Massachusetts Regulations (603 CMR 46.00), the Abby Kelley Foster Charter Public School ensures that every student attending our schools is free from the unreasonable use of physical restraint. Physical restraint shall be used only in emergency situations and only as a last resort, after other less intrusive alternatives have failed or been deemed inappropriate. Trained school personnel shall use physical restraint with two goals in mind:

- to administer a physical restraint only when needed to protect a student and/or a member of the school community from imminent, serious, physical harm; and
- to prevent or minimize any harm to the student as a result of the use of physical restraint.

***Use of restraint*** - Physical restraint may be used only in the following circumstances:

- when non-physical interventions would not be effective; and
- when the student's behavior poses a threat of imminent, serious, physical harm to self and/or others.

***Limitations on use of restraint*** - Physical restraint in a public education program 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.

***Prohibitions*** - Physical restraint is prohibited in the following circumstances:

- 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.

## **Definitions**

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

- Extended restraint is a physical restraint the duration of which is more than twenty (20) minutes. Extended restraints increase the risk of injury and, therefore, require additional written documentation as described in 603 CMR 46.06.
- Physical escort is the touching or holding of a student without the use of force for the purpose of directing the student.
- Physical restraint is the use of bodily force to limit a student's freedom of movement.

## **Training**

An overview of physical restraint policies and procedures are required for all staff. Each principal shall determine a time and method to provide all program staff with training regarding Abby Kelley Foster Charter Public School 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. 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 Department of Elementary and Secondary Education recommends that such training be at least sixteen (16) hours in length.

## **Reporting Requirements**

Program staff shall report the use of physical restraint as specified in 603 CMR 46.06 (2) after administration of a physical restraint that results in any injury to a student or staff member, or any physical restraint of duration longer than five minutes.

The staff member who administered the restraint shall verbally inform the administration of the restraint as soon as possible, and by written report no later than the next school working day. The written report shall be provided to the principal or director of the program, or his/her designee, except that the principal or director shall prepare the report if the principal or director has administered the restraint. The principal or director, or his/her 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, upon request.

The principal or director of the program, or his/her designee, shall verbally inform the student's parents or guardians of the restraint as soon as possible, and by written report postmarked no later than three school working days following the use of restraint. If the school customarily provides a parent or guardian of a student with report cards and other necessary school-related information in language other than English, the written restraint report shall be provided to the parent or guardian in that language.

## **Special Circumstances**

Parent(s)/guardian(s) may voluntarily waive the reporting requirements as stated above for restraints that do not result in serious injury to the student or to a staff member and do not constitute extended restraint.

Abby Kelley Foster Charter Public School may seek such individual waiver for students who present a high risk of frequent, dangerous behavior that may require the frequent use of restraint.

Abby Kelley Foster Charter Public School shall not require parental consent to such a waiver as a condition of admission or provision of services. Parent(s)/guardian(s) may withdraw consent to such waiver at any time without penalty.

Extended restraints and restraint that result in serious injury to a student or staff member must be reported as described above, regardless of any individual waiver.

The following documentation regarding individual waiver of reporting requirements will be maintained on-site in the student's file and will be made available for inspection to the Department of Elementary and Secondary Education upon request: Informed written consent of parent(s)/guardian(s) to the waiver, which shall specify those reporting requirements listed above that the parent(s)/guardian(s) agree to waive; and specific information regarding when and how the parent(s)/guardian(s) will be informed regarding the administration of all restraints to the individual student.

Nothing herein shall be construed to allow a program or classroom to receive an exemption or waiver from any of the requirements of this policy on behalf of all of the students enrolled in a particular program or classroom.

### **Students With Disabilities**

Restraint administered to a student with a disability pursuant to an Individualized Education Plan (IEP) or other written plan developed in accordance with state and federal law to which the school system and the parent/ guardian have agreed shall be deemed to meet the requirements of 603 CMR 46.00 except that the reporting requirements noted herein shall apply.

If you have any questions or concerns regarding this policy or Massachusetts regulations, please contact the Principal/Assistant Principal 508-854-8400.

## **SCHOOL PERFORMANCES**

### **Performance Guidelines**

Performances are an integral part of the overall program of Abby Kelley Foster. Performances often include, but are not limited to, musical ensembles and musical productions.

We often have performances where every child in a grade level is presented on stage. We also have productions where children are selected from various grade levels. As we have a student body of 1,426 children, at no time when we have a “school production” will that translate into every child being on stage. The term “school production” refers to a production where the performers, backstage crew, and various others that create a successful performance are pulled from several grade levels.

### **Musical Productions (other than general music assemblies)**

To be solid in the knowledge of music theory is a key component and a prerequisite to being able to participate in non-general assembly performances. The other components are talent, academics and discipline.

*Talent* – This includes an ability to sing, dance, articulate, or act as well as ability within the visual arts. Students with organizational skills, talent for writing, video handling and production, sound, and technical knowledge and all other aspects that relate to a successful performance on and behind the stage fall into this category. The key is to display a standard of excellence in their selected area.

*Academics* – Along with having an overall mastery of 80% in music, the student must be doing well in all other subjects. Being part of a performance does not exempt any student from completing all assignments. It is the student’s responsibility to collect and complete any missed assignments due to practice schedules. Missed assignments and assignments that are handed in as incomplete may result in the recasting of a student’s role or duty. The final decision regarding a student being withdrawn from a production for academic reasons will be made by the director of the production, the teacher(s) whose assignments have been missed, the student’s homeroom teacher, and the Principal/assistant principal. Parents will receive a letter informing them that their child has been replaced and the reason why.

*Discipline* – Good behavior is another aspect students who desire to be in a performance must possess. Because the practice schedule is often rigorous and short, taking the time out to discipline someone is not an option. If a student exhibits good behavior in all other classes, the assumption will be made that he or she will be well behaved during the process of preparing for a production as well. If, however, a student lacks responsible and disciplined behavior in other classes, he or she will not be invited to perform or be allowed to go through the audition process. Inappropriate behavior while a performance is in production may lead to a recasting of the student’s role or duty. The director of the production will make the final decision regarding a student’s withdrawal from a production for behavioral reasons. Parents will receive a letter informing them that their child has been replaced and the reason why.

## **Ensemble and Musical Production Rules**

Below are the rules that along with talent, academics and discipline are required for students to be a part of our performing ensembles. A student must be willing to commit to these rules before signing up and trying out for the various ensembles or auditioning for a production.

1. All rehearsals must be attended. Being a member of a performing ensemble (band, choir, musical production) means that there will be sacrifices involving time. If there are after-school rehearsals (especially when half-days are close to performance dates), parents will be notified no less than one full week ahead. A signed parental note must be returned to the director prior to a planned missed rehearsal or on the next attended rehearsal. All performing students must attend dress rehearsals.
2. All roles and music must be learned on time. If a student neglects to learn his/her lines, spoken or sung, by the requested time, the role will be recast. This will not necessarily result in removal from the production, but the student will be given a role that does not require the responsibility of lines. If a student neglects to learn an instrumental part, especially a solo or prominent aspect of the score, the director will use his discretion to reassign the part.
3. Treat all students and teachers with respect. Rude and arrogant behavior toward other cast members, students who are not involved in the production by choice or the process of elimination, and teachers who are giving directives (even if the student doesn't normally have contact with the teacher) will not be tolerated. The student will be asked to take responsibility for his or her actions in an appropriate manner and then removed from the production.
4. Return all AKFCS costumes, props, and music. All costumes and props given to a student by Abby Kelley Foster must be left, the evening of the performance, in the designated area. All original music scores must be handed in at the next rehearsal.
5. Be committed. In order for a conductor of a band or choral group to build a beautiful sound, he or she must have consistency of membership. This cannot be achieved if students move in and out of the organizations. Ensembles are yearlong commitments. Consider this before joining. If a student decides to leave, he or she will not be allowed to return during that school year.
6. Much of the preparation of productions takes place during general music classes, scheduled choir time, or scheduled band sectionals. At a certain point, however, we must work in larger or smaller scene groupings for longer periods of time. Eventually the entire performing ensemble or cast is needed extensively.
7. Parents should be aware that for a two-week period leading up to a large-scale production or performance the student's regular academic schedule may be interrupted. Classes may be missed, but the student will still be responsible to go to the teacher(s) and collect their work. Failure to do so will result in removal from the production. Please discuss this in depth with your child. A parent who is concerned about the amount of time missed due to rehearsals and would rather not allow the child to participate because of the academic interruptions should send a letter to the director.

## **Tickets for Productions**

Because of the costs involved in presenting a high quality performance, we are unable to present concerts free of charge. We will always keep the costs in direct proportion to our expenditures. One way to keep the cost down is for your family and friends to buy the tickets in advance at school. As is often the case for musical productions, the entrance fee for children and adults is higher at the door. Also, please note that the doors will open 30 minutes before the performance.

## **PARENT INVOLVEMENT AND COMMUNICATIONS**

### **Board of Trustees**

The Board of Trustees is committed to providing all students with a classical liberal arts education.

The Board of Trustees meet on a regularly scheduled basis. The dates of these meetings are posted on the school website. Meetings begin at 6:30 p.m at the high school. The Board of Trustees of a charter school is a governmental body; it must comply with the state's Open Meeting Law, MGL c. 30A, Section 11A 1/2. Please note that the Board meeting schedule and meeting time are subject to change at the discretion of the Chair. Please review our website for the most updated information

It is the policy of the Board of Trustees of the Abby Kelley Foster Charter Public School to solicit written concerns from parents prior to the monthly Board meeting. Letters addressed to the Board of Trustees must be submitted to Naira Joseph, Administrative Assistant, at 10 New Bond Street, Worcester, MA 01606 Attention: Board of Trustees.

All requests to address the Board of Trustees must be submitted in writing not less than 7 calendar days prior to the meeting; the request must identify the subject of the presentation to be made to the Board. The Board will seek, prior to the meeting for which the request is made, to notify the person making the request whether the Board will recognize him or her during the public comment period of the meeting.

### **Volunteering**

Regular volunteers must complete a CORI (Criminal Offender Record Information) Questionnaire. Volunteers must follow all School policies and procedures. If an activity occurs that is not in keeping with the School policies, the Principal reserves the right to relieve the volunteer of his or her responsibilities.

All visitors to the Abby Kelley Foster Charter Public School are required to sign in at the reception area and to wear a visitor's pass. All visitors must state the reason for their visit, the location, and time when checking in with the front desk. All visitors need to wear a visitor's badge. Faculty and staff have been instructed to escort anyone not having a visitor's ID immediately to the receptionist for identification. Any school visitor or volunteer may not go to any additional areas of the school during the visit. Volunteers and visitors who violate this agreement may have their privileges revoked.

Parents are encouraged to participate in school-related activities. Please discuss volunteering opportunities with the building principal.

Volunteers should dress professionally. Discretion and confidentiality must be exercised. Volunteers must not discuss students, staff or classroom issues with others. Volunteers are not allowed in the classroom after 2:00 p.m. Additionally early dismissal will not be granted after 2:00 p.m. to volunteer parents or guardians.

We welcome the opportunity to reinforce the home/school partnership to ensure each student has a successful experience in school. Contacting the appropriate person and discussing your concerns can solve most problems. Generally, the best place to resolve an issue is with the source, the classroom teacher. In the event you have met or spoken with the teacher about your concern and you are still not satisfied with the solution, please contact the building principal.

### **Parent Conferences**

Formal parent/teacher conferences are scheduled in the fall to facilitate open communication between parents and teachers regarding students' progress; refer to the School calendar for specific dates. Feel free to contact your child's homeroom teacher if additional meetings are desired. Every

teacher has a phone with voicemail to receive your messages. In addition, each teacher has an email address to further ease communication.

If you would like to visit your child's classroom, contact the teacher to schedule a visit. There may also be times when the teacher will request that you observe your child during the course of the school day. When present to observe the classroom, a seat will be provided in an area free from distraction of all students, including your child. The teacher will not be available to converse, but will provide you with paper and a clipboard on which to record questions or concerns. You may contact the teacher later to discuss any questions or concerns. Siblings are not allowed to be present during a classroom observation. Conferences may also be scheduled with the school administration at any time throughout the year. Please call the appropriate extension to schedule a meeting.

### **Phone Calls**

A teacher's primary responsibility is instruction and phones are programmed to direct incoming calls to voicemail. Please leave a message and your call will be returned as soon as possible. **DO NOT leave dismissal changes or urgent messages on a teacher's voicemail** but contact the receptionist directly, who will deliver the message to the teacher. Students will not be allowed to use the phone without the teacher's permission. There are times that a teacher, along with the student, will contact a parent/guardian regarding a student's classroom behavior

### **Distribution of Materials**

Any organization desiring to distribute flyers or other material to students/staff or post them within the school buildings or on school grounds may do so only with the approval of the Executive Director or Principal. All flyers must clearly state the name of the sponsoring organization, contact name(s) and contact information. Flyers from the non-school sponsored organizations must clearly indicate that the event is not school sponsored and is being distributed as a community service.

### **Fundraising**

The Executive Director or designee may permit occasional fundraising activities related to the school. These activities may not disrupt school routine or cause loss of instructional time. The amount of time to be devoted to fundraising should be reasonable and commensurate with students' obligations for homework, after-school activities, and jobs. Group fundraising activities are preferred. Students should not be assigned individual fundraising targets. If students are charged individual fees for participation, the school should make every effort to provide scholarships where needed.

### **Parent Teacher Organization (PTO)**

The Abby Kelley Foster Charter Public School's organization was formed to support the students and overall success of the School. Parents and guardians are encouraged to join. For more information, contact the Principal.

### **Special Education Parent Advisory Council (PAC)**

Parents/guardians of special education students meet during the school year to discuss programs, concerns and issues of the special needs children. For more information, contact the Principal.

### **English Language Learners (ELL) Parents' Group**

Parents/guardians of English language learner students meet during the school year with the ELL staff to discuss issues and subjects relative to the program. For more information, contact the Principal.



## **ATHLETIC SCHOOL POLICY**

Abby Kelley Foster Charter Public School is currently a member of the Massachusetts Interscholastic Athletics Association (MIAA). Abby Kelley Foster Charter Public School is committed to excellence in academics and athletics. As a member of the MIAA our school competes in the Worcester County Athletic Conference composed of teams from the surrounding communities while learning about teamwork, fitness, and wellness. Participation in Abby Kelley Foster Athletics is a privilege and may be taken away from a student-athlete for violation of any of the policies and rules listed below and/or detailed in the Parent/Student Handbook No student will be denied the right to participate in any extra-curricular activities in the school on the basis of age, disability, marital status, national origin, race, color, sex, or English language proficiency.

### **Code of Conduct**

- Abusive or foul language will not be tolerated. (Consequences determined by severity of offense.)
- Players will avoid unsportsmanlike gestures, and make a commitment to moral and ethical standards.
- Players will display respect for staff, coaches, teammates, opponents and officials at all times.
- Team members will travel to and from all away games on transportation provided by AKFCS. The use of student transportation is prohibited.
- Hazing is prohibited (Massachusetts General Laws, Chapter 269, ss17-18)
- Students are not to leave away game sites for any reason.
- All injuries should be reported to the coach.
- Abby Kelley Foster Code of Conduct as detailed in the Parent/Student Handbook.

### **Medical Eligibility**

Students must have a physical exam within 13 months of each day of athletic participation. Each player must submit a completed athletic form before the opening day of tryouts. In order to be eligible the athletic form must include both a parent and physician signature. A signed athletic form by the parent/guardian absolves AKFCS, its coaches, school personnel from all liability in case of injury.

Students must have a signed dated athletic form annually.

### **Appeals**

Any appeal involving athletics should be made first to the head coach. If not resolved at that level, the athletic director should be the next level. If still not resolved, the next level would be the principal. The final decision resides with the Executive Director.

### **Tryouts**

Any student may try out for a team, if they are ineligible from the previous marking period regardless of his/her grades but may not practice until the next quarterly grades are posted and the criteria has been met. The Building Administrator reserves the right to consider probation for a student who has shown outstanding effort. These students will be allowed to practice only.

### **Academic Eligibility**

All students must maintain a "C" Average to participate in any extracurricular activity including sports teams, academic clubs, student government and student council. The principal/assistant principal or designee reserves the right to make final eligibility decisions. Students with two failing grades may ***not*** participate in school sports. Students are allowed to try out for a team but will not be able to attend practice at any time. Student participation academic eligibility is based on the following schedule:

**Fall Sports:** 4<sup>th</sup> Quarter Grades of the previous academic year.

**Winter Sports:** 1<sup>st</sup> Quarter Grades of the current academic year.

**Spring Sports:** 2<sup>nd</sup> Quarter Grades of the current academic year.

### **Absences and Extracurricular Activities**

If a student has been absent during the School day he or she will not be allowed to attend an extracurricular or athletic school activity that day unless approved by the Principal. If a student misses the dress rehearsal or the practice before a performance or game he or she will not be allowed to perform or play unless approved by the Principal.

### **School Equipment Responsibilities**

Students are responsible for, and are expected to maintain proper care of all equipment issued to them. Students are responsible for payment of any items lost, stolen or damaged. Each item not returned will be assessed at a rate comparable to the current replacement cost. All equipment is to be returned within three days of the completion of the season.

### **Games and Practices**

Student athletes have made a commitment to be at all practicing sessions, contests and team meetings. Any team member who must be late, or miss practice, games or meetings must confer with their coach. Absences may jeopardize retaining a position on a team.

### **Alcohol, Drugs and Tobacco**

MIAA Rule 62.1: From the earliest fall practice date, to the conclusion of the academic year or final athletic event (whichever is latest), a student shall not, regardless of the quantity, be in the presence of, use, consume, possess, buy/sell, or give away any beverage containing alcohol; any tobacco product; marijuana; steroids; or any controlled substance.

### **Athletic Participation Warning**

Although most athletic injuries are usually minor, serious injury, including permanent paralysis or death, may occur. If you have any questions regarding this policy, please contact your building principal or review the [MIAA WEBSITE](#).

## **SCHOOL TECHNOLOGY**

### **Internet Safety & Acceptable Use Policy for Abby Kelley Foster Charter Public School**

#### *Introduction*

The Abby Kelley Foster Charter Public School is pleased to make available to students access to interconnected computer systems and to the Internet, the worldwide network that provides various means of accessing significant educational materials and opportunities.

In order for the Abby Kelley Foster Charter Public School to be able to continue to make its computer network and Internet access available, all students must take responsibility for appropriate and lawful use of this access. Students must understand that one student's misuse of the network and Internet access may jeopardize the ability of all students to enjoy such access. While the school's teachers and other staff will make reasonable efforts to supervise student use of network and Internet access, they must have student cooperation in exercising and promoting responsible use of this access.

If you have any questions about this policy, you should contact the building principal. If any user violates this policy, the student's access will be denied, if not already provided, or withdrawn and he or she may be subject to additional disciplinary action.

### *Policy Statement*

It is the policy of Abby Kelley Foster Charter Public School to:

1. Prevent user access to, or the transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications over the school's computer network
2. Prevent unauthorized access and other unlawful online activity;
3. Prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors;
4. Comply with the Children's Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)].

### *Acceptable Uses*

#### **Educational Purposes Only**

The Abby Kelley Foster Charter Public School provides access to its computer networks and the internet for educational purposes as a privilege, not a right. This privilege may be revoked if a user is in violation of this acceptable use policy. If it is unclear if any observed computer activity is educational, please consult with the building level Principal or Assistant Principal.

### *Unacceptable Uses*

Though the following list is not comprehensive, it contains activities which are explicitly not permitted. Abby Kelley Foster Charter Public School reserves the right to make judgments both as to what constitutes inappropriate behavior and the consequences that apply.

1. Unauthorized access, "hacking", and/or other unlawful activities;
2. Unauthorized disclosure, use, and dissemination of personal identification information regarding minors.
3. Sending or displaying offensive messages or pictures
4. Using obscene language
5. Giving personal information, such as complete name, phone number, address or identifiable photo without permission from teacher and parent or guardian.
6. Harassing, insulting or attacking others (cyberbullying)
7. Damaging or modifying computers, computer systems or network resources, whether physically or through use of software means such as deletion, formatting, viruses, hacking, phishing, cracking
8. Violating copyright laws. All communications and information accessible via the network are private property unless otherwise stated.
9. Using others' passwords
10. Trespassing in others' folders, work or files
11. Intentionally wasting limited resources
12. Installing any software, shareware or freeware without Principal approval and installation by onsite contact person
13. Employing the network for commercial purposes, financial gain or fraud
14. The network, wired and wireless, is for educational uses only. Non-educational use is prohibited.

### *Net Etiquette*

All users must abide by rules of network etiquette, which include the following:

- Be polite. Use appropriate language. The use of swearing, vulgarities, suggestive, obscene, belligerent, or threatening language is strictly prohibited.
- Any electronic abuse of one student by another student through electronic communications may be considered bullying as defined by Massachusetts laws and regulations.
- Avoid language which may be offensive to other users. Don't use technology access to distribute jokes, stories, or other materials which are based on slurs or stereotypes related to gender, ethnicity, or race.
- The use of electronic communications must not incur legal liability or embarrassment to the Abby Kelley Foster Charter School.

### *Internet Safety*

#### **General Warning**

All users and their parents/guardians are advised that access to the electronic network may include the potential for access to materials, inappropriate for school-aged pupils. Every user must take responsibility for his or her use of the internet and avoid the attempt to access such sites. Parents of minors should monitor their child's internet browsing habits and provide guidelines for appropriate use of the internet, both at home and away from home. If a student finds that other users are visiting offensive or harmful sites, he or she should report such use to their teacher, assistant principal, or principal. If a student accidentally accesses information which is inappropriate, he or she should immediately notify a teacher, assistant principal, or principal.

#### **Personal Safety**

Users should always be safe when using the computer network and Internet. Though not comprehensive, the list below offers some general guidelines.

- Students should not reveal personal information. This includes their home address or telephone number.
- Students should not reveal real last names or any other information which might allow a person to locate the user without first obtaining the permission of a supervising teacher.
- Students should not, under any circumstances, arrange a face-to-face meeting with someone they meet on the computer network or Internet without their parent's permission. Students should never agree to meet a person with whom communication has only occurred on the Internet, and certainly not in a location which can be considered secluded or private.

#### **“Hacking” and Other Illegal Activities**

It is a violation of this Policy to use the School's computer network or Internet connection to gain unauthorized access to other computers or computer systems, either on the Abby Kelley Foster (AKF) network or external or to attempt to gain such unauthorized access. Any use which violates state or federal law relating to copyright, fraud, the distribution of obscene or pornographic materials, or which violates any other applicable law or municipal ordinance, is strictly prohibited.

#### **Confidentiality of Student Information**

Personally identifiable information related to Abby Kelley Foster students should never be disclosed or used in any way on the Internet without the expressed permission of a parent or guardian. Users should never give out private or confidential information about themselves or others on the Internet, particularly the following:

- home addresses
- telephone number
- credit card numbers

- Social Security numbers.
- photographs
- video

A supervising teacher or administrator may authorize the release of directory information, as defined by state law, for internal administrative purposes or approved educational projects and activities.

### **Safety and Security of Minors when using Electronic Mail**

- Students will only use their AKF GMail accounts or PlusPortal accounts to communicate with teachers
- AKF employees will only use their AKF GMail or PlusPortal accounts to communicate with students
- Students will not share contact information about themselves or others.
- K-7 Students will never disclose their full name or any other contact information for any purpose
- High school students will not disclose personal contact information, except to education institutes for educational purposes, companies or other entities for career development purposes, or with specific staff approval.
- Students will not disclose names, personal contact information, or any other private or personal information about other students under any circumstances. Students will not forward a message that was sent to them privately without permission of the person who sent them the message.
- Students will not agree, under any circumstances, to meet someone they have met online.
- Students will promptly disclose to their teacher or other school employees any message they receive that is inappropriate or makes them feel uncomfortable. Students should not delete such messages until instructed to do so by a staff member.

### **Employed Restriction Measures**

It shall be the responsibility of all members of the Abby Kelley Foster Charter Public School (AKFCPS) staff to educate, supervise and monitor appropriate usage of the online computer network and access to the Internet in accordance with this policy, the Children’s Internet Protection Act (**CIPA**), the Family Educational Rights and Privacy Act (**FERPA**), and the Children’s Online Privacy Protection Act (**COPPA**). AKFCPS will comply with any additional state and federal regulations that pertain to technology use within the district and through use of the district network infrastructure and servers that is forthcoming from the local, state and federal regulatory agencies.

#### **1. Filtering**

Abby Kelley Foster Charter Public School will make every reasonable effort to minimize the risk that users will encounter objectionable material on the Internet. However, there is no absolute guarantee that all objectionable material will be successfully blocked. AKFCPS utilizes filtering safeguards required by The Children’s Internet Protection Act (CIPA), which address concerns about access to offensive content over the Internet on school and library computers. CIPA imposes certain types of requirements on any school or library that receives funding support for Internet access or internal connections from the “E-rate” program. With these measures, in addition to user education, implementation of this policy and grade-appropriate supervision, AKFCPS believes that the Internet can be used safely to enhance the delivery of educational services.

The AKFCPS technology infrastructure employs third-party filtering systems that prevent accessing web pages that are 1) obscene, 2) pornographic, or 3) deemed harmful to minors. These filtering systems block content at the root level based on databases of inappropriate websites and web apps which are updated in real-time. While these systems utilize powerful filtering algorithms, given the vast number of new websites on the Internet, they cannot block 100% of all inappropriate content. Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes. Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of Technology Director or designated representatives.

## 2. Monitoring

In addition to the root level filtering, the school also utilizes various additional 3rd party monitoring and computer lab management tools which allow teachers to further control the use of classroom computers. The staff and students are advised that any and all electronic communication transmitted using the school network, email system, or other school licensed software or services are potentially viewable to AKFCPS and school administration. Furthermore, this communication is admissible in court.

## 3. Education

All Abby Kelley Foster Charter Public School teachers or designated representatives will provide age-appropriate training for students who use the Abby Kelley Foster Charter Public School's Internet facilities and school technology devices. The training provided will be designed to promote the Abby Kelley Foster Charter Public School's commitment to:

- A. The standards and acceptable use of Internet services as set forth in this document, "Abby Kelley Foster Charter Public School Internet Safety & Acceptable Use Policy".
- B. Student safety with regard to:
  - i. Safety on the internet
  - ii. Appropriate behavior while online, on social networking web sites, and in chat rooms; cyberbullying awareness and response.
  - iii. Compliance with the E-rate requirements of the Children's Internet Protection Act ("CIPA").

### Adoption

This revised internet safety policy was developed by the Abby Kelley Foster Charter Public School Technology Committee and adopted by the Abby Kelley Foster Charter Public School Board of Trustees at a public meeting following formal notice, on January 31, 2018.

Updates and amendments will be made and published as needed.

## **Non-Discrimination Notice & Civil Rights & Safety Information for School Personnel, Parents and Students**

The Abby Kelley Foster Charter Public School is committed to creating and maintaining schools that prevent discrimination of all types while ensuring the health and safety of all who work and learn here. Please take time to review this material in depth.

Charter schools may not discriminate on the basis of race, color, national origin, creed, sex, gender identity, ethnicity, sexual orientation, mental or physical disability, homelessness, age, ancestry, athletic performance, special need, proficiency in the English language or in a foreign language, or academic achievement in admitting students, nor may charter schools set admissions criteria that are intended to discriminate or that have the effect of discriminating on any of these bases. [M.G.L. c. 71, § 89\(1\)](#); [603 CMR 1.06\(1\)](#).

- **Title I of the Americans with Disabilities Act of 1990:** Prohibits discrimination, exclusion from participation, and denial of benefits on the basis of disability in employment.
- **Title II of the Americans with Disabilities Act of 1990:** Prohibits discrimination, exclusion from participation, and denial of benefits on the basis of disability in educational programming.
- **Title IX of the Education Amendments of 1972:** Prohibits discrimination, exclusion from participation, and denial of benefits in educational programs on the basis of sex.
- **Title VI of the Civil Rights Act of 1964:** Prohibits discrimination, exclusion from participation, and denial of benefits based on race, color, or national origin.
- **Section 504 of the Rehabilitation Act of 1973:** Prohibits discrimination, exclusion from participation, and denial of benefits based on disability.

- **M.G.L. Ch. 76 §5:** Prohibits discrimination in all public schools on the basis of race, color, sex, national origin, religion, and sexual orientation.

## **Statement**

It is the role of the Abby Kelley Foster Charter Public School to provide a safe and secure learning environment for all students without distinction based on race, color, gender, national origin, religion, disability, sexual orientation. Discrimination, sexual and bias-motivated harassment, and other violations of civil rights disrupt the educational process and will not be tolerated.

It shall be a violation for any pupil, teacher, administrator, vendor, school visitors, or other school personnel to engage in sexual or bias-related harassment (referred to as “wrongful harassment”) or violate the civil rights of any pupil, teacher, administrator, or other school personnel. Conduct amounting to a hate crime is a particularly serious infraction that will result in referral to law enforcement agencies.

The School will act to investigate all complaints, formal or informal, verbal or written, of sexual or bias-related harassment or violations of civil rights and take appropriate action against any pupil, teacher, administrator, or other school personnel who is found in violation.

## **Commitment to Prevention**

This institution is committed to the prevention, remediation, and accurate reporting of bias incidents and civil rights violations, to the end that all students can enjoy the advantages of a safe and tolerant learning environment where individual differences are respected. The school undertakes to engage in activities and programming, such as training of all school personnel, intended to foster respect for diversity, civil rights, and non-violence in school settings.

## **Zero Tolerance for Known Civil Rights Violations; Required Reporting and Intervention to Stop Harassment**

School employees must intervene in ongoing civil rights violations and episodes of wrongful harassment whenever witnessed or reported to the extent that intervention can be done safely. School employees must report a civil rights violation or episode of wrongful harassment to the School Civil Rights Administrator. A designated Civil Rights Administrator must intervene in ongoing matters of civil rights violations and episodes of wrongful harassment, summoning assistance as necessary.

The primary objective of school intervention in a civil rights matter is to put a swift end to, and prevent any recurrence of, any wrongful conduct, so as to ensure the safety of all students and a school environment free of wrongful harassment and civil rights violations. Intervention should be undertaken immediately, as needed on a short-term basis, and more comprehensively once a civil rights violation has been found to occur. The school will take all necessary steps within its authority to implement the objective of stopping continuing civil rights violations and wrongful harassment, and restoring and preserving an environment free of such conduct.

Effective, and if need be escalating, measures should be used to definitively stop harassment and violence. School officials should immediately consider and use regular administrative actions to defuse a civil rights situation wherever possible: separating victim or complainant and offender, ordering the offender to stay away from the victim, or assigning additional security. Relevant school disciplinary hearings should begin and proceed on an expedited basis where there is a threat of ongoing interference with civil rights. Disciplinary action appropriate to the offender’s conduct should be taken when a violation is found. Potential criminal conduct will be reported to law enforcement, and legal remedies pursued as necessary to protect civil rights.

## **Designation of Civil Rights Administrator**

Abby Kelley Foster Charter Public School has designated the Director of Government Relations as the Civil Rights Administrator.

The designated Civil Rights Administrator will respond to matters of civil rights that arise in the School setting. The Civil Rights Administrator shall be prominently identified as available to receive reports and complaints of civil rights violations from students, faculty, or staff. The Civil Rights Administrator will receive specialized civil rights training and take responsibility for upholding school civil rights and safety policies. The Civil Rights Administrator will also serve as a liaison with law enforcement agencies, and assist Abby Kelley Foster Charter Public School in making referrals of possible criminal matters to law enforcement.

## Identification of Prohibited Conduct

### *Definitions*

- **Bias Incident** means any act, including conduct or speech, directed at or which occurs to a person or property because of actual or perceived race, religion, color, ethnicity, disability, gender, or sexual orientation. A bias incident may or may not be a criminal act.
- **Bias Indicators** are objective facts and circumstances, which suggest that an action was motivated in whole or in part by a particular type of bias.
- **Bias Motives** recognized by Massachusetts’s law as causing hate crimes include prejudice based on race, religion, color, ethnicity, disability, gender, and sexual orientation.
- **Civil Rights Violations** involve interfering by threats, intimidation, or coercion, with someone’s enjoyment of constitutional or statutory rights. Rights protected against interference include non-discrimination in access to advantages and privileges of a public school education. The term “civil rights violation” also covers bias-related and sexual harassment and bias crimes, so the term is applied generically to any civil or criminal law infractions.
- **Discrimination** consists of actions taken against another or others, which treat them unequally because of race, religion, color, national origin, disability, sexual orientation, or gender bias.
- **Harassment** consists of unwelcome verbal, written or physical conduct targeting specific person(s), which is sufficiently severe, persistent, or pervasive to create an intimidating, hostile, humiliating, or offensive school environment, or substantially interfere with the progress of a student’s education. Physical harassment includes pushing, hitting, punching or other unwanted contact between students. It also includes any case of a student not permitting another student freedom of movement by blocking the way or otherwise hampering passage. Any student who engages in physical, sexual, or verbal harassment is subject to a range of disciplinary measures up to and including expulsion.
- **Bias-Related Harassment** will present bias indicators, most commonly epithets: name-calling derogatory to a particular racial, religious, or sexual orientation group;
- **Sexual Harassment** covers instances of physical or verbal conduct of a sexual nature, not limited to but including sexual advances, which foster a hostile educational environment for the victim. Sexually harassing behaviors include, but are not limited to: display or circulation of written materials or pictures derogatory to a gender or sexual orientation, writings or drawings placed on school properties, uninvited remarks and gestures, unwanted sexual comments, spreading sexual gossip, pressure for sexual activity, unwanted physical contact such as touching, pinching, patting, rubbing, etc., homophobic behavior, e.g. gay and lesbian harassment.
- **Hate Crimes** include any criminal acts to which recognized types of bias motives are an evident contributing factor. Criminal bias-motivated conduct entails, at a minimum, threats. Criminal conduct includes acts putting someone in fear of immediate physical harm (assaults), and actual physical violence (assault and battery), and grows most serious if a victim suffers any bodily injury. Repeated threatening or menacing actions like following someone can amount to the crime of stalking.
- **Hostile Environment** exists when a person has been or is subjected to threats, intimidation, or coercion by another (or others) or is reasonably in fear for his or her safety. Whether a school environment has become hostile must be evaluated based on the totality of the circumstances. Repeated instances of bias-related and sexual harassment create a hostile environment for the victim. A single act of harassment can also create a hostile or intimidating environment if



sufficiently severe. A hostile environment does not necessarily entail that a student exhibits quantifiable harm, such as a drop in grades.

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

### **Common Bias Indicators**

- Bias-related oral comments or epithets
- Bias-related markings, drawings, or graffiti
- Use of bias-related symbols
- No clear economic motive for an assault and battery
- Crime involving disproportionate cruelty or brutality
- Offender history of crimes of similar nature and victims of the same group

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

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

### **Scope of Information**

This information applies to bias crimes, civil rights violations, bias incidents, and bias-related harassment occurring on school premises or property, or in the course of school-sponsored activities, including those outside of school if there is a detrimental effect on the School or the educational climate.

### **Procedures for Responding to and Investigation Incidents**

- a. Whenever a staff person witnesses, or some third party reports, a possible civil rights violation, the School's designated Civil Rights Administrator must be notified. The school's Civil Rights Administrator should immediately begin an investigation. In an emergency, 911 must be called.
- b. A student coming forward to report a civil rights violation s/he has experienced should be directed to the School's designated Civil Rights Administrator after any emergency needs are attended. Consideration should be given to whether any immediate or interim steps are necessary to ensure the safety of and avert retaliation against the complainant.

- c. The investigation must determine whether a civil rights violation has in fact occurred. An immediate aim of the investigation should be preservation and gathering of evidence from the scene of an incident. Bias-related graffiti should be photographed then removed. The investigator should seek to interview all victims and witnesses at the scene, or as soon thereafter as possible, and then interview others who may have relevant knowledge as well. The investigation may also consist of any other methods and documents deemed relevant and useful.
- d. All the circumstances as found should be carefully evaluated for the presence of bias indicators that would characterize the matter as a civil rights violation. The investigation should make a finding as to whether civil rights infraction in violation of this policy has occurred based on the definitions of wrongful conduct supplied at Section 6.

### **Complaint Procedures in cases of sexual, racial and/or Other Harassment:**

- a. Any student subjected to harassment may, if she/he chooses, confront the harasser informally in order to resolve the complaint on a personal level. If the complainant does not want to deal directly with the harasser, or if the matter is not resolved, the complainant should immediately report the conduct to a teacher, counselor, or the Civil Rights Administrator. The Civil Rights Administrator becomes the student's advocate.
- b. The Civil Rights Administrator must always take every report of harassment seriously, investigate every complaint of harassment and respond promptly. If it is determined that harassment has occurred, the Civil Rights Administrator will take appropriate action to end the harassment and to ensure that it is not repeated. Confidentiality will be maintained to the extent consistent with the School's obligations under law.
- c. The Civil Rights Administrator or his/her designee will conduct an investigation within 10 days that may result in further mediation or disciplinary action. The complainant has the option of seeking outside legal counsel at his or her own expense for a violation of Title IX. When an investigation has been completed, the Civil Rights Administrator will inform the complainant of the results and file a report with the Coordinator for Title IX/Section 504 of Rehabilitation Act/622.
- d. No individual will suffer reprisals for reporting incidents of harassment or making complaints in good faith. Abby Kelley Foster Charter Public School does not tolerate retaliation by an employee or student against a person who has made complaints about harassment in good faith.
- e. Depending on the circumstances, the consequences for harassment may include anything from a warning to expulsion.

### **Consequences for Civil Rights Violations and Failures to Act as Required**

#### **a. Non-disciplinary Corrective Actions**

Potential civil rights violations can be addressed with steps that are not punitive in character, without the necessity of disciplinary proceedings. These steps generally lie within the ordinary discretion of principals and school officials. Examples of non-disciplinary actions that may be appropriate in some instances include counseling, assignment to participate in a diversity awareness training program, separating offender and victim, parent conferences, and special work assignments such as a composition on a civil rights-related subject.

#### **b. Disciplinary Proceedings**

Violations of the civil rights of a student or school employee which are found to have occurred after a hearing warrant the imposition of sanctions up to and including suspension and expulsion (for students), and suspension or termination (for employees). Disciplinary actions will be taken toward the goals of eliminating the offending conduct, preventing recurrence, and reestablishing a school environment conducive for the victim to learn. The school may consider completion of a youth diversion program as a sanction for student violators, standing alone or in conjunction with other disciplinary actions, for violations of civil rights.

### **c. Failure to Act by Administrators and Teachers**

Upon completion of information dissemination, administrators and teachers have a duty to act to stop witnessed sexual or bias harassment and hate crimes, as safely as can be done; and to report occurrences to the civil rights administrators and sometimes the police. A clear failure to act as this policy would direct should in the first instance entail that the individual undergo further training in hate crimes, diversity issues, and the requirements of school policy. The school administration will develop further sanctions and actions to address repeated instances of a failure to act in accordance with this policy.

### **Commitment to Non-Retaliation**

To secure the unimpeded reporting of bias activity called for in this information, the Abby Kelley Foster Charter Public School will deal seriously with any and all threats or acts of retaliation for the good faith filing of a complaint. Actual or threatened retaliation for the reporting of a civil rights matter constitutes a separate and additional disciplinary infraction warranting corrective actions. If conduct amounts to stalking or any other crime, a mandatory referral to law enforcement will be made. Staff will monitor the situations of victims/complainants carefully to ensure that no threats or acts of reprisal are made. Appropriate and immediate non-disciplinary administrative actions to mitigate possible or actual retaliation may also be taken, to the extent administrators have discretion to act.

### **Referral to Law Enforcement**

Whenever a school employee has reason to believe that a potential hate crime has been or is about to be committed, s/he should notify the Civil Rights Administrator and, especially in an emergency, the local police. The civil rights designee has chief responsibility for notifying the police of potential hate crimes in non-emergency situations; the referral is mandatory whenever a possible hate crime is at issue.

### **Documentation Requirements**

#### **A. Record keeping**

The Civil Rights Administrator will be responsible for keeping records of all civil rights violations and hate crimes reported for the School. These records shall be grouped according to school year and grade. In addition to recording the particulars of the incident itself, the system should record the actions taken in response and the results of the investigation and intervention. The Civil Rights Administrator shall keep this information gathered at a central place such as a school civil rights office.

#### **B. Monitoring and Tracking to Identify Patterns**

Records should be maintained so as to permit administrators to detect patterns in civil rights violations, repeat offenders, and problem locations. Responsive action should be tailored based on the pattern information that records reveal.

### **Dissemination of Information and Training**

- a. This information shall be conspicuously posted throughout each school building in areas accessible to pupils and staff members.
- b. This information shall appear in the faculty and student handbook.
- c. The Civil Rights Administrator will provide instruction in the provisions of this information to teachers, other employees and students.
- d. This information shall be reviewed at least annually for compliance with state and federal law.

### **Additional Information: SECTION 504 OF THE REHABILITATION ACT**

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with a disability in any program receiving federal financial assistance. In order to fulfill obligations under Section 504, the Abby Kelley Foster Charter Public School has the responsibility to avoid discrimination in

policies and practices regarding its personnel and students. No discrimination against any person with a disability should knowingly be permitted in any of the programs and practices of the School system.

The Abby Kelley Foster Charter Public School has the responsibility under Section 504 to identify, evaluate, and if the student is determined to be eligible under section 504, to afford access to appropriate educational services. If the parent or guardian disagrees with the determination made by the professional staff of the School district, s/he has the right to a hearing with an impartial officer.

The Family Educational Rights and Privacy Act (FERPA) specifies rights related to educational records. This Act gives the parents or guardian the right to: (1) inspect and review his/her child's educational records; (2) make copies of these records; (3) receive a list of the individuals having access to those records; (4) ask for an explanation of any item in the records; (5) ask for an amendment to any report on the grounds it is inaccurate, misleading, or violates the child's rights; and (6) request a hearing on the issue if the School refuses to make the amendment.

Questions should be directed to the designated Civil Rights Administrator.

### **Additional Information: Notice of Non Discrimination**

The Abby Kelley Foster Charter Public School is committed to compliance with the Americans with Disabilities Act (ADA). The school intends to ensure that individuals with disabilities, whether they are employed, apply for a position, or visit facilities within the School, are treated fairly and given an equal opportunity to access facilities, programs, activities and employment.

It is unlawful for the Abby Kelley Foster Charter Public School to discriminate on the basis of disability against a qualified individual with a disability in regard to:

- Recruitment, advertising, job application, and employment procedures;
- Hiring, upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from layoff and rehiring;
- Job assignments, job classifications, organizational structures, position descriptions, lines of progression and seniority lists;
- Leave of absence, sick leave, or any other leave;
- Fringe benefits available by virtue of employment, whether or not administered by the covered entity;
- Selection and financial support for training including apprenticeships, professional meetings, conferences, and other related activities and selection for leaves of absence to pursue training;
- Activities sponsored by a covered entity including social and recreational programs; and
- Any other term, condition, or privilege of employment.

The school will not isolate individuals with disabilities, discriminate on the basis of disabilities through contracts, avoid using qualification standards, criteria, methods of administration, or tests that discriminate against individuals with disabilities, and avoid not making reasonable accommodations to an otherwise qualified individual with a disability.

The ADA requires that the School focus on the ability, not the disability, of the individual. The Abby Kelley Foster Charter Public School will consider reasonable accommodations providing the individual can perform essential functions of the position. It is not required, however, to give preferential treatment to individuals with disabilities or lower the expected standards of performance.

Abby Kelley Foster is committed to meeting the intent and spirit of ADA. All employees are urged to help meet this goal. If anyone believes that the Abby Kelley Foster Charter Public School has discriminated against him/her or someone else on the basis of disability, or if anyone has questions or concerns about the School's responsibilities in this regard, please contact the Civil Rights Administrator.

## **Bullying Prevention and Intervention Plan**

### **PURPOSE**

The Abby Kelley Foster Bullying Prevention and Intervention Plan (Plan) meets the requirements of M.G.L. c71 S370 and is modeled after the Massachusetts Department of Elementary and Secondary Education’s plan for dealing with bullying behaviors. The plan includes strategies for identifying, reporting and responding to bullying behaviors. The plan is consistent with our mission to assist parents in their role as primary educators of their children by providing a classical liberal arts education grounded in the great works of Western Civilization and aimed at academic excellence, musical competence and character formation.

This plan applies to students and members of a school staff, including, but not limited to educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity and paraprofessionals.

### ***LEADERSHIP AND IMPLEMENTATION***

Our school leaders have a primary role in teaching students to be civil to one another and promoting understanding of and respect for diversity and difference. Our leadership team will work collaboratively with all stakeholders to promote the character virtues detailed in our character education curriculum and promote a safe and orderly learning environment for all students.

### **Public Involvement in Developing the Plan**

Abby Kelley Foster Charter Public School developed this plan in consultation with teachers, school staff, administrators, special education staff, counselors, community representatives, parents, students and members of the Board of Trustees. The plan is distributed annually to all members of the school community for comment.

### **Assessing Needs and Resources**

The Abby Kelley Foster Bullying Prevention and Intervention Plan is our blueprint for enhancing capacity to prevent and respond to issues of bullying within the context of other healthy school climate initiatives. The school will continue to assess the adequacy of current programs; review current policies and procedures; review available data on bullying and behavioral incidents; and assess available resources including curricula, training programs, and behavioral health services. This “mapping” process will assist our school in identifying resource gaps and the most significant areas of need. Based on these findings, we will revise or develop policies and procedures; establish partnerships with community agencies, including law enforcement; and set priorities.

Abby Kelley Foster will survey our students, staff and families on an annual basis to assess school climate and safety issues. In addition, the school will collect and analyze school safety data on a monthly basis to determine areas of concern. The student survey can be used with faculty, staff, and parents/guardians to assist in determining school climate needs. All data collection will be completed by the assistant principal and reported to the school administration on a monthly basis. The school will monitor behavior in all school buildings, on the school bus and during school sponsored activities. The data collected will help to identify patterns of behaviors and areas of concern, and will inform

decision-making for prevention strategies including, but not limited to, adult supervision, professional development, age-appropriate curricula, and in-school support services. Abby Kelley Foster will at least once every four years beginning with 2015/16 school year, the district will administer a Department of Elementary and Secondary-developed student survey to assess school climate and the prevalence, nature, and severity of bullying in our schools. Additionally, the school will annually report bullying incident data to the Department.

### **Planning and oversight**

The Abby Kelley Foster Charter Public School has identified the Elementary, Middle and High School Principal/Assistant Principal or their designee as the individual(s) responsible for receiving all reports on bullying. The school administration is responsible for planning on-going professional development that is required by law. The School Administration is responsible for the following tasks under the Plan:

- 1) receiving reports on bullying;
- 2) collecting and analyzing building- and/or school-wide data on bullying to assess the present problem and to measure improved outcomes;
- 3) creating a process for recording and tracking incident reports, and for accessing information related to targets and aggressors;
- 4) planning for the ongoing professional development that is required by the law;
- 5) planning supports that respond to the needs of targets and aggressors;
- 6) choosing and implementing the curricula that the school or district will use;
- 7) developing new or revising current policies and protocols under the Plan, including an Internet safety policy, and designating key staff to be in charge of implementation of them;
- 8) amending student and staff handbooks and codes of conduct to, among other things, make clear that bullying of students by school staff or other students will not be tolerated;
- 9) leading the parent or family engagement efforts and drafting parent information materials; and
- 10) reviewing and updating the Plan each year, or more frequently.

### **Priority Statement**

Our school is committed to providing all students with a safe learning environment that is free from bullying and cyberbullying. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process.

We recognize that certain students may be more vulnerable to become targets of bullying, harassment, or teasing based on actual or perceived characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics. The school or district will identify specific steps it will take to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

Abby Kelley Foster Charter Public School has established separate discrimination or harassment policies that include these or other categories of students with the student and employee handbooks. Nothing in this section shall alter the obligations of a school district, charter school, non-public school, approved private day or residential school or collaborative school to remediate any discrimination or

harassment based on a person's membership in a legally protected category under local, state or federal law.

We will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyber bullying, or retaliation, in our school buildings, on school grounds, or in school-related activities. We will promptly investigate all reports and complaints of bullying, cyber bullying, and retaliation, and take prompt action to end that behavior and restore the target's sense of safety. We will support this commitment in all aspects of our school community, including curricula, instructional programs, staff development, extracurricular activities, and parent or guardian involvement.

The Bullying Prevention and Intervention Plan ("Plan") is a comprehensive approach to addressing bullying and cyberbullying, and the school or district is committed to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence. In consultation with these constituencies, we have established this Plan for preventing, intervening, and responding to incidents of bullying, cyber bullying, and retaliation. The principal is responsible for the implementation and oversight of the Plan except when a reported bullying incident involves the principal or the assistant principal as the alleged aggressor. In such cases, the Superintendent or designee shall be responsible for investigating the report, and other steps necessary to implement the Plan, including addressing the safety of the alleged victim. If the Superintendent is the alleged aggressor, the School Committee, or its designee shall be responsible for investigating the report, and other steps necessary to implement the Plan, including addressing the safety of the alleged victim.

### ***TRAINING AND PROFESSIONAL DEVELOPMENT***

The Abby Kelley Foster Charter Public School's school wide professional development plan reflects the requirements under M.G.L. c. 71, § 37O to provide ongoing professional development for all staff, including but not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, and paraprofessionals.

#### **Annual staff training on the Plan**

Annual training for all school staff on our Bullying Prevention and Intervention Plan will include staff responsibilities, an overview of the steps that the principal or designee will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula to be offered at all grades throughout the school. Staff members hired after the start of the school year are required to participate in the training online on the HR Knowledge website. Staff members will acknowledge receiving this training through electronic sign off.

#### **Ongoing professional development**

The goal of professional development is to establish a common understanding of tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. Professional development will build the skills of staff members to prevent, identify, and respond to bullying. As required by M.G.L. c. 71, § 37O, the content of school wide professional development will be informed by research and will include information on:

- developmentally (or age-) appropriate strategies to prevent bullying;
- developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents;
- information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;
- research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment;

- information on the incidence and nature of cyber bullying; and
- Internet safety issues as they relate to cyberbullying.

Professional development will also address ways to prevent and respond to bullying or retaliation for students with disabilities that must be considered when developing students' Individualized Education Programs (IEPs). This will include a particular focus on the needs of students with autism or students whose disability affects social skills development.

Additional areas identified by the school or district for professional development includes:

- promoting and modeling the use of respectful language;
- fostering an understanding of and respect for diversity and difference;
- building relationships and communicating with families;
- constructively managing classroom behaviors;
- using positive behavioral intervention strategies;
- applying constructive disciplinary practices;
- teaching students skills including positive communication, anger management, and empathy for others;
- engaging students in school or classroom planning and decision-making;
- maintaining a safe and caring classroom for all students; and
- engaging staff and those responsible for the implementation and oversight of the Plan to distinguish between acceptable managerial behaviors designed to correct misconduct, instill accountability in the school setting, etc and bullying behaviors

### **Written Notice to Staff**

The school or district will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties and bullying of students by school staff, in the school or district employee handbook and the code of conduct. All members of the staff are required to submit written notice that they have read and understand the school's policy.

### ***ACCESS TO RESOURCES AND SERVICES***

A key aspect of promoting positive school climates is ensuring that the underlying emotional needs of targets, student aggressors, families, and others are addressed. The Plan should describe the strategies for providing support and services necessary to meet these needs. In order to enhance the school's or district's capacity to prevent, intervene early, and respond effectively to bullying, available services should reflect an understanding of the dynamics of bullying and provide approaches to address the needs of targets and student aggressors. Plans must include a strategy for providing counseling or referral to appropriate services for student aggressors, targets, and family members of those students. These locally established strategies should be reflected in the school or district Plan.

### **Identifying resources.**

The Plan should include the school's or district's process for identifying its capacity to provide counseling and other services for targets, student aggressors, and their families. The Abby Kelley Foster Charter School administration in consultation with our school guidance counselors, school psychologists and school adjustment counselor will work to identify the school's capacity to provide counseling, case management, and other services for students in need. The school will annually review program availability and curriculum materials to address the needs of our families and students, including the implementation of a K-12-character education curriculum. The school will focus on early interventions and will identify areas of concern, gaps in services through the annual family and staff surveys. The school will work in collaboration with local and state agencies to provide additional preventative resources for students, families and staff.



## **Counseling and Other Services**

School counselors, nurses, school psychologists and special educators provide a variety of skill-based services to students within the educational setting that include on-going emotional support, risk assessment, crisis intervention, and help with community based counseling referrals when appropriate. School counselors meet with parents and teachers as needed to help address students' academic, emotional and behavioral concerns as collaboratively as possible. School counselors work with administrators to provide linguistically appropriate resources to identified families.

School counselors maintain up-to-date information on community based mental health referrals as well as Community Service Agencies (CSAs) such as the Multicultural Wellness Center, within the local vicinity, providing services to Medicaid eligible students. School counselors, school psychologists and special needs educators work collaboratively to develop behavior plans and social thinking groups for students with social skill weaknesses. In addition, school counselors, school psychologists and special education professionals' work together to educate and support parents, conduct parent workshops and apprise parents of outside resources to enhance parenting skills and provide for the needs of children. In addition, Abby Kelley Foster consults with specialists to develop and implement effective classroom management and positive behavior strategies. All members of the staff are required to participate in professional development regarding classroom management, civil rights, bullying, and sexual harassment at the beginning of the school year.

It is important to note that school-based counseling services are limited in scope and are related to school-related issues, while more intensive or long term counseling for social-emotional issues should be provided by resources outside the school district. The school district may engage the services of individuals with expertise, such as social workers, counselors, psychologists or psychiatrists, to assist families with accessing appropriate outside counseling and mental health services.

When a school becomes aware of a problematic situation involving bullying that may require a coordinated response to provide intervention, support, and follow-up for the students involved, the school will convene a team which will include representation from the school administration, school psychologist and/or adjustment counselor, school nurse, and other education professionals as deemed appropriate by the principal.

## **Students with Disabilities**

As required by M.G.L. c. 71B, § 3, as amended by Chapter 92 of the Acts of 2010, when the IEP Team determines the student has a disability that affects social skills development or the student may participate in or is vulnerable to bullying, harassment, or teasing because of his/her disability, the Team will consider what should be included in the IEP to develop the student's skills and proficiencies to avoid and respond to bullying, harassment, or teasing.

## **Referral to Outside Services**

Abby Kelley Foster will establish a referral protocol for referring students and families to outside services. The school counselors will assist families and students in accessing appropriate services with outside agencies in a timely manner. The referral protocol will comply with relevant laws and policies. The protocol will be evaluated on an annual basis to determine its effectiveness with the school's bullying prevention and intervention plan.

## ***Academic & Non-Academic Activities***

The Abby Kelley Foster Charter Public School will provide age appropriate instruction on bullying prevention in each grade that is incorporated into the School's evidenced based curricula and

character education curriculum. Effective instruction includes classroom approaches, whole school initiatives, and focused strategies for bullying prevention and social skills development.

### **Specific Bullying Prevention Approaches**

Bullying prevention curricula will be informed by current research which, among other things, emphasizes the following approaches:

- using scripts and role plays to develop skills;
- empowering students to take action by knowing what to do when they witness other students or school staff engaged in acts of bullying or retaliation, including seeking adult assistance;
- helping students understand the dynamics of bullying and cyberbullying, including the underlying power imbalance;
- emphasizing cyber safety, including safe and appropriate use of electronic communication technologies;
- enhancing students' skills for engaging in healthy relationships and respectful communications; and
- engaging students in a safe, supportive school environment that is respectful of diversity and difference;

Initiatives will also teach students about the student-related sections of the Bullying Prevention and Intervention Plan. The Plan should include specific information about how and when the school or district will review the Plan with students. Initiatives will also teach students about the student-related sections of the Abby Kelley Foster Charter Public School Bullying Prevention and Intervention Plan through school assemblies and/or class meetings annually.

### **Instructional Programming Currently in Place**

Abby Kelley Foster Charter Public School will continue to utilize a variety of instructional approaches already in place to teach students how to prevent bullying and how to report or intervene appropriately. These include:

- Character Education Class instruction that occurs at the Elementary and Middle School levels which includes specific instruction in anti-bullying, ways to empower bystanders or those who become aware of bullying, strategies for responding to bullying situations, etc.
- Grade K-4 also utilizes the Second Step Curriculum.
- Instruction regarding the school's technology acceptable use policy that includes learning about appropriate and inappropriate use of the internet. This is also found in student handbooks grades K-12.
- Presentation by the office of the District Attorney regarding bullying/cyber bullying for grades 3-12 as well as presentations for parents.
- The use of social curricula, including elements from Responsive Classroom in grade K-5.
- The use of all school meetings or student assemblies where staff emphasizes expectations regarding bullying prevention, student's present information or act out scenarios, guest speakers address the topic, etc.

### **General Teaching Approaches That Support Bullying Prevention Efforts**

The following approaches are integral to establishing a safe and supportive school environment. These underscore the importance of our bullying intervention and prevention initiatives:

- Setting clear expectations for students and establishing school and classroom routines;
- Creating safe school and classroom environments for all students, including for students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students;
- Using appropriate and positive responses and reinforcement, even when students require discipline;

- Using positive behavioral supports;
- Encouraging adults to develop positive relationships with students;
- Modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;
- Using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development;
- Using the Internet safely; and
- Supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

### ***Reporting and Responding To Bullying & Retaliation Policies & Procedures***

*To support efforts to respond promptly and effectively to bullying and retaliation, schools or districts must put in place policies and procedures for receiving and responding to reports of bullying or retaliation. These policies and procedures will ensure that members of the school community – students, parents, and school staff – know what will happen when incidents of bullying occur. Schools and districts should describe in the Plan detailed procedures for staff reporting of incidents, processes for communicating to students and families how reports can be made (including anonymous reports), and procedures to be followed by the principal or designee, or the superintendent or designee when the principal or assistant principal is the alleged aggressor, or the school committee or designee when the superintendent is the alleged aggressor once a report is made. The Department recommends that districts and schools develop different procedures for reviewing and investigating reports of bullying by students, and of bullying by school staff. Incorporate these procedures into the local Plan.*

*A school district, charter school, non-public school, approved private day or residential school or collaborative school may establish separate discrimination or harassment policies that include these or other categories of students. Nothing in this section shall alter the obligations of a school district, charter school, non-public school, approved private day or residential school or collaborative school to remediate any discrimination or harassment based on a person's membership in a legally protected category under local, state or federal law.*

The following is sample language that may be included in a Plan, and is based on the requirements of M.G.L. c. 71, § 37O, as amended (see footnote 1). Schools or districts may modify this to include local procedures and provide due process as required. Schools also may choose to address the reporting of bullying by school staff in proposed section F.

### **Reporting Bullying or Retaliation.**

Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. A school or district staff member is required to report immediately to the principal or designee, or to the superintendent or designee when the principal or assistant principal is the alleged aggressor or to the school committee or designee when the superintendent is the alleged aggressor, any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously. The school or district will make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form,<sup>1</sup> a voicemail box, a dedicated mailing address, and an email address.

Use of an Incident Reporting Form is not required as a condition of making a report. The school or district will:

1) include a copy of the Incident Reporting Form in the beginning of the year packets for students and parents or guardians;

2) make it available in the school’s main office, the counseling office, the school nurse's office, and other locations determined by the principal or designee; and

3) post it on the school’s website. The Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

At the beginning of each school year, the school or district will provide the school community, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, paraprofessionals, students, and parents or guardians, with written notice of its policies for reporting acts of bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the principal or designee, and the superintendent or designee when the principal or the assistant principal is the alleged aggressor, will be incorporated in student and staff handbooks, on the school or district website, and in information about the Plan that is made available to parents or guardians.

### **Reporting by Staff**

A staff member will report immediately to the principal or designee, or to the superintendent or designee when the principal or the assistant principal is the alleged aggressor, or to the school committee or designee when the superintendent is the alleged aggressor when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report as provided does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline.

### **Reporting by Students, Parents or Guardians, and Others**

The school or district expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the principal or designee, or superintendent or designee when the principal or assistant principal is the alleged aggressor. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a staff member to complete a written report. Students will be provided practical, safe, private, and age-appropriate ways to report and discuss an incident of bullying with a staff member, or with the principal or designee, or superintendent or designee when the principal or assistant principal is the alleged aggressor.

### **Responding to a report of bullying or retaliation – Allegations of Bullying by a Student**

#### *Safety*

Before fully investigating the allegations of bullying or retaliation, the principal or designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. Responses to promote safety may include, but not be limited to, creating a personal safety plan; pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a “safe person” for the target; and altering the aggressor’s schedule and access to the target. The principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

The principal or designee will implement appropriate strategies for protecting from bullying or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation. (Include locally established student safety planning policies and procedures here.)

#### *Obligations to Notify Others*

- Notice to parents or guardians

Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and the student aggressor of this, and of the procedures for responding to it. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

- Notice to Another School or District.

If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the principal or designee first informed of the incident will promptly notify by telephone the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.

- Notice to Law Enforcement.

At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the principal will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the student aggressor.

In making this determination, the principal will, consistent with the Plan and with applicable school or district policies and procedures, consult with the school resource officer, if any, and other individuals the principal or designee deems appropriate.

### *Investigation*

The principal or designee will promptly investigate 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.

During the investigation the principal or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee (or whoever is conducting the investigation) will remind the alleged student aggressor, target, and witnesses of the importance of the investigation, their obligation to be truthful and that retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action.

Interviews may be conducted by the principal or designee, other staff members as determined by the principal or designee, and in consultation with the school counselor, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the principal or designee will maintain confidentiality during the investigative process. The principal or designee will maintain a written record of the investigation.

Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for investigations. If necessary, the principal or designee will consult with legal counsel about the investigation. (Align this with school or district procedures.)

## *Determinations*

The principal or designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The principal or designee will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary.

Depending upon the circumstances, the principal or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or student aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

The principal or designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the principal or designee cannot report specific information to the target's parent or guardian about the disciplinary action taken unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.

The principal or designee shall inform the parent or guardian of the target 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.

## *Responses to Bullying*

*Use this section of the Plan to enumerate the school's or district's chosen strategies for building students' skills, and other individualized interventions that the school or district may take in response to remediate or prevent further bullying and retaliation. The following is sample language that may be included in school or district Plans:*

## **Teaching Appropriate Behavior Through Skills-building**

Upon the principal or designee determining that bullying or retaliation has occurred, the law requires that the school or district use a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L. c. 71, § 37O(d)(v). Skill-building approaches that the principal or designee may consider include:

- offering individualized skill-building sessions based on the school's/district's anti-bullying curriculum;
- providing relevant educational activities for individual students or groups of students, in consultation with guidance counselors and other appropriate school personnel;
- implementing a range of academic and nonacademic positive behavioral supports to help students understand prosocial ways to achieve their goals;
- meeting with parents and guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home;
- adopting behavioral plans to include a focus on developing specific social skills; and
- making a referral for evaluation.

## **Taking Disciplinary Action**

If the principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the

teaching of appropriate behavior. Discipline will be consistent with the Plan and with the school's or district's code of conduct.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with state laws regarding student discipline.

If the principal or designee determines that a student knowingly made a false allegation of bullying or retaliation, that student may be subject to disciplinary action.

### **Promoting Safety for the Target and Others**

The principal or designee will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well. One strategy that the principal or designee may use is to increase adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal or designee will contact 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.

### **Responding to a Report of Bullying by School Staff**

*Schools and districts need to develop policies and procedures that address how school or district administration will respond to and resolve a report of bullying of a student by school staff. The policies and procedures must address safety planning, notification to parents or guardians and others, investigation, and response – areas that are addressed when a student is alleged to have bullied another student (see Section V. B – E above). Policies and procedures currently in place that address unacceptable conduct by school staff may be a useful starting place. Schools and districts should consider consulting with local counsel. The policy should emphasize the importance of the investigation, the need for the aggressor, target, and witnesses to be truthful, and that retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action.*

## **COLLABORATION WITH FAMILIES**

The Abby Kelley Foster Bullying Prevention and Intervention Plan includes strategies to engage and collaborate with students' families in order to increase the capacity of the school to prevent and respond to bullying. Resources for families and communication with them are essential aspects of effective collaboration. The provisions for informing parents or guardians about the bullying prevention and intervention curricula used by the school include: (i) how parents and guardians can reinforce the curricula at home and support the school plan; (ii) the dynamics of bullying; and (iii) online safety and cyberbullying. Parents and guardians will be notified in writing each year about the student-related sections of the Bullying Prevention and Intervention Plan, in the language(s) most prevalent among the parents or guardians.

### **Parent Education and Resources**

The school will offer education programs for parents and guardians that are focused on the parental components of the anti-bullying curricula and any social competency curricula used by the school. The programs will be offered in collaboration with the PTO, Board of Trustees, Special Education Parent Advisory Council, or similar organizations.

## Notification requirements

Each year the school will inform parents or guardians of enrolled students about the anti-bullying curricula that are being used. This notice will include information about the dynamics of bullying, including cyber bullying and online safety. The school will send parents written notice each year about the student-related sections of the Abby Kelley Foster Bullying Prevention and Intervention Plan and the school's Internet safety policy. All notices and information made available to parents or guardians will be in hard copy and electronic formats, and will be available in the language(s) most prevalent among parents or guardians. The school will post the Abby Kelley Foster Bullying Prevention and Intervention Plan and related information on its website.

## Prohibition Against Bullying & Retaliation

Abby Kelley Foster Charter Public School will not tolerate any unlawful or disruptive behavior including any form of bullying, cyber bullying, or retaliation in our school, on school grounds, on school buses, at school bus stops, or in school related activities. The school will promptly investigate all reports of bullying and complaints of bullying, cyber bullying, and retaliation, and take prompt action to end that behavior and restore the target's safety. The Abby Kelley Foster Public School will support this plan and the safety of all our students, families and staff including the use of curricula, instructional programs, professional development, extracurricular activities, and parent/guardian involvement.

Acts of bullying, which include cyber bullying, are prohibited:

- i. on school grounds and property immediately adjacent to school grounds, at a school- sponsored or school-related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school; or through the use of technology or an electronic device owned, leased, or used by a school, and
- ii. at a location, activity, function, or program that is not school-related through the use of technology or an electronic device that is not owned, leased, or used by a school, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying is also prohibited. As stated in M.G.L.

c. 71, § 37O, nothing in the Abby Kelley Foster Behavior Prevention and Intervention Plan requires the school to staff any non-school related activities, functions, or programs.

## Problem Resolution System

Chapter 86 of the Acts of 2014 amended Section 37O of chapter 71 of the General Laws to include (g) (v): The Plan shall inform parents or guardians of the target about the Department's problem resolution system and the process for seeking assistance or filing a claim through the problem resolution system. This information will be made available in both hard copy and electronic formats:

Any parent wishing to file a claim/concern or seeking assistance outside of the district 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](mailto:compliance@doe.mass.edu) or individuals can call 781-338-3700. Hard copies of this information is also available at the Executive Director's office.



## DEFINITIONS

*Several of the following definitions are copied directly from M.G.L. c. 71, § 37O, as noted below. Schools or districts may add specific language to these definitions to clarify them, but may not alter their meaning or scope. Plans may also include additional definitions that are aligned with local policies and procedures.*

Aggressor is a student or a member of a school staff who engages in bullying, cyber bullying, or retaliation towards a student.

Bullying, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students or a member of a school staff 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 target or damage to the target's property;
- ii. places the target in reasonable fear of harm to himself or herself or of damage to his or her property;
- iii. creates a hostile environment at school for the target;
- iv. infringes on the rights of the target at school; or
- v. materially and substantially disrupts the education process or the orderly operation of a school.

Cyber bullying is bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, and Internet postings. See M.G.L. c. 71, § 37O for the legal definition of cyberbullying.

Hostile environment, as defined in M.G.L. c. 71, § 37O, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of a student's education.

Retaliation is any form of intimidation, reprisal, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying.

School Staff includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, and bus drivers, and athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

Target is a student against whom bullying, cyber bullying, or retaliation has been perpetrated.

## RELATIONSHIP TO OTHER LAWS

Consistent with state and federal laws, and the policies of the school or district, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, religion, ancestry, national origin, sex, socioeconomic status, academic status, gender identity or expression, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics. Nothing in the Plan prevents the school or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or school or district policies.

In addition, nothing in the Abby Kelley Foster Bullying Prevention and Intervention Plan is designed or intended to limit the authority of the school to take disciplinary action or other action under M.G.L.71, §§ 37H or 37H½, other applicable laws, or local school policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

## **BULLYING PLEDGE**

Throughout the District, Abby Kelley students are taught what bullying is and why our school is very invested in preventing it. Students are asked to review this pledge with their families and it will be referenced in our building as well.

We agree to come together as a community to stop bullying.

### Bullying is:

Acting in an unkind way that hurts someone; their feelings, body, or belongings. Bullying is done over and over again and causes the target of the bullying to be fearful about participating in school.

### The Pledge:

I make a COMMITMENT to take a stand against bullying.

I will treat others with RESPECT and KINDNESS.

I will have the COMPASSION to not be a bully and the COURAGE to not be a bystander.

It is my RESPONSIBILITY to help others being bullied and to report bullying.

### Responding to bullying:

Tell them to stop and tell a trusted adult.

## **APPENDICES TO POLICY**

### **Responsibilities of School Personnel and Students**

#### *in Relation to Witnessed or Reported Bias Incidents*

#### **All Personnel and Students**

- Report bias incidents and civil rights violations to school civil rights administrators.
- Be familiar with basic facts about hate and hate crimes so as to be able to identify bias incidents and have an understanding of the dynamics.
- Challenge biased attitudes and behavior whenever encountered in school and outside.
- Report hate crimes to police, and summon help in an emergency.
- Uphold school civil rights and safety policies and remain vigilant and alert to violations.
- Take responsibility so as to make a difference in stopping hate, finding and creating individual and group opportunities for action and involvement.

#### **Teachers Only**

- Set guidelines for classroom behavior to avoid hurt feelings and promote respect.
- Respond to and challenge insensitive behaviors like name calling and exclusion of children who are different.
- Instruct against hate and prejudice, where this message is apropos to classroom subjects and lessons.
- Look for and help implement proactive programs and strategies to promote tolerance and stop hate conduct.

#### **School Staff Specifically**

- Challenge and try to stop bias incidents when witnessed or encountered in progress, if a safe opportunity is presented.

#### **Civil Rights Administrators Specifically**

- Be available to receive reports of civil rights violations from students, faculty, and other administrators.
- Respond promptly to a report of a civil rights violation by intervening if possible, ensuring that individuals are safe and free from harassment, and by starting an investigation and quickly ascertaining the facts.
- Put a stop to ongoing harassment immediately and effectively, and refer victims to support services and resources available in the area.
- Take remedial, corrective, and disciplinary action as warranted following the investigation, and consistent with school policies and the Code of Conduct.
- Take steps to avert retaliation against individuals who report civil rights violations, and act immediately to ensure the individual's safety and freedom from harassment.
- Communicate and coordinate efforts with police on a regular, ongoing basis, and develop a working partnership with police officers assigned to Abby Kelley Foster Charter Public School and civil rights issues.
- Undergo specialized training to maintain knowledge of hate crimes and civil rights issues as they affect schools.
- Coordinate school prevention programming and activities, drawing on available resources and tools.

### **Federal and Massachusetts Laws Bearing on Harassment and Bias Crimes in School Settings**

Title VI, 42 U.S.C. Sec. 2000 et seq. (prohibition of discrimination based on race, color, or national origin)

Title IX, 20 U.S.C. Sec. 168 et seq. (prohibition of discrimination based on sex or gender)

Title II of the Americans with Disabilities Act, 42 U.S.C. Sec. 12134 (prohibition of discrimination based on disability)

M.G.L. Ch. 71, § 37H (student handbooks required to state disciplinary measures applicable to "violations of other students' civil rights")

M.G.L. Ch. 76, § 5 (prohibition of discrimination "on account of race, color, sex, religion, national origin or sexual orientation," in access to "advantages, privileges and courses of study of [local] public school ")

M.G.L. Ch. 151C (Fair Education Practices Act, includes prohibition of sexual harassment)

M.G.L. Ch. 214 § 1B (right of privacy)

M.G.L. Ch. 214 § 1c (right of freedom from sexual harassment)

M.G.L. Ch. 12, §§ 11H and 11I (prohibition of threats, intimidation, or coercion interfering with someone's legal rights)

M.G.L. Ch. 265 § 37 (criminal penalties for the use of force or threats to interfere with someone's legal rights)

M.G.L. Ch. 265 § 39 (increasing penalties for assaults, batteries and property damage motivated by bias on grounds of race, religion, ethnicity disability and sexual orientation)

M.G.L. Ch. 266 § 127A (criminal penalties for vandalism of a school )