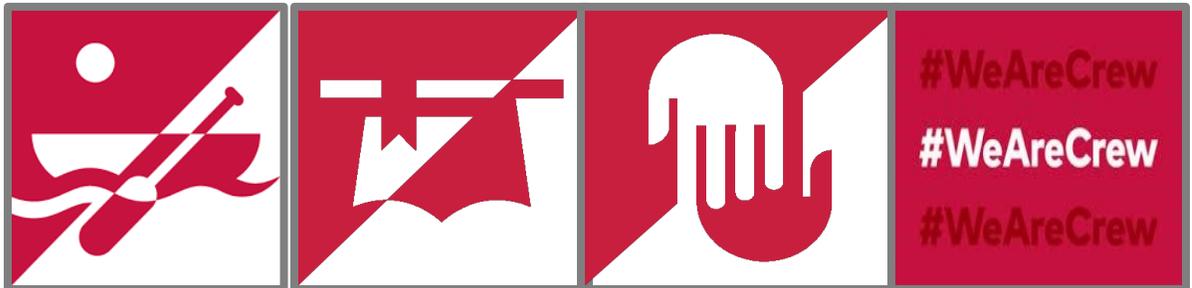


# Baystate Academy

Charter Public School

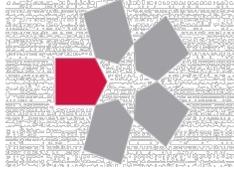
## **2022- 2023** **Family and Student Handbook**



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## **Mission**

Baystate Academy Charter Public School is a college preparatory school that provides challenging academic standards in professional health career settings to prepare 6th - 12th-grade students in Springfield to be inspired leaders in the 21st-century workforce.

## **History**

Baystate Academy Charter Public School owes its genesis to the vision of Springfield's community leaders represented on our Board of Trustees. Over 8 years ago, the Baystate Health Springfield Educational Partnership (BSEP) convened to leverage the resources of Baystate Health and its diverse and knowledgeable staff to offer an educational program designed to provide Springfield students with better access to healthcare career pathways. The program continues today and serves over 500 Springfield K-12 students annually, offering school year and summer STEM academic enrichment, health competency development, health career development, job shadowing, mentoring, internships, and paid employment. As a result of the BSEP program, 170 students received paid internships and 75 students have been hired by the medical center.

However, the BSEP leaders recognized that the program has not effectively created the necessary educational pipeline to support all students in reaching their dream of attending college for a healthcare career or any other career requiring post-secondary education. While BSEP can point to numerous success stories, it can also identify many students who lacked the necessary educational foundation.

In its desire to improve the futures of Springfield youth, BSEP's founding group proposed establishing Baystate Academy Charter Public School to address this specific need, providing students in grades 6-12 with a rigorous education rooted in the health sciences. Thus, our Board of Trustees submitted the Baystate Academy Charter Public School charter application to the Commonwealth of Massachusetts in the fall of 2011 and the Massachusetts Department of Elementary and Secondary Education approved the charter in February 2012.

## 2022- 2023 Board of Trustees

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### Admission to Baystate Academy

Charter schools are public and therefore open to all Massachusetts students on a space-available basis. Baystate Academy Charter Public School currently offers open lottery-based enrollment for grades in 6-10th.

Massachusetts law requires charter schools to provide open enrollment to any student in the state. However, the law provides that preference for enrollment in a commonwealth charter school must be given to students who reside in the city or town in which the charter school is located. At Baystate Academy, current residents of the city of Springfield and siblings of currently enrolled students will have priority enrollment.

Each fall, BACPS will announce the enrollment deadline for the public lottery (late February) and the date of the public lottery drawing (early March.) A completed BACPS enrollment application is required for participation in the lottery process. Massachusetts law requires charter schools to hold lotteries if too many students seek enrollment. Students and their parents do not have to attend the lottery to receive a placement. Students not selected for enrollment offers will be placed on a waiting list in the order they are drawn. Everyone who applies for the lottery will be notified by mail of the results.

Our office manager contacts the parents of students who are pulled for enrollment offers. Parents have the right to accept or reject the enrollment offer.

Current enrollment information can be found on our website: [www.bacps.net](http://www.bacps.net).

## School Hours & Daily Schedule

Baystate Academy Charter Public School's schedule and structure promotes: academic rigor, intensive work in the core academic areas (English language arts, math, social studies, and sciences), high student engagement, and nurturing school culture.

### School Hours

Monday – Thursday	Friday
8:00 am – 4:00 pm	8:00 am -1:30 pm
<i>Students will be allowed to enter the building at 7:40 am.</i>	

### Arrival Procedures

Doors will open for students beginning at 7:40 am. Students are required to report directly to their assigned breakfast location. Tardy students must report to the office to receive a late pass before reporting to their classroom. In order to receive full-day attendance, students must arrive no later than 11:30am.

### Dismissal Procedures

Students are dismissed at **4:00 pm** Monday- Thursday and **1:30 pm** on Friday, unless otherwise indicated on the school calendar.

### Early Dismissal

Students leaving before the school day must be signed out by an adult (18 years or older) by 3:30 pm Monday – Thursday and 1:00 pm on Friday. Students may only be released to adults on file with the school or with written consent from the parent/guardian. ID is required. Students picked up before **11:30 am** (Monday- Thursday) and **10:30 am** (Friday) will not receive full day credit for attendance that day.

### Parking, Drop-Off, and Pick-Up

Students must be dropped off and picked up in front of the building, and are not allowed to walk, bike, or skateboard to BACPS. Students are not to be dropped off on Industrial Blvd.

### Student Parking/Parking Lot

Parking on school grounds is a privilege that comes with responsibilities. Only students with a valid driver's license, driver or car insurance, and appropriate car registration information are allowed to park on school grounds in the designated student sections.

Parking violations will be issued for any illegal parking. Violations are subject to warnings, detention, towing at the owners' expense, and possible loss of on-campus driving privileges. As parking on campus is voluntary, vehicles that school authorities suspect may contain illegal substances or materials may be searched. Such a search will be conducted, when possible, in the presence of the vehicle's operator. Any unlawful materials will be turned over to Springfield Police. Any vehicle that contains alcohol, illegal drugs, or weapons will immediately have its parking privileges revoked. Additionally, students driving recklessly or with excessive speed on campus may have their cars immediately banned or barred from driving on campus.

## Idling of Motor Vehicles

For student's and staff's safety and welfare, we would remind you that Massachusetts law prohibits the unnecessary idling of motor vehicles on school grounds. M.G.L. c.90, §16B and 504 CMR 27.00 prohibits operators of motor vehicles from allowing any motor vehicle to idle unnecessarily on school grounds.

## Family Involvement at Baystate Academy

Parent involvement at Baystate Academy is essential to creating an effective school community where all students can succeed. At Baystate Academy, parents are responsible for:

- ...creating an effective learning environment at home
  - Setting a schedule and structure to ensure their student completes their work. Limit screen time. Keep books and other reading materials available, and set aside time for your student to read each day.
- ...learning about and supporting Baystate Academy's values and programs
  - Permit your student to participate in fieldwork and extended trips.
  - Be familiar with and discuss with your student Baystate Academy's Habits of Scholarship and Student Rights and Responsibilities.
  - Attend and participate in school-wide activities during the year.
- ...staying informed about your student's progress
  - Attending all of your student's student-led conferences and exhibition nights.
  - Read teacher communications and promptly return permission slips and other communications asking for parent response.

## Attendance Policy and Procedures

Regular, punctual school and class attendance are essential to a student's educational success and help establish safe, nurturing, and respectful working and learning environments to improve academic achievement for 21st-century success. Students are expected to attend school every day unless they have an excused absence. The official day begins at 8:00 am daily.

### Agreement for Students 18 years of age

Students who are 18 years old must have a signed form or letter by a legal guardian to verify permission.

## Excused Absences

Documentation of appointments is required in order to be "EXCUSED". e occurs when a student is absent for a legitimate, acceptable reason and can provide adequate written documentation for such absence within 3 days after he/she returns to school.

Upon returning to school following an absence, a student must report directly to the main office, with written documentation explaining the absence. If a student is absent from school and does not bring in written documentation, the absence will be marked as "UNEXCUSED," and the student will be allowed to bring the note the next day. Students with a note explaining a legitimate absence will be "EXCUSED" for attendance records. All others will be marked "UNEXCUSED." Students are expected to arrange for and complete make-up work within a period of time equal to the number of days of the absence. **A student who misses 10% or more**

**of the school year (18 excused or unexcused school days) may not be promoted to the next grade.**

**Students with 12 or more excused or unexcused absences will be required to attend summer school or Saturday School during the school term to restore attendance. All related medical incidents for excessive absences will require official documentation so that the school can arrange hospital homebound services.**

Students who have four or more consecutive absences will be required to provide a medical document stating the student was under the doctor's direct care, a copy of an obituary, or verification of religious affiliation. The note must include the date absent, the reason for the absence, a phone number where a parent or guardian can be reached, and the parent or guardian's signature. **A parent's note will not negate the necessity of filing an appeal beyond the 14<sup>th</sup> day of absence.** Other absences are considered unexcused and may result in disciplinary consequences and loss of credit for missed assignments.

**Excused absences include:**

- Documented illness or injury (Doctor's Note Required)
- Bereavement/family funeral (Obituary Required)
- Major religious observances
- Extraordinary family circumstances (excused at the discretion of the Principal or designee)
- Court appearance for the student (Summons or court document Required)
- Observance of a religious holiday (Official Documentation Required)

**Unexcused absences include but are not limited to**

- Repetitive or chronic absence or tardiness not documented by a doctor or other medical professional
- Truancy
- Family Vacations
- Undocumented absences
- Non-emergency family situations
- Skipping of classes

**The absentee procedure is:**

Step 1: The school will make daily attendance calls home to parents whose students are absent. All phone calls will be logged daily using the student information system. Faculty will contact parents immediately upon a recorded absence.

Step 2: After four (4) unexcused/ excused absences, the parents will receive an attendance letter from the wellness team and school administration. All phone calls will be recorded daily using the student information system.

Step 3: After eight (8) unexcused/excused absences, parents are notified by certified mail to meet with the school to create an action plan. All phone calls will be recorded daily using the student information system.

Step 4: At ten (10) unexcused/excused absences, parents will be notified via certified mail to meet with the administration regarding a DCF referral. (51A) All phone calls will be recorded daily using the student information system.

Step 5: At eighteen (18) unexcused/excused absences, parents will be notified via mail that their student is at risk of retention. All phone calls will be recorded daily using the student information system.

**Truancy**

- A student is truant when he/she is absent without approval.
- A student is truant if he/she is absent for an unacceptable reason (one not listed above).
- A truant student will not be able to file an appeal for days missed due to truancy.
- A parent's note cannot excuse truancy if the absence does not meet the criteria of an approved absence.

### **Tardiness**

School starts promptly at 8:00 am each morning. Students who arrive after 8:00 am should report directly to the main office to check in tardy. Students who report to school after 11:30 am (Monday - Thursday) or 10:30 am (Fridays) will be marked as absent. Students arriving late miss learning opportunities and can disrupt the educational environment for others.

For a tardy to be excused, a student must either present to the front office a signed note by a parent with a legitimate reason, or the parent must call the main office. A student who misses more than half of a class will be considered absent from that class. When there is a pattern of a student being tardy (3 or more) or one unexcused absence of a class (including crew), tiered interventions will be used to support on-time arrival. This process will include phone calls home and escalate with continued recurrence to consequences that could include attendance contracts, parent meetings, detentions, suspensions, and/or loss of opportunity for academic credit. The school holds the right to issue one unexcused absence day for every five tardies documented as unexcused.

A meeting will be scheduled with the building Principal (or his/her designee), the Parent(s)/Guardian, and the student to develop an action plan to improve the student's attendance if a student has accrued any of the following:

Five (5) or more days tardy (unexcused) – equal one day of unexcused absence

Two (2) or more classes/periods (unexcused)

### **Excerpts from Massachusetts General Law:**

Chapter 76, Section 1 Regulations of School Attendance - Under current law, every child between the ages of six and sixteen must attend school. The principal or Executive Director may excuse cases of necessary absence not exceeding seven-day sessions or fourteen half-day sessions in any period of six months.

Chapter 76, Section 1A Notification of Absence - Requires parent or guardian to furnish the school with a home, work, or other emergency telephone number to be contacted during the school day. If a student is absent and the school has not been notified by the designated time, the school shall call the telephone number or numbers furnished to inquire about said absence.

Chapter 76, Section 2 Duties of Parents; Penalty - Parents and guardians in control of a child are required to ensure that they attend school. If a child fails to attend school for seven-day sessions or fourteen half-day sessions within any period of six months, the school may file a criminal complaint against the responsible parent or guardian.

Chapter 76, Section 4 Inducing Absences; Penalty - It is against the law to induce or attempt to cause a minor to be absent from school. Also, it is unlawful to employ or harbor a minor while school is in session.

**What is a CRA (formerly known as CHINS)?** - A Child Requiring Assistance (CRA) matter is a court case in which the Juvenile Court is asked to help parents and school officials supervise youth. There are five kinds of Child Requiring Assistance for a child at least six years old who:

- repeatedly runs away from the home of the parent, legal guardian, or custodian (“runaway”);
- repeatedly fails to obey the lawful and reasonable rules of a parent, which interferes with the parent/guardian/custodian’s ability to adequately care for and protect the child (“stubborn child”)
- repeatedly fails to obey the lawful and reasonable school regulations (“school offender”);
- willfully fails to attend school for more than eight school days in a quarter (“truant”); and
- has been subjected to sexual exploitation (“sexually exploited child”).

### **Who may file a CRA?**

- A parent, legal guardian, or custodian may file a CRA petition on their child who is at least 6 but not yet 18 and is a runaway or truant.
- The parent or police may file a CRA petition on a child who is at least 6 but not yet 18 and who is a sexually exploited child.
- A school district may file a CRA petition on a child who is at least 6 but not yet 16 who is a school offender or truant.

### **51A of the Massachusetts General Laws**

A 51A is a report of suspected child abuse or neglect that is filed with the Department of Children and Families. Under Chapter 119, section 51A of the Massachusetts General Laws, a report can be filed on behalf of a child under the age of eighteen for educational neglect if a child is not attending school regularly. All faculty and staff are trained annually in Chapter 119, section 51A of the Massachusetts General Law.

The Massachusetts General Laws are available for your review in the school office or at <http://www.doe.mass.edu/lawsregs/statelaws.html>. The Massachusetts Department of Elementary and Secondary Education has set **95%** attendance as a minimum standard to appeal a failing grade on state-mandated testing (e.g., MCAS).

### **Uniform and Personal Appearance Policy**

BACPS has a strict uniform policy to help create an orderly environment, instill discipline, and eliminate competition and distractions caused by varied dress styles. Scholars will be expected to arrive in uniform every day. Parents and/or guardians will be contacted if students arrive at school out of uniform. Students will be required to remain in the student support center until they are dressed as aligned with the school uniform policy. Any missed class time could potentially result in an unexcused absence.

The faculty and administration reserve the right to determine and restrict unbecoming styles. If a student is dressed or groomed inappropriately, parents will be called to bring a change of clothes. Violations of the dress guidelines will result in incremental disciplinary action. Outwear must be removed and placed in a locker between 8:00 am and 4:00 pm (Monday - Thursday) and between 8:00 am and 1:30 pm (Friday). No exceptions.

### **Uniform Top**

Allowed	Not Allowed
<ul style="list-style-type: none"> <li>● Polo shirts with BACPS logo (short/long sleeves)</li> <li>● navy shirts for middle school students (grades 6-8)</li> <li>● gray for high school students (grades 9-12)</li> <li>● Please note: short/long sleeve shirts may be worn under a uniform shirt</li> <li>● Shirt is in good condition. Free from holes, tears, and dye.</li> <li>● Shirt collars and sleeves must remain down.</li> <li>● ONLY sweaters or sweatshirts with the same solid color as the uniform shirt and free from design and writing are permitted over the BACPS uniform logo shirt.</li> </ul>	<ul style="list-style-type: none"> <li>● Hoodies</li> <li>● Sweaters without BACPS logo</li> <li>● Jackets without BACPS logo</li> </ul>

**Uniform Bottoms**

Allowed	Not Allowed
<ul style="list-style-type: none"> <li>● Tan, navy, or black pants</li> </ul>	<ul style="list-style-type: none"> <li>● baggy, sagging or low waisted clothes</li> <li>● Clothing with holes or rips</li> <li>● cut-off shorts or pants</li> <li>● leggings or jeans</li> <li>● No biker shorts</li> <li>● No sweatpants</li> <li>● shorts above the knee</li> </ul>

**Footwear**

Allowed	Not Allowed
<ul style="list-style-type: none"> <li>● Lace-up shoes or loafers (closed toe, closed heel), athletic shoes</li> <li>● For safety reasons all shoes must have backs or secure straps on the back of shoes for safety and always remain tied</li> </ul>	<ul style="list-style-type: none"> <li>● Sandals</li> <li>● Flip flops, High heels</li> <li>● Mules</li> <li>● Slides</li> <li>● Open toes/heels</li> </ul>

**PE Uniforms**

- Shirts must be t-shirts or sweatshirts
- Sweat pants or shorts of an appropriate length and fit

**Permitted/Not Permitted**

- Female students may wear solid, red, gray, blue or black headbands.
- Bandanas even as headbands are not permitted to wear at any time.

- No hats, head coverings, stocking caps, or du-rags in the building, unless for religious or medical reasons.
- Sweatshirts, sweaters, and/ or coats with hoods of any color are not permitted to be worn during school hours at any time.
- A teacher or administrator may deem body art, body piercing, oversized and/or unsafe accessories, and unnatural hair color inappropriate. The student may be asked to remove or change such items.
- Solid color long-sleeved shirts can be worn under short-sleeved uniform shirts in colder seasons. (White, gray, or navy blue only)
- No neck or head scarves can be worn outside of uniform.
- Jewelry is to be kept to the minimum: one bracelet, one ring, one necklace, and small earring studs. Students may be asked to remove excess jewelry.

### Approved Uniform Vendors

#### Allen's

452 W. Boylston Street  
 Worcester, MA 01606  
 (508) 853-1993  
 allensuniforms.com

#### Blake's Uniforms

1205 Parker Street  
 Springfield, MA 01129  
 (413) 782-4123

### Grading Language and Policy

At Baystate Academy Charter Public School we use standards-based grading. Below is a chart that briefly outlines some major differences between a traditional grading system and our standards-based grading model.

**Course Standards:** Each BACPS course is built around ten to fifteen course standards. A course standard is a description of concepts or skills that can be achieved during a particular course and are essential to a student's learning of the course material. Course standards come from the Common Core, Next Generation Science and Massachusetts state standards. Report cards communicate a student's achievement level of assessed course standards.

### Standards-Based Grading Criteria for Learning Targets and Habits of Scholarship

Grade	Descriptor	Criteria
4	<b>Exceeding Target</b>	Student consistently demonstrates an ability to independently extend their understanding of the standard/target by applying learning to more complex content and skills
3.5	<b>Partially Exceeding the Target</b>	Between 3 and 4. Meets criteria for a rating of 3 with some elements of transference of learning to more complex content and skills
3	<b>Meeting Target</b>	Student demonstrates an understanding of the standard/target and can independently apply/use the content and skills embedded in the standard/target

<b>2.6</b>	<b>Partially Meeting the Target</b>	Between 2 and 3. Meets criteria for a rating of 2 with some elements of independent application/use of standard/target. <b>A 2.6 is the minimum score considered to be a “passing” for a particular standard.</b>
<b>2</b>	<b>Approaching Target</b>	Student has a foundational understanding of standard/target; student requires assistance to develop a more complex understanding and application of content or skill
<b>1</b>	<b>Attempting Target</b>	Student requires consistent help and support to understand standard/target student demonstrates simple understanding of content and concepts

It is the expectation that students earn an overall calculation of 3.0 to be considered meeting the learning targets. Students who receive an overall grade calculation of 2.6 or better for a set of standards per course is considered in good standing.

### **Baystate Academy Charter Public School (BACPS) Grading Policies & Procedures**

Students at BACPS are graded based on state-approved Standards. Grades are weighted using a student’s 5 most recent scores, per standard, as follows, with the most recent grade receiving the most weight: 33.3%, 25%, 16.67%, 16.67%, and 8.33%.

### **Habits of Scholarship (HOS)**

We recognize that qualities Habits of Scholarship (work habits) are essential for students’ future success in school and work. Students receive a discrete HOS grade in each course. There is a clear correlation between quality Habits of Scholarship, academic achievement, and learning. It is our belief that the better one’s Habits of Scholarship, the more s/he will learn and grow academically. Habits of Scholarship are regularly assessed in each course using the same 1-4 grading scale. There are 5 Habits of Scholarship linked to essential work habits for success.

1. Readiness: I can come to class ready to learn
2. Respect: I can actively and respectfully participate in class
3. Perseverance: I can assess and revise my work
4. Collaboration: I can contribute to the success of group work
5. Integrity: I can complete daily homework

#### **To earn a HOS of 3**

Students must consistently (about 80% of the instructional time):

1. Complete assigned tasks, projects, classwork, and homework.
2. Meet deadlines.
3. Participate effectively in-class activities (includes regular, on-time attendance).

#### **To earn a HOS of 4**

Complete all HOS items 95% of the instructional time.

### **Academic Dishonesty**

Academic dishonesty includes cheating, fraud, and plagiarism and **absolutely will not be tolerated** at BACPS. Students who engage in academic dishonesty might:

- Receive disciplinary action;
- Receive a 1.0 for the original assignment;
- Receive an opportunity for an alternative **assignment**. The grade on the alternative assignment does not replace the 1.0 but will be entered into the PowerTeacher Pro Gradebook for inclusion in the grade calculation. **The opportunity for an alternative assignment is not applicable to academic dishonesty regarding term exams.**

### **Late Academic Assignments/Work**

Late assignments/work is defined as an assignment that is not turned in at the time and date designated by the teacher when the student is present. The BACPS Late Work Policy should not be used to compromise the following sound educational practices:

- Students are expected to take tests, make classroom presentations, and demonstrate mastery and competence through performances when they are scheduled;
- The Late Work Policy does not grant students an implied extension simply because they feel unprepared;
- The best educational practice is for students to complete work to the best of their ability and to submit work on the due date.

Faculty at BACPS will accept late work from students in accordance with the following guidelines:

1. Extensions for due dates should be requested in advance. Asking for an extension on or after the due date is not acceptable practice.
2. Late work will be accepted when it is submitted within a time window defined by either:
  - a. The date when the assignment has been graded, recorded, and returned to students in the class for revisions. Maximum 7 days after returned by teacher
  - b. Or, 4 school days after the original deadline.
3. Late work will not be accepted after the end of each academic quarter.
4. Additional interventions and consequences may be appropriate for students who are habitually late with assignments.

At Baystate Academy Charter Public School we are committed to working tirelessly to ensure scholars are college eligible and college ready. Therefore, their grades must reflect academic progress. We will utilize standards-based grading to reflect mastery of content/standards. Teachers will provide feedback.

### **Make-Up Work Policy**

Students who have been absent from class for verified, legitimate reasons (such as illness, court appearances, family emergencies, attendance at funerals, etc.) shall be given a reasonable opportunity to make up missed work, including examinations.

Students will be allowed the amount of time equal to the number of days absent, to complete make-up work. However, if a student is aware of an assignment/project/exam deadline, and has received the necessary instruction before the absence occurs, the assignment or exam is due upon the student's return to school.

Upon return to school each scholar is responsible for communicating with teachers and coordinating times to receive missed instruction and a timeline for completing makeup work. All scholars are granted at least the length of their absence to complete the makeup work (e.g., 3 missed days = at least 3 school days to complete makeup work).

The teacher has the discretion to allow additional time for make-up work when extended absences occur. Students with special circumstances should work with teachers to determine alternate individualized due dates when appropriate. It is the responsibility of the teacher in consultation with the administration to develop an appropriate vehicle and procedure for “make-up” work

## **Revision Policy**

If a student turns in an assignment that receives a failing mark, the student has the opportunity to revise the assignment. Revision opportunities may include student reflection and error analysis. The student must conference with the teacher within one week after receiving the grade. After conferencing with the instructor, the assignment will be given back to the student to revise. The assignment must be completed and returned within one week after the conference. Once the revised assignment is completed and corrected, it will be averaged with the original grade. It is the student’s responsibility to take advantage of the revision policy. **Students will not be able to revise assignments after the end of each semester. Example- Students can revise quarters 1 and 2 for semester 1.**

All students should have multiple assessment opportunities to demonstrate higher levels of achievement. The opportunities may be initiated by the instructor or the student, but always at the instructor’s discretion. Additional opportunities may include retakes of an alternate form of an assessment (e.g., Form B instead of Form A), student revisions of work products based on descriptive feedback, or alternative methods of assessments (e.g., an oral response rather than a written test).

### **Guidelines for revisions include the following:**

- Students will be provided the opportunity to be reassessed (i.e., retakes and homework). The original grade will remain in Powerschool and will not be replaced.
- Teachers determine appropriateness and authentic need for reassessments.
- Generally, reassessments will be limited to one retake per assessment. Additional reassessments will be provided at the discretion of the teacher.
- Revisions will be taken within a reasonable time frame that the teacher determines and informs students of in advance.

## **Extra Credit Policy**

Providing opportunities for extra credit is at the teacher’s discretion. The assignment must be academic in nature and support the learning objective. When extra credit is offered, it must be offered to all students within the grade level, not by individual class. Extra credit can not be used to replace previous scored assignments.

## **Communication with Families**

The Powerteacher Pro Gradebook is used for all grade reporting. To ensure that families are able to view current grades electronically, teachers will enter grades at least every two weeks. Parents

will be provided with a username and password to the Parent Portal. The designated content or crew teacher is responsible to communicate with the parents of struggling students, in advance of the issuance of report cards.

## **Communication with Students**

Teachers at BACPS are required to provide students with specific feedback regarding their grades at least weekly. Additionally, students are provided with a username and password to the grade portal where they can view their current grades.

## **Credit Recovery and Course Advancement**

Students who did not meet the required 2.6 grade and credit requirement for a course may be given the opportunity for credit recovery. This does not imply that all reassessment opportunities are identical for all students, or that they use the same format as the original assessment. BACPS' accepted methods for Credit Recovery consist of the following:

- Saturday Academy School
- Summer School
- Academic Credit Recovery - Night School (fall, winter, and spring) and Project Based Assessments

### **Credit recovery models include:**

1. Teacher-led. An after-school or summer school approach with a teacher in a classroom focusing on a single subject with a group of students who had previously been unsuccessful in the course.
2. Online. Students work online (Chromebooks or at home) using software provided by an external vendor or online courses developed by the school. One teacher can supervise students who are working on different courses.
3. Blended. The teacher actively teaches some of the course content, but then students carry out the online curriculum and are assigned credit based primarily on online assessments. Students may also be graded on offline projects, assessments, or other coursework.

### **The three main types of credit recovery:**

- Standard. The student retakes a course they had previously failed.
- On-time. The student has failed the first part of a course, such as a semester or even a unit, and is recovering that part while completing the rest of the course in a classroom with a teacher.
- Accelerated. A deeply under credited student takes one or more future courses in an online format, such as a student who failed English 10 and hasn't passed it yet but is taking English 11 online to avoid falling further behind

Students in Credit Recovery are expected to complete all assignments and adhere to attendance requirements in accordance with BACPS policies. During the course of a student's High School career, he or she can make up no more than 50% (16 credits) of the credits required.

Any course grade not replaced according to this policy shall be included in the calculation of the cumulative GPA required for graduation. Grade replacement and credit award will happen only upon the successful completion and documentation of the credit recovery process. All classes are

offered for credit recovery. **Courses taken at other schools/institutions will not be included in the student grade point average.**

### **Credit Advancement Policy**

Students in high school are provided the opportunity to earn credit for courses that are usually taken later in a student’s course sequence. Completion of credit advancement coursework allows students to, among other things, make space in their schedules for other courses during the academic year and earn credits needed because of credit shortages resulting from family relocation. Students are permitted 3 courses during the summer session and 3 courses per Saturday School session.

### **High School Course Credits**

All high school level courses are credit based. Credit allocation ranges from .50 - to 1.0 per course. Below are credit requirements for high school students.

<b>Course</b>	<b>Credit Requirements</b>
English/Language Arts	4 credits
Mathematics	4 credits
Env Sci/Bio/Chem/Physics or AP Bio	4 credits
Project Lead the Way	3 credits
History/Social Science	4 credits
Foreign Language (Spanish/Other)	3 credits
Physical Education	4 credits
Fine Arts	1 credit
Electives	5 credits
Crew	4 credits
Internship	1 credit*
Community Service	40 hours
Total	36 credits

\*36 Credits (37 with internship)

### **Certificate of Achievement (– or *Attainment/Attendance/Completion*)**

In lieu of a diploma, BACPS may award to any student who fails to meet the current Massachusetts Competency Determination requirement as established by the Department of Elementary and Secondary Education prior to their anticipated graduation date a Certificate of Achievement; provided, however, that the student meets the following requirements:

- Complete a program of studies prescribed by BACPS or the student’s IEP team which satisfies all BACPS graduation requirements, including attendance requirements.
- Take the Grade 10 MCAS in each subject area(s) in which the student did not achieve a passing score at least 3 times (one time for the standard Grade 10 MCAS and two attempts at the MCAS Retest).

- In the case of a student participating in the MCAS Alternate Assessment, the student is encouraged to participate in the Alternate Assessment in each subject area in which the student did not achieve a passing score once each year, for each year prior to the student's scheduled graduation date. The final determination on the student's annual participation is left to the student's IEP team.
- Take courses in the subject areas in which the student did not achieve a passing score each year following the year in which the student initially did not achieve a passing score.
- Satisfactorily participate in the tutoring or other academic support services made available by or approved by BACPS under and Educational Proficiency Plan (EPP), an Individual Education Program (IEP), or any other plan designed to strengthen the student's knowledge and skills of the learning standards of the subjects(s) at issue.

The BACPS Principal will monitor student compliance with the terms of this policy and will decide on whether a Certificate of Achievement is merited. The principal will decide those students eligible for certificates, subject to the approval of the Executive Director. Students may be awarded Certificates of Achievement as part of the normal graduation ceremony.

### **Habit of Scholarship (HOS)**

We recognize that qualities like Habits of Scholarship (work habits) are essential for students' future success in school and work. Students receive a discrete HOS grade in each course. There is a clear correlation between quality Habits of Scholarship, academic achievement and learning. It is our belief that the better one's Habit of Scholarship, the more s/he will learn and grow academically. Habit's of Scholarship are regularly assessed in each course using the same 1-4 grading scale. There are 5 Habits of Scholarship linked to essential work habits for success.

1. Readiness: I come to class ready to learn
2. Respect: I actively and respectfully participate in class
3. Perseverance: I assess and revive my work
4. Collaboration: I contribute to the success of group work
5. Integrity: I complete daily homework

#### **To earn a HOS of 3**

Students must consistently (about 80% of the instructional time):

1. Complete assigned tasks, projects, classwork and homework
2. Meet deadlines
3. Participate effectively in class activities (includes regular, on time attendance)

#### **To earn a HOS of 4**

Complete all HOS items 95% of the instructional time.

### **Progress Reports and Report Cards**

Progress reports are issued quarterly. These interim reports are meant to capture how students are doing in each of their classes at the time of the report. These reports are intended to provide students and families with information on the student's progress toward learning standards at that point in time and to identify areas of strength and areas where further work is needed. Report cards are issued quarterly.

### **PowerSchool Parent Portal/Parent Portal Sign up**

PowerSchool is the electronic student management system where student information is collected and stored. The portal is the "doorway" into the system giving parents access to information about their children.

The PowerSchool Parent Portal gives parents and students access to real-time information that may include attendance, grades, detailed assignment descriptions, and school bulletins. Everyone stays connected. Students can stay on top of assignments, parents are able to participate in their children's progress, and teachers can share information with parents and students.

Information for signing up for PowerSchool will be sent home in the mail or with your students at the start of the year. Please look for this information. Your PowerSchool parent account will allow you to select your own username and password. In addition, for families with additional students, it allows for the centralization of all accounts.

### **Summer School Policy**

Any middle or high school student who earns an overall calculation of **2.59** or below in English Language Arts, mathematics, or both, will be required to attend summer school. The first notice for summer school will be sent in April and final notices will be sent one week prior to the end of school. If a high school student fails either core or specials/elective classes, he/she will be automatically enrolled in summer school. Summer school is required for promotion to the next grade level for all students enrolled in summer school.

### **Assessment Philosophy**

Baystate Academy's assessment and graduation process prepares students to do the kind of work required in college and beyond. Students graduate by successfully demonstrating their skills and knowledge through portfolios, exhibitions, exams, and performances. Teachers at BACPS will regularly communicate with families about student progress through progress reports as well as through student-led conferences. Parents are also encouraged to initiate conversations with their student's crew leader or classroom teachers at any time.

### **Grading Policy:**

Formative Assessments (quizzes, classwork, homework) 20%  
Summative Assessments (tests, projects) 80%

### **Formative Assessments**

Formative assessments include a range of smaller stakes learning tasks designed to give teachers and students a sense of where they are on progress towards meeting short-term or long-term learning targets in the midst of an instructional unit. The results of formative assessments should help inform students and teachers about what to do next in order for students to master the learning target.

### **Summative Assessments**

Summative assessments include higher stakes learning tasks designed to measure whether or not students have mastered long-term learning targets or course standards once a unit of instruction is complete.

### **Student-Led Conferences**

In addition to progress reports and report cards, we also share information about student achievement by featuring the individual student as the key communicator of his or her own growth in academics and habits of scholarship in Student-Led Conferences (SLC's.) All students will participate in at least two scheduled conferences per year with parents and teachers. The student will present his or her portfolio of work to parents demonstrating progress toward mastery of learning targets. During the SLC, the teacher supports the students in discussing learning, identifying areas for growth, and next-steps goal setting. In this way, the student is engaged and responsible for learning. Through the process of SLCs, students understand what they have learned and why. They can speak to their own strengths, struggles, goals, and processes of learning – important skills to practice for future college success. It is a school requirement that students and families participate in SLCs.

### **Passage Portfolios/ Senior Talks**

Students archive and organize their work across subject areas (including Crew) in a portfolio. The portfolio is a collection of work showing what a student has been thinking about, working on, and learning. It will contain written work and may also include artwork, audio or videotapes of performances, photographs of three-dimensional constructions, computer graphics, and more. Students select work for their portfolio to demonstrate their readiness to move onto the next major milestone in their education: 8th graders are required to complete passage portfolios before being promoted to the 9th grade. Seniors will complete Senior Talks in the form of a capstone project or speech to fulfill a graduation requirement.

### **Expeditions and Celebrations of Learning**

Expeditions are a public demonstration that lets students show parents, teachers, and members of the wider community what they are learning. We ask that all students and families attend our exhibitions. The exhibit may be artwork, research, results from an experiment, written work, or other projects. It shows what has been learned better than a grade on a report card. It also gives other students ideas that will help them improve their own work and helps to set a standard for excellent work from all students. The exhibition is the most important way for us to both celebrate work and to hold students and schools accountable to parents and other stakeholders.

### **State Assessments**

Baystate Academy Charter Public School participates, as is required by law, in all state and federally mandated testing programs. Students in grades 6th through 8th grade take MCAS 2.0 in ELA and Math; 8th graders are required to take the MCAS in science and technology. 10th graders will take MCAS in ELA, Math, and Biology. Data collected from these assessments help us to determine our success in helping our students achieve proficiency of the Massachusetts Content Standards. BACPS administers an annual end-of-the-year parent satisfaction survey as part of our ongoing efforts to ensure that we are best serving our community. Additionally, the BACPS Board of Trustees and the Massachusetts DESE hold BACPS accountable for the highest levels of student, staff, and program achievement. Both conduct regular program reviews.

### **Middle School 6th - 8th Course Load**

Middle school students take a curriculum of seven-year-long courses (English Language Arts, Math, Science, Social Studies, Crew, Physical Education, and Intervention) as well as participate in at least one learning expedition per year.

- English Language Arts, 3 years
- Social Studies, 3 years
- Mathematics, 3 years
- Science, 3 years
- Crew, 3 years
- Physical Education/Health, 3 years
- Intervention
- World Language, 3 years
- Connections

### High School Courses and Credit Allocation

High School students take a college preparatory curriculum. Below is a list of courses and credits students will be required to earn each year.

9 <sup>th</sup> Grade	Credits	10 <sup>th</sup> Grade	Credits
English 9	1	English 10	1
Algebra I	1	Geometry	1
World History II	1	US History I	1
Biology	1	Environmental Science	1
Principles Biomedical Sciences	1	Human Body Systems	1
Spanish I	1	Spanish II	1
Crew	1	Crew	1
PE/Health	1	PE/Health	1
Art	1	Healthcare Careers	1
Intro. to Public Health	1	<b>Totals</b>	<b>9</b>
<b>Totals</b>	<b>9.5</b>		
11 <sup>th</sup> Grade	Credits	12 <sup>th</sup> Grade	Credits
English 11/AP	1	English 12	1
Algebra II	1	Pre-Cal	1
US History II	1	US Government/Economics or AP Government	1
Chemistry	1	Physics or AP Biology	1
Medical Interventions*	1	Biomedical Innovations*	1
Spanish III	1	Spanish IV	1

Crew	1	Crew	1
PE/Health	1	PE/Health	1
College & Career	1	Medical Terminology	1
SAT Prep	0	Internship*	1
Public Health	1	Community Service- 40 hours	1
<b>Total</b>	<b>10</b>	<b>Totals</b>	<b>11</b>

*\*PLTW will be modified based on course availability. If the course is not available the number of required courses will for graduation will be adjusted by the school principal and Executive Director.*

### **Special Education Individuals with Disabilities Education (IDEA)**

A student may be referred for an evaluation by a parent or any person in a caregiving or professional position who is concerned with the student’s development. Students over 18 years of age may also refer themselves. Upon consent of the parent, the school will arrange for the evaluation of the student by a team of specialists in the area related to the suspected disability. A team meeting is held to determine if the student has a disability and if the disability significantly affects the student’s progress. If it is determined that the student has a disability and requires specially designed instruction, an Individualized Education Program (IEP) is developed and special education services are implemented upon written parent/guardian consent. Any BACPS student who has not graduated from high school is entitled to this process until his/her 22nd birthday.

### **Special Education – Overview of Services**

Baystate Academy Charter Public School (BACPS) is committed to providing comprehensive and high-quality services for students with disabilities while meeting all requirements of state and federal legislation.

BACPS provides special education services for students in accordance with state and federal special education laws, M.G.L. c.71B, the Individuals with Disabilities Education Act (IDEA), and the regulations associated with those laws. The BACPS Director of Special Education is responsible for maintaining Individualized Education Plans (IEPs) in accordance with state and federal law and works with teachers to make appropriate curriculum and instruction modifications.

The Director of Special Education works closely with the principal and teachers to ensure that all students with disabilities are receiving appropriate instructional services, including modifications and accommodations within the general education classroom. The Director of Special Education also ensures that BACPS is in compliance with state and federal legislation in regard to students with disabilities. Below is an overview of special education services provided at BACPS, however, programs and services are subject to change to address the needs of individual students.

BACPS’s Student Support program utilizes liaisons that carry a caseload of students. Liaisons meet regularly with all general education teachers to review curriculum materials, support teachers in modifying their content and making accommodations to its delivery, review the progress of students on IEPs and maintain communication with parents or guardians.

BACPS offers a continuum of special education services delivered in a variety of settings, of which are determined based on what is prescribed in the student’s IEP. In the lower grades BACPS offers mainstreaming, inclusion, and small group settings for both mathematics and English Language Arts. Inclusion programming is offered for both Social Studies and Science courses with a full spectrum of modifications and accommodations, including pull out for tests and/or extended assignments. For social-emotional development, group and individual counseling focused on social skills and emotional regulation are offered to middle school students.

At the high school level, BACPS offers mainstreaming, inclusion and inclusion with pull–out with a full spectrum of modifications and accommodations in the core content courses and other courses as required. Academic Support with direct instruction will be provided on individual goals and objectives listed in each student’s IEP. This instruction is provided in a small group setting and/or one on one to support completion of general education class assignments.

High school social emotional development is also provided in-group or on an individual basis with a focus on anger management, anxiety and/or emotional regulation. At the age of fourteen, BACPS begins transition planning for our students in special education. Transition services are provided for students in order to prepare them to enter the post-school environment smoothly with as little disruption as possible.

The Student Support program also includes a social worker and a college counselor, along with a variety of related service providers who are contracted. Related service providers at BACPS include speech language pathologists, therapists, an occupational therapist, a school psychologist, and may include other services to address the needs of the current student with disabilities.

**Student Code of Conduct and Character**

Baystate Academy’s Code of Conduct and Character and Behavior Matrix articulate expectations for scholars so that they know what is expected of them during all parts of the school day. Both of these documents are aligned with our five Habits of Character: Readiness, Respect, Perseverance, Collaboration, and Integrity and are foundational to the school’s progressive discipline system. Scholars are expected to follow the Code of Conduct and Character in order to be productive members of the community.

<p><b>READINESS</b> Being fully prepared for class and willing to learn</p>	<p><b>RESPECT</b> Being considerate, kind, and polite to myself &amp; others</p>	<p><b>PERSEVERANCE</b> Committed to a growth mindset</p>	<p><b>COLLABORATION</b> Working effectively with all scholars and adults</p>	<p><b>INTEGRITY</b> Being honest and doing the right thing in a reliable way</p>
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The Code of Conduct and Character reflects our vision to provide a comprehensive approach to education to meet individual students’ educational, social-emotional and psychological needs. In order to ensure a caring community for learning in a safe environment, the administration, teachers, staff, students and parents of Baystate Academy are committed to maintaining a safe school for everyone.

Progressive discipline utilizes interventions to address inappropriate behavior with the goal of teaching appropriate social behavior. Interventions increase in intensity to address behavior that escalates. The goal is the prevention of a recurrence of undesirable behavior by assisting students to learn from the decision that warranted a disciplinary infraction. Progressive discipline supports students engaged in undesirable behaviors to use a restorative approach to

reflect, respond and repair. When a scholar’s actions or behaviors go against the code of the character, faculty engages the scholar in reflection about what happened and why it is balanced with progressive disciplinary action.

In this process the student will engage in a restorative practice cycle which could include but is not limited to the following:

- Acknowledge and take responsibility for his/her actions
- Engaging in administrative led restorative conversations with their classroom community and/or teacher
- Understand the harm that the behavior has caused and the reason the behavior is undesirable for the learning/school environment,
- Understand decisions they could have made differently given a specific scenario,
- Accept the opportunity to learn appropriate behavioral and social skills for future use,
- Understand the progression of consequences should the behavior reoccur.

In addition, he/she will be assigned a consequence. The adult assigning the consequence (whether Dean of Students or designee) will use the Code of Conduct and Character, the information unique to the case at hand, and the scholar’s disciplinary history to guide decision-making.

Examples of behavior are classified into three levels. Each Level of Behavior has a corresponding level of consequence. The examples for each level of consequence serve as a guide for Baystate faculty and staff to assign consequences that match the level of behavior. The lists of behaviors at each level are not absolute. When behaviors arise that are not listed as examples in the Code of Conduct and Character, the Dean of Students or designee will use the Code of Conduct and Character as a tool to help classify the behavior and to assign a fitting consequence.

Discipline procedures will involve individual conferences between students and teachers and/or principal and administrators. Prevention and the development of appropriate behaviors will be taught in class lessons. Students will learn how problems are initiated and how problems escalate. Students, guided by the teacher, will learn appropriate “replacement behaviors” to reduce future problematic situations. Consequences for behaviors will include loss of privileges; letters or phone calls to parents; parent/student/teacher conferences; behavioral contracts, etc. Specific information about the school’s discipline policy, including due process for suspensions and expulsion is available on our school website [www.bacps.net](http://www.bacps.net). Specific details and explanations of behaviors can be found in the appendices.

Baystate Academy highly encourages parents, guardians, teachers, and school personnel to work together to improve and enhance student behavior and academic performance. We strive to employ behavior support processes designed to consider services that may be available through the school public entities, or community organizations that may help the student address behavioral issues. These may include, but are not limited to, the multi-tier system of supports (MTSS) and the Response to intervention (RTI) process.

### **Student Code of Conduct and Character**

<p><b>Level 1 Consequences:</b> Participate in restorative conversation with teacher, possible lunch detention,</p>	<p><b>Level 2 Consequences:</b> Complete reflection sheet, administrative detention, community service, buddy room,</p>	<p><b>Level 3 Consequences:</b></p>
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and/community apology, loss of privilege, referral to school counselor, referral social worker, parent conferences and restorative practices. .	damage fee, referral to school counselor, referral social worker, parent conferences, restorative practices and possible suspension	Participate in restorative justice practice, suspension, damage fee, and/or possible expulsion
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Expected Behaviors In and Out of the Classroom	Level 1 Behaviors	Level 2 Behaviors	Level 3 Behavior
<b>Being Ready and Actively Participating in Class</b> <ul style="list-style-type: none"> <li>Follow classroom procedures (e.g. Do Now, writing down homework, cleaning up, etc)</li> <li>Be prepared for class with all materials</li> <li>Ask questions and ask for help</li> <li>Participate actively and maintain focus</li> <li>Self-monitor academic grades and habits of scholarship</li> <li>Appropriately utilize school issued technology and display digital citizenship while utilizing web based programs</li> </ul>	<ul style="list-style-type: none"> <li>Being unprepared for class (missing materials/ homework or coming to class late)</li> <li>Blurting out (not raising hand)</li> <li>Disrupting class or meetings</li> <li>Not following classroom procedures</li> <li>Not completing homework or in class assignments</li> <li>Refusing to do class work</li> </ul>	<ul style="list-style-type: none"> <li>Engaging in disruptive or unsafe behavior during classwork/ fieldwork</li> <li>Academic dishonesty (cheating, plagiarizing, etc)</li> <li>Chronic tardiness, uniform noncompliance, or any other Level 1 behavior that has been done habitually</li> </ul>	
<b>Collaborating Respectfully and Safely with Peers</b> <ul style="list-style-type: none"> <li>Speak kindly/ Use academic language</li> <li>Encourage and help others</li> <li>Keep hands to one's self</li> <li>Share ideas and listen</li> <li>Be an active and inclusive group/team member</li> <li>Stand up for others; don't be a bystander</li> </ul>	<ul style="list-style-type: none"> <li>Putting down someone else's idea / contribution</li> <li>Refusing to work with others</li> <li>Engaging in horseplay (even if "just playing")</li> <li>Expressing ideas with unsafe or inappropriate language</li> <li>Using offensive language to describe or talk about someone</li> </ul>	<ul style="list-style-type: none"> <li>Teasing, spreading rumors, or gossiping about other scholars (including with social media, email, texting, etc)</li> <li>Fighting/ physical action</li> <li>Using unsafe or inappropriate language or making unsafe or inappropriate gestures</li> <li>Reckless or unsafe behavior</li> <li>Bullying behaviors/ganging up on others</li> </ul>	<ul style="list-style-type: none"> <li>Hazing</li> <li>Verbally or physically threatening any member of the community (including with social media, email, texting, etc)</li> <li>Physical aggression/ assault</li> <li>Harassment (including with social media, email, texting, etc)</li> </ul>
<b>Collaborating Respectfully and Safely with Adults</b> <ul style="list-style-type: none"> <li>Work collaboratively with adults and classmates</li> <li>Follow directions</li> <li>Make eye contact</li> <li>Ask questions respectfully and with an appropriate tone</li> <li>Tell the truth</li> <li>Utilize appropriate language when engaged in a disagreement</li> </ul>	<ul style="list-style-type: none"> <li>Not following instructions from an adult</li> <li>Telling the partial truth, but not the whole truth</li> <li>Walking away from an adult when he/she is speaking to you</li> <li>Inappropriate language (profanity, etc.)- non-intentional</li> </ul>	<ul style="list-style-type: none"> <li>Actively refusing to follow directions or to work with faculty/staff</li> <li>Willfully showing disrespect (talking back, rolling eyes, etc)</li> <li>Refusing to go to the Student Support Center (SSC)</li> <li>Not telling the truth</li> <li>Inappropriate language (profanity, etc)- intention</li> </ul>	<ul style="list-style-type: none"> <li>Verbally or physically threatening any school faculty/staff</li> <li>Physical aggression/ assault</li> </ul>

Expected Behaviors In and Out of the Classroom	Level 1 Behaviors	Level 2 Behaviors	Level 3 Behaviors
<p><b>Being Accountable for Self and Actions</b></p> <ul style="list-style-type: none"> <li>● Report to class on time</li> <li>● Stay in class except for occasional short breaks</li> <li>● Follow dress code</li> <li>● Follow emergency/ safety procedures</li> <li>● Follow arrival/ dismissal procedures</li> <li>● Follow bus expectations (daily and on fieldwork)</li> </ul>	<ul style="list-style-type: none"> <li>● Arriving late to class</li> <li>● Neglecting to use a hall pass or misusing hall pass</li> <li>● Violating dress code</li> <li>● Publicly displaying affection</li> <li>● Moving seats without permission during bus-ride</li> </ul>	<ul style="list-style-type: none"> <li>● Calling home to be dismissed without permission</li> <li>● Skipping class, lunch or recess</li> <li>● Unsafe behavior during arrival, dismissal, or emergency procedure</li> <li>● Hiding from faculty</li> <li>● Being in staff/faculty area without permission</li> <li>● Unsafe or disruptive behavior on a bus (e.g. bothering a scholar, using unsafe language, not following driver directions, etc)</li> </ul>	<ul style="list-style-type: none"> <li>● Leaving campus without permission</li> <li>● Physically unsafe behavior on a bus (e.g. assault)</li> <li>● Bullying or harassing scholars on a bus</li> <li>● Bringing prohibited items onto a school bus</li> </ul>
<p><b>School Community Pride and Personal Property</b></p> <ul style="list-style-type: none"> <li>● Be considerate of others space and property</li> <li>● Take care of the school campus (common areas)</li> <li>● Maintain safety</li> <li>● Leave No Trace (Do not litter)</li> <li>● Leave prohibited items at home</li> </ul>	<ul style="list-style-type: none"> <li>● Using cell phone or any prohibited electronic device during school hours</li> <li>● Using someone else's property without permission</li> <li>● School tech. violation</li> <li>● Non-compliance/ refusing to follow directions</li> <li>● Inappropriate bus behavior</li> <li>● Littering</li> <li>● Leaving a mess in a class, hallway, bathroom, or lunch</li> <li>● Misusing/ damaging property</li> </ul>	<ul style="list-style-type: none"> <li>● Participating in act(s) of vandalism</li> <li>● Doing willful damage to school or personal property of others</li> <li>● In possession of prohibited items</li> <li>● Participating in minor vandalism</li> <li>● Being responsible for petty acts of theft</li> <li>● Intentionally harming school equipment /property (including school devices)</li> </ul>	<ul style="list-style-type: none"> <li>● Stealing</li> <li>● Possessing, using, or distributing tobacco, drugs or alcohol</li> <li>● Being under the influence of drugs or alcohol in school</li> <li>● Possessing a weapon</li> <li>● Serious graffiti/vandalism</li> <li>● Using prohibited items</li> </ul>

## Standard Procedures for Redirecting Scholars

First Redirect	Second Redirect	Third Redirect	Fourth Redirect
<p>Verbal Warning:</p> <ul style="list-style-type: none"> <li>• Redirect scholars and request that he/she modify the undesirable behavior.</li> <li>• This will be explicitly stated to the student by saying “This is your first warning” or “This is your verbal warning.”</li> </ul>	<p>Written Warning:</p> <ul style="list-style-type: none"> <li>• Place scholar’s initials on the discipline tracker as a first written warning.</li> <li>• Redirect scholars and request that he/she modify the undesirable behavior.</li> <li>• Hold a one on one conversation in the hallway</li> </ul>	<p>Classroom Managed Consequence:</p> <ul style="list-style-type: none"> <li>• Place the scholar’s initials in the next column or check mark to indicate the scholar has moved up the tiered system</li> <li>• Let the scholar know that his/her parents will be informed about the undesirable behavior.</li> <li>• Redirect scholars and request that he/she modify the undesirable behavior.</li> </ul>	<p>Administrative Notification of Behavior:</p> <ul style="list-style-type: none"> <li>• Inform the Dean of Students or designee that the scholar will need tiered behavior support from administration.</li> <li>• Could include filling out an official referral form for the student to be removed from the classroom.</li> </ul>

### Disciplinary Consequences Determination

School administration must consult the Code of Conduct and adhere to the provisions when making a discipline determination.

The following considerations are considered when administering appropriate consequences:

- The student’s age and maturity
- The student’s disciplinary history (to include any prior behavior incidents, the number of incidents, and the disciplinary actions and interventions implemented for each)
- The nature, severity, and scope of the behavior.
- The circumstances in which the behavior occurred.
- The frequency and duration of the behavior.
- The number of persons involved in the misconduct.
- The student’s Individualized Education Program (IEP), Behavioral Intervention Plan (BIP), Behavior Contract, and/or 504 Individual Accommodation Plan (IAP), if applicable.

### Massachusetts Student Discipline Law

The purpose of the law is:

- To limit the use of long-term suspension as a consequence for student misconduct until other consequences have been considered and tried as appropriate;
- To promote engagement of a student's parents in discussion of the student's misconduct, and options for responding to it;
- To assure that every student who is expelled or suspended, regardless of the reason for suspension or expulsion, has the opportunity to receive education services to make academic progress during the period of suspension or expulsion; and
- To keep schools safe and supportive for all students while ensuring fair and effective disciplinary practices.

## **Cell Phone and Electronic Device Use Policy**

Use of cell phones and other personal electronic devices by students during school hours can be disruptive to the educational learning environment. The purpose of restricted technology use is to ensure that interference of the instructional academic climate of the school does not occur. Text messages and photo transmissions are covered by this policy. Cell phones are not permitted in academic classrooms. Cell phones may be collected at the beginning of each class period and stored in a designated location as directed by the instructor. Scholars are not permitted to use or have cell phones visible during the hours of 8:00am to 4:00pm. Cell phones that are visible could be subject to confiscation. Students may possess and carry cell phones and electronic devices; however, these items must be turned off, put on “silent,” and put away in a bag or backpack during the academic school day (Monday- Thursday 8:00 am - 4:00 pm and Friday 8:00 am – 1:30 pm). If a student is found using a cell phone, smart watch, or headphones/earbuds in the school building or in class, they will be required to give their device to the teacher, staff person, or administrator immediately.

### **First Offense:**

- Students will receive a verbal warning and the phone/ headphones/ earbuds will be returned to the student at the end of the class period.

### **Second Offense:**

- Students will receive a lunch detention/ conference during their lunch period and a phone call must be made to a parent/ guardian.

### **Third/Continual Offense(s):**

- Students will receive a tier 2 or tier 3 behavior consequence and could result in any single or combination of the following:
  - A parent/ guardian conference
  - The terms of cell phone possession in the building will need to be signed by the student and guardian
  - Friday after school detention
  - Saturday Academy make-up session or another restorative act
  - Short term or in school suspension

*At no time shall Baystate Academy Charter Public School be responsible for preventing theft, loss or damage to cell phones brought onto its property.*

## **Inappropriate Physical Contact**

Members of the BACPS community are asked to refrain from inappropriate physical contact and may be subject to disciplinary action if they fail to do so. It is easy for non-violent situations such as “horseplay” to become out of control, violent or result in serious injury to students or staff. We take the safety of all our students and staff seriously. The following behaviors may result in suspension: intentional pushing, shoving, tripping, kicking, wrestling in the hallway, classroom or other areas, “horseplay” and “play fighting.” Additionally, inappropriate displays of public affection are unacceptable. This includes but is not limited to: kissing, prolonged hugs, holding hands, sitting on another student’s lap, or any other contact inappropriate for the school setting.

## **School Bus Procedures**

All BACPS students are provided free transportation to and from their legal residence only. The

Transportation Office, not the school, establishes all school bus stops. Because of insurance liability, unauthorized personnel are not permitted to ride the school buses.

In addition, due to insurance liabilities and safety concerns, students are limited regarding the items with which they may board the bus. A student may bring books, book bags, backpacks, and small items that can be held on the lap and do not present a safety hazard onto the bus. Other items may be stored underneath the student's seat, providing the items do not infringe upon another student sitting either in front of or behind the student with the item. Large radios, games, computers, baseball bats, basketballs, footballs, soccer balls or other sporting equipment are not allowed. Live animals are not allowed, regardless of whether they are caged.

Students are expected to adhere to the Student Code of Conduct while riding a school bus. Violations of these rules will result in the following:

**First Offense:**

- Students will receive a verbal warning and a parent will be informed of the infraction.

**Second Offense:**

- Students will receive a Friday after school detention (1:30pm-4pm) and a parent will be informed of the infraction.

**Third/Continual Offense(s):**

- Action will lead to escalated disciplinary action, including suspension and/or expulsion from the bus and a parent meeting will be scheduled.

**Weather Emergencies**

Baystate Academy Charter Public School will follow the Springfield Public Schools in deciding when to cancel school for a snow day. We will post a snow day school cancellation on our website and leave a recording on the main voice mail at Baystate Academy. In the event of snow day on a Saturday School morning, there will be a recording on the main school voicemail.

**Emergency Preparedness**

We recognize that despite our best efforts to create a campus that is safe and secure for our students, there are potential situations outside of our control, which may require emergency procedures. While we hope that we will never encounter such a situation, we are fully prepared should we need to evacuate or lockdown our campus.

**Lost and Found**

To avoid lost items, please clearly label all jackets, sweatshirts, backpacks, lunch bags, etc. A lost and found bin will be placed in a designated area at the beginning of the school year. Small and more valuable items (glasses, keys, jewelry, etc.) are kept in the Dean's office or a designated location in the front office. Periodically, announcements are made encouraging students to check the lost and found areas. Remaining items will be donated to a local charity. Feel free to stop in and check the lost and found if your child is missing any items.

## Evacuation Plan

All Baystate Academy Charter Public School staff and students will be trained on the procedures for evacuating the school. An evacuation will occur when school administration or emergency service providers have determined that it is unsafe for people to occupy our buildings. Examples of situations in which evacuation will occur include fire or natural disasters. Evacuations will be orderly and have as their first priority the safety of all people on our campus. Students and staff must leave behind all non-emergency items when evacuating campus.

In many situations, students will be able to safely return to campus following an emergency evacuation once the campus has been deemed safe for occupation. In the event that students cannot safely return to campus, parents will be notified via a phone tree that they must pick-up their student. Parents should not enter an evacuated building. Students will only be released from the designated pick-up point to an adult listed on their emergency release form with a photo ID. To update or complete an emergency release form, please see the front office. **Please do not call the campus in the event of an emergency.** Office personnel will be evacuated and unable to answer phone lines.

## Lockdown Plan

All Baystate Academy staff and students will be trained on the procedures for locking-down school. Lock-downs will be orderly and have as their first priority the safety of all people on our campus. A lock-down will occur when school administration or emergency service providers have determined that it is unsafe for people to be moving around our building. Examples of a situation in which lock-downs will occur include the presence of strangers on campus.

In the event of a lock-down, all parents will be notified of procedures via a phone tree. **Please do not call the campus while the campus is on lockdown.** We will need access to all our phone lines and will need to focus our attention on resolving the circumstances that have led to the lock-down. Parents should not enter a building that is on lockdown, as it will compromise their own safety and the safety of those on campus.

## Use of School Materials

### Student Computer Use

Baystate Academy Charter Public School provides computer/technology resources to enhance the educational experiences of its students and build 21st century media literacy skills. Students are expected to exercise their privilege to use these resources in a manner consistent with the mission of the school and existing school policies, as well as all federal, state, and local laws. Any activity which is unethical, illegal, disruptive, offensive, mischievous, or destructive to any equipment is inappropriate. Each student will be required to read, comprehend and sign the Baystate Academy Computer and Internet Acceptable Use Policy before computer access is granted.

### Internet Usage

#### Internet Security Policy and Use of Technology

Undesirable Materials: The School will take all possible precautions to restrict access to undesirable materials including, but not limited to, installing content filtering software/hardware solutions on its network or using an Internet provider which uses content filtering software on its equipment to screen all Internet web sites by URL and/or by keyword search. However, students

must also accept responsibility for restricting access to these materials. Students who gain access to undesirable Internet materials must report this material to their teacher.

**Security:** Students must not allow others to use their network accounts (both Internet and School accounts). Network storage areas may be treated like school lockers. Designated school personnel may review files and communications to maintain system integrity and insure that users are using the system responsibly. Users should not expect that files stored on school file servers will always be private.

**E-Mail:** Student use of personal email is not allowed. Student use of social networking, blogging, chat and other user groups is not allowed without approval from the supervising teacher.

**Copyright and Citations:** Any copyrighted materials are subject to the Fair Use provision of copyrighted materials as it relates to education. Internet materials used in reports or other documents must be cited. If there is no direct citation, the Uniform Resource Location (URL) must be cited. The use of Internet sources without proper citation constitutes plagiarism. Downloading from the Internet without approval from the supervising teacher is not allowed.

Students may not use school computers to access private Internet providers.

**Acceptable Internet Usage:** The School will ensure age-appropriate internet usage among students who use its internet facilities. This will enforce the School's commitment to student safety with regard to:

1. safety on the Internet;
2. appropriate behavior while online, on social networking (social media) Web sites, and in chat rooms; and
3. cyberbullying awareness and response.

### **School Telephones**

Students are prohibited from answering or using school telephones.

Using the Internet is a privilege. Students are not allowed to use external email, go to inappropriate sites, play computer games, send or receive Instant Messages, or use chat sites, social media, and proxy sites on school computers at any time before, during, or after school. Students who do not adhere to this policy will lose their computer privileges.

### **School Safety and Security (Cameras On Campus)**

Cameras are installed at the school site for safety and security. Information will be shared with the law enforcement agencies for any violations of the law.

### **BACPS Wellness Policy**

BACPS is committed to promoting and protecting students' health by supporting healthy eating. Students may **not** bring "junk food" as snacks or part of a lunch to school. This includes: soda, candy, chips, cookies, or other high fat or high sugar products. Food, gum, and drinks (excluding water) are not permitted outside of the cafeteria at any time, before, after, or during school, unless a special arrangement has been made.

Water is the only allowed drink in classrooms and hallways. Students may use the water fountains in the hallways or their own personal water bottles, as long as those bottles are fully clear, non-

tinted, non-colored, and liquid-visible. Empty junk-food bottles (ex: Arizona, Snapple, Soda, fast food containers) are not permitted for use as water bottles.

Drinks other than water are allowed in the cafeteria during lunch and breakfast, as long as they meet the guidelines of the Junk Food Free Policy.

Students are not permitted to have food deliveries on campus via delivery apps or other ordering vehicles. Deliveries on campus cause a distraction to the student learning environment and create an unsafe environment for all. All deliveries will be reviewed by administration and returned to the food delivery company.

**Please see Appendix C for BACPS Wellness Policy.**

## **Student Support Services**

At Baystate Academy Charter Public School, we support the learning of all of our students. We follow all federal and state mandates, policies, and guidelines on the education of students with special needs.

### **Section 504**

Section 504 of the Rehabilitation Act of 1973 (Section 504) is a federal civil rights law that prohibits discrimination against individuals with disabilities in programs and activities that receive financial assistance from the U.S. Department of Education.

Section 504 also requires that students with disabilities be provided a free and appropriate public education (FAPE). For students who are not eligible for special education services, but meet the federal definition of disabled under Section 504, a Section 504 Plan is developed which indicates the accommodations, supplementary aids and/or services that will be provided to assist the student in accessing the general education program.

## **Special Education Services**

It is the responsibility of the Baystate Academy Charter Public School to identify any student who may have a disability, regardless of the severity of the disability, and to evaluate those students to determine if they are eligible for special education or related services under IDEA (Individuals with Disabilities Education Act) or 603 CMR 28 (Massachusetts Special Education Regulations). A student may also be referred for an evaluation by a parent or any person in a caregiver or professional position concerned with the student's development.

When a student is referred for an evaluation to determine eligibility for special education, BACPS will provide written notice to the student's parent(s) within 5 school days of receipt of the referral, along with the Notice of Procedural Safeguards. The written notice meets all of the content requirements set forth in M.G.L. c.71B, §3, and in federal law, seeks the consent of the parent for the evaluation to occur, and provides the parent with the opportunity to express any concerns or provide information on the student's skills or abilities and to consult regarding the evaluators to be used.

Within 45 school working days after receipt of a parent's written consent BACPS will: provide an evaluation; convene a Team meeting to review the evaluation data, determine whether the student requires special education and, if required, develop an Individualized Education Program (IEP) in accordance with state and federal laws.

Parents are encouraged to consult with special education staff and/or principal to discuss the reasons for the referral and the nature of the proposed evaluation. A parent's right to refer his/her child for an educational evaluation is not limited because the school has not fully explored and/or attempted some or all of the available instructional support programs or other interventions available in general education. That being said, BACPS strives to work in collaboration with parents, students and staff to consider specific accommodations and interventions that are a critical component of the pre-referral process to help students access the curriculum and make progress in the general education classroom.

## **Student Records Policies - Family Education Rights and Privacy Act**

The Family Educational Rights and Privacy Act (FERPA) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents or eligible students (those who are above 18 years of age) the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions:

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school
- Accrediting organizations;
- To comply with a judicial order or lawfully issued ;
- Appropriate officials in cases of health and safety emergencies; and State and local authorities, within a juvenile justice system, pursuant to specific State law.

## **Non-Discrimination Policy**

It is the policy of Baystate Academy Charter Public School pursuant to federal and Massachusetts laws not to discriminate against individuals on the basis of race, color, religion, national origin, homelessness, ancestry, gender, sexual orientation, gender identity, age, veteran status, genetic information, or disability in the administration of its educational programs, activities, or employment policies. The BACPS Board of Trustees has approved grievance procedures for students, teachers, and other employees who feel that they have been discriminated against under this policy. Copies of the grievance procedures are available at all school and in the Executive Director's office. This policy is consistent with M.G.L. c. 76, s.5.

## **Massachusetts Student Records Regulation**

State regulations governing student records are briefly summarized below. These regulations are available at each public school and the superintendent's office for review. Parents may access the student records regulations through the Massachusetts Department of Education website. A student's record consists of his or her school transcript and temporary record. The temporary record includes all information, which is organized on the basis of the student's name, is relevant to the educational needs of the student and is kept by the school. A student's parent or guardian or an eligible student (who is 14 years old or has entered the ninth grade), has the right to inspect all portions of the student's record upon written request to the principal. The record must be made available to the parent, guardian, or eligible student not later than ten consecutive workdays after the request is made, unless the parent or guardian, or eligible student consents to a delay. The parent, guardian, or eligible student may request copies of any part of the record. A fee may be charged for the cost of copying.

### **Confidentiality of Records**

No individual or organization other than the parent, guardian, eligible student, or school personnel working directly with the student is allowed access to a student's record without the specific written consent of the parent, guardian, or eligible student except in limited instances as specified by the state or federal regulations governing student records.

### **Amendment or Deletion of Records**

The parent, guardian, or eligible student has the right to add relevant comments, information, or other written material to the student's record. In addition, the parent, guardian, or eligible student has the right to request that information contained in the record be amended or deleted except for information inserted in the record by a special needs or Section 504 evaluation. The parent, guardian, or eligible student has a right to a conference with the school principal for the purpose of the information contained in the school record. Within a week after such a conference, the principal must render a decision in writing on the objection. If the parent, guardian or eligible student is not satisfied with the principal's decision, he or she may appeal such a decision to the Executive Director and ultimately, to the school committee.

### **Destruction of Records**

A student's temporary record shall be destroyed no later than seven years after the student leaves the school system. The school system may offer the student, parent, or guardian the temporary record upon graduation or leaving school as long as the student, parent, or guardian acknowledges and accepts the temporary record by written consent. A student's transcript may be destroyed no sooner than 60 years after the student leaves the school system. A school principal or his or her designee may destroy misleading, outdated or irrelevant information contained in the temporary record during the time the student is enrolled in the school district, provided the parent, guardian, or eligible student has been notified in writing and given the opportunity to inspect and copy any of the information prior to destruction.

All parents/guardians of children at Baystate Academy Charter Public School have the right of inspection of their children's records in accordance with M.G.L Chapter 71, Section 34D, and M.G.L Chapter 71, Section 34E. Also, a student, eighteen years of age or older, has the right of access to all records relative to him/her in accordance with M.G.L. Ch.71, Sections 34D, 34E. M.G.L. Chapter 71, specifies detailed procedures that govern access to student records by parents who do not have physical custody of their children. For more information, please contact the principal. Courtesy and the need for maintenance of order suggest that anyone interested in

exercising the above right make his/her request in writing for an appointment with the principal so that possible questions may be answered.

### **Non-custodial Parent Access to Student Records**

The Massachusetts Board of Education has amended Student Records Regulations concerning access to student records by non-custodial parents. As set forth in the amended regulation, 603 CMR 23.07(5), non-custodial parents are eligible to obtain access to their children's student records unless the school or district has been given documentation that:

- 1.1 The parent has been denied legal custody or has been ordered to supervised visitation, based on a threat to the safety of the student and the threat is specifically noted in the order pertaining to custody or supervised visitation, or
- 1.2 The parent has been denied visitation, or
- 1.3 The parent's access to the student has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record, or
- 1.4 There is an order of a probate and family court judge which prohibits the distribution of student records to the parent.

### **Management of Students with Head Injuries and Concussions**

The purpose of this policy is to assure that any student who sustains a concussion or head injury is managed properly. Baystate Academy Charter Public School recognizes the importance of educating students, parents/guardians, athletic staff, teachers, guidance counselors, school nurse educators, and designated others to recognize signs and symptoms of a concussion or head injury; and to respond appropriately to facilitate prevention, management, and safe return to academic and athletic activities in students with a concussion or head injury.

1.0 In accordance with Massachusetts state law and MA Department of Public Health (DPH) regulations related to Head Injuries and Concussions In Extracurricular Athletic Activities, Baystate Academy Charter Public School shall provide standardized procedures in regards to the prevention, management, and return to academic and athletic activities in middle and high school students who incur a head injury while involved in extracurricular athletic activities. This policy and all related procedures are in compliance with Massachusetts General Law and MA DPH regulations. Out of concern for any student suffering from a concussion/head injury, this policy will apply to all middle and high school students who sustain a concussion/head injury, regardless of whether the injury occurred related to extracurricular athletic or marching band activities.

- 1.1 The Athletic Director or designated individual in each school will be responsible for the implementation of this policy and related procedures.
- 1.2 At the high school level, a Concussion Team consisting of the Athletic Director, Certified Athletic Trainer, Guidance Counselor, and School Nurse Educator will assume responsibility for the implementation of procedures associated with this policy.
- 1.3 At the middle school level, a Concussion Team consisting of the designated Athletic Director, Guidance Counselor, and School Nurse Educator will assume responsibility for the implementation of procedures associated with this policy.
- 1.4 Communication with all involved individuals is paramount to the successful management of students with head injuries. Baystate Academy Charter Public School will maintain open communication between staff, students, parents, healthcare providers, and others involved.

## **An Act Relative to Sex Education (M.G.L. Ch. 71 §32A) Parent Notification**

The Health Education and Science programs of Baystate Academy Public Charter School are designed to help students acquire appropriate content background to develop the life skills or problem solving, communication, and decision-making abilities to prepare for a healthy and productive future.

The Health Education and Science programs have been designed by our professional staff, using their own research-based programs as well as programs developed by the Massachusetts Department of Education, the American Heart Association, the American Cancer Society, the American Red Cross, Operation Lifesaver, and other health and science education resources. Sexuality education is part of the comprehensive Health Education program. In grades 6th- 10th grade, the following units contain sexuality topics: personal safety/safety, growth and development, and disease. Each student's privacy will be respected, and no one will be required to answer questions or reveal personal information. Material is presented factually.

Under Massachusetts law and the BACPS policy, you may exempt your child from any portion of a curriculum that primarily involves human sexual education or human sexuality issues. If you would like to exempt your child from a particular class, please send the request in writing. The Director of Curriculum and principal are available to meet with you to review curriculum and materials. To review these materials, please call to make an appointment.

### **Sex Education (MGL Ch. 71 §32A)**

Schools are required by law to notify parents/guardians about any classes that will be held on human sexual education or sexual issues. The notice must tell the parent/guardian how he/she can review the content and materials of the classes. While parents/guardians do not have to give permission for their children to take sex education classes, parents do have the right to exempt their children from such classes. Please read and return the sign-off page entitled "Commonwealth of Massachusetts: An Act Relative to Sex Education" to your building principal. To exempt your child from any portion of the health and/or science curriculum that primarily involves sexual education or human sexuality issues, you must notify the school in writing on the back of the Signature Page.

### **Procedure for In-School Programs for Pregnant Students**

In order to meet federal requirements at Title IX: 20 U.S.C. 1681; 34 CFR 106.40(b) respectively, pregnant students will be encouraged to continue to attend school. Every effort will be made to see that the educational program of the student is disrupted as little as possible, that return to school after delivery is encouraged, and that every opportunity to complete school is provided. In accordance with Federal law and the Massachusetts Department of Elementary & Secondary Education regulations and guidance, a student who is pregnant at Baystate Academy is permitted to remain in regular classes and participate in extracurricular activities throughout her pregnancy. After giving birth, a student is permitted to return to the academic program in which she was enrolled and is permitted to participate in extracurricular programs. Baystate Academy Charter Public School does not require that a pregnant student obtain certification from a physician that she is physically and emotionally able to continue in school unless certification is required for all students with other physical or emotional conditions requiring the attention of a physician.

## **Homebound/ Hospital Bound Policies**

The Massachusetts regulation 603 CMR 28.03(3)(c) requires educational services in the home or hospital. Baystate Academy will furnish homebound instruction to those students who are unable to attend classes for at least ten consecutive days or 14 days or more in a school term to provide maintenance in the basic academic courses so that when a student returns to school he/she will not be at a disadvantage because of the illness or hospitalization.

To qualify for the program the student needs a written statement from a medical doctor requesting the homebound instruction, stating the reasons why, and estimating the time the student will be out of school. This statement needs to be sent to the Building Principal.

Homebound instruction is offered in basic elementary subjects and in secondary subjects, which do not require laboratories and special equipment, subject in all cases to the availability of qualified teachers. The Director of Special Education with the approval of the Superintendent assigns certified teachers to homebound instruction. See appendices for additional policy information.

## **Title I**

The Title I Elementary and Secondary Education Act of 1965 was reauthorized under the No Child Left Behind (NCLB) Act of 2001. Title I provides financial assistance to local school districts to provide additional educational services for participating children. Title I services exist at BACPS to increase student achievement for all students. NCLB legislation provides the parents of children who need extra support with opportunities to obtain the additional services necessary. Please check with your student's school for more detailed information.

The U.S. Department of Education has a Quick Reference for Parents in English and Spanish at [www.ed.gov](http://www.ed.gov). Parents' PLACE, a Massachusetts-based Parent Information and Resource Center funded by the U.S. Department of Education to improve parental outreach. The organization offers a brochure entitled "Public School Choice under NCLB" available in English, Spanish, and other languages at [www.masspirc.org](http://www.masspirc.org).

## **Title IX, II and 504**

Policies Baystate Academy Charter Public School is committed to ensuring full access to services for all students. For coordination of Title IX and II, please contact the Executive Director 413-366-5103. In order to learn more about Section 504 coordination, please contact the Director of Special Education 413-366-5100.

## APPENDICES

### Appendix A:

#### Suspension Policy Overview

All Baystate Academy students have a right to an education in a safe, secure, and supportive environment, and every teacher has a right to expect respectful, prepared students in his/her classroom. While school employees use their discretion in making discipline decisions, they will treat all students consistently and equitably and will respect the rights of all students to an education in a safe and healthy environment. It is the policy of the Baystate Academy to ensure fair and effective disciplinary practices. Accordingly, the following rules and regulations will be administered fairly and consistently to all students.

Baystate Academy Code of Conduct is administered within the framework of the United States Constitution and state laws and regulations with regard to due process for students. The Code of Conduct is intended to be administered for disciplinary infractions that occur on school grounds or at school-sponsored events (on and off school grounds) OR for disciplinary infractions that occur off school grounds but substantially disrupt the educational environment or create a hostile environment at school.

The Code of Conduct is based on a system of progressive discipline with a goal of limiting the use of suspension as a consequence of student misconduct until other consequences and interventions have been considered, as appropriate. The Dean of Students/Principal or designee will exercise discretion in determining disciplinary consequences. The Dean of Students/Principal may utilize his/her discretion to increase penalties in the cases of second and third offenses or for other factors. In determining the severity of the penalty or suspension, the appropriate administrator may consider all relevant facts, including but not limited to 1) previous disciplinary record, 2) severity of disruption to the educational process, 3) degree of danger to self and/or others, 4) the degree to which the student is willing to change his/her inappropriate behavior and 5) whether alternative consequences are appropriate to re-engage the student in learning. Alternative consequences may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.

#### Suspensions

The Baystate Academy Charter Public School adheres to the Student Discipline Laws and Regulations as set forth in Massachusetts General Laws Chapter 37H, 37 H1/2 and 37 H 3/4 and 603 CMR 53.00 et seq.

#### *Out-of-School Suspension Procedures*

#### Due Process Procedures for Out-of-School Suspensions:

There are two types of out-of-school suspensions, Short-Term Suspensions and Long-Term Suspensions. The Dean of Students/Principal or his/her designee shall determine the extent of the rights to be afforded the student at a disciplinary hearing based on the anticipated consequences for the disciplinary offense. If the consequence may be long-term suspension from school, the Dean of Students/Principal or his/her designee shall afford the student additional rights as described below, in addition to those rights afforded to students who may face a short-term suspension from school. All students facing out-of-school suspension shall have the right to oral and written notice, as described below.

### Notice for Any Out-of-School Suspension:

Prior to suspending a student, the Dean of Students/Principal or his/her designee will provide the student and the Parent oral and written notice of the possible suspension, an opportunity for the student to have a hearing and the opportunity of the Parent(s) to participate in the hearing. The notice will be in English and in the primary language of the home if other than English as identified in the home language survey, or by other means of communication where appropriate. The notice will set forth in plain language:

- 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 Dean of Students/Principal or his/her designee 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 Dean of Students/Principal:
  1. the rights set forth in 603 CMR 53.08(3)(b); and
  2. the right to appeal the Dean of Students/Principal's decision to the Executive Director.

The Dean of Students/Principal or his/her designee shall make reasonable efforts to notify the parent orally of the opportunity to attend the hearing. Prior to conducting a hearing without the parent present, the Dean of Students/Principal or his/her designee will document reasonable efforts to include the parent. The Dean of Students/Principal or his/her designee is presumed to have made reasonable efforts if the Dean of Students/Principal or his/her designee has sent written notice and has documented at least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.

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

### **Emergency Removal of Student**

Under certain emergency circumstances, it may not be practical for the Dean of Students/Principal or his/her designee to provide prior oral and written notice before removing a student from school. The Dean of Students/Principal or his/her designee may remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the Dean of Students/Principal's (or his/her designee's) judgment, there is no alternative are moving alleviate the danger or disruption. The Dean of Students/Principal or his/her designee will immediately notify the Executive Director in writing

of the 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 Dean of Students/Principal shall:

- 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, the disciplinary offense, the basis for the charge, the potential consequences, including potential length of suspension, the opportunity for a hearing including the date/time/location of the hearing, the right to interpreter services, and other rights permitted for students who may be placed on long-term suspension as set forth in 603 CMR. 53.08(3)(b);
- b. Provide written notice to the student and parent, including the information described in 603 CMR 53.06(2);
- c. Provide the student an opportunity for a hearing with the Dean of Students/Principal or his/her designee that complies with 603 CMR 53.08(2) or 53.08(3), as applicable, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the Dean of Students/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, which meets the requirements of 603 CMR 53.08(2)(c) and 53.08(2)(d) or 603 CMR 53.08(3)(c) and 53.08(3)(d), as applicable.

A Dean of Students/Principal will 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.

### **Short-Term Suspension Procedures**

A Short-Term Suspension is the removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less. The Dean of Students, or his/her designee, may, in his/her discretion, assign a student the consequence of serving a short-term suspension from school for, but not limited to:

- theft or destruction of property (restitution may also be imposed);
- fighting, hitting, slapping, kicking, or spitting, horseplay or play fighting, negligent behavior;
- throwing food or objects of any form;
- disrespect, verbal abuse, harassment, taunting or threats of any form;
- slanderous, defaming statements or libelous written attacks on the character of anyone;
- disruption of the educational process;
- bullying;
- use of obscene or abusive language or gestures including racial, religious, ethnic, sexual or homophobic remarks;
- possession, distribution, or smoking electronic/vapor pens or cigarettes (anywhere on campus at any time);
- skipping detention;
- endangering the safety of themselves or others;
- leaving school grounds, or being in restricted areas without permission;
- failing to identify themselves when asked by a faculty or staff member;
- repeated acts of defiance or insubordination; and

- truancy and cutting classes.

Any student facing a potential short-term suspension is entitled to a hearing with the Dean of Students/Principal or his/her designee with the following process:

### **Dean of Students/Principal Hearing - Short-term Suspension:**

- a. The purpose of the hearing with the Dean of Students/Principal or his/her designee is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction. At a minimum, the Dean of Students/Principal or his/her designee shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also shall have an opportunity to present information, including mitigating facts that the Dean of Students/Principal or his/her designee should consider in determining whether other remedies and consequences may be appropriate as alternatives to suspension. The Dean of Students/Principal or his/her designee shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Dean of Students/Principal should consider in determining consequences for the student.
- b. Based on the available information, including mitigating circumstances, the Dean of Students/Principal or his/her designee shall determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.
- c. The Dean of Students/Principal or his/her designee shall notify the student and parent of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal, as provided in 603 CMR 53.13(1). The determination shall be in writing and may be in the form of an update to the original written notice.

### **No Right to Appeal:**

The decision of the Dean of Students/Principal or his/her designee is the final decision for short-term out-of-school suspensions not exceeding ten (10) days, consecutively or cumulatively during a school year.

### **Long-Term Suspension Procedures**

A Long-Term Suspension is 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. A long-term suspension can be in or out of school so long as the removal is for more than ten (10) days. The Dean of Students/Principal, or his/her designee, may, in his/her discretion, assign a student the consequence of serving a long-term suspension from school. Except for students who are charged with a disciplinary offense set forth in Massachusetts General Laws Chapter 71, §37 H, or in Massachusetts General laws Chapter 71 § 37H ½, no student may be placed on long-term suspension for one or more disciplinary offenses for more than ninety (90) school days in a school year beginning with the first day that the student is removed from school. No long-term suspension shall extend beyond the end of the school year in which such suspension is imposed.

Any student facing a potential long-term suspension is entitled to a hearing with the Dean of Students/Principal or his/her designee with the following process

**Dean of Students/Principal Hearing - Long-term Suspension:**

- a. The purpose of the hearing with the Dean of Students/Principal or his/her designee is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction. At a minimum, the Dean of Students/Principal or his/her designee shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also shall have an opportunity to present information, including mitigating facts, that the Dean of Students/Principal should consider in determining whether other remedies and consequences may be appropriate as alternatives to suspension. The Dean of Students/Principal or his/her designee shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Dean of Students/Principal should consider in determining consequences for the student.
- b. In addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following additional rights:
  - 1. In advance of the hearing, the opportunity to review the student's record and the documents upon which the Dean of Students/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;
  - 5. the right to request that the hearing be recorded by the Dean of Students/Principal, and to receive a copy of the audio recording upon request. If the student or parent requests an audio recording, the Dean of Students/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.
- c. The Dean of Students/Principal or his/her designee shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Dean of Students/Principal should consider in determining consequences for the student.
- d. Based on the evidence, the Dean of Students/Principal or his/her designee 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 Dean of Students/Principal or his/her designee 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 Dean of Students/Principal and the parent. If the Dean of Students/Principal or his/her designee decides to suspend the student, the written determination shall:

1. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
2. Set out the key facts and conclusions reached by the Dean of Students/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 Dean of Students/Principal 's decision to the Executive Director or designee, but only if the Dean of Students/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 as determined by the home language survey, or other means of communication where appropriate, and shall include the following information stated in plain language:
  - a. the process for appealing the decision, including that the student or parent must file a written notice of appeal with the Executive Director within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the Executive Director an extension of time for filing the written notice for up to seven (7) additional calendar days; and that
  - b. the long-term suspension will remain in effect unless and until the Executive Director decides to reverse the Dean of Students/Principal 's determination on appeal.

#### **Executive Director's Appeal Hearing:**

- a. A student who is placed on long-term suspension following a hearing with the Dean of Students/Principal shall have the right to appeal the Dean of Students/Principal 's decision to the Executive Director.
- b. The student or parent shall file a notice of appeal with the Executive Director within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the Executive Director an extension of time for filing the written notice for up to seven (7) additional calendar days. If the appeal is not timely filed, the Executive Director may deny the appeal, or may allow the appeal in his or her discretion, for good cause.
- c. The Executive Director shall hold the hearing within three (3) school days of the student's request, unless the student or parent requests an extension of up to seven (7) additional calendar days, in which case the Executive Director shall grant the extension.
- d. The Executive Director shall make a good faith effort to include the parent in the hearing. The Executive Director shall be presumed to have made a good faith

effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and Executive Director to participate. The Executive Director shall send written notice to the parent of the date, time, and location of the hearing.

- e. The Executive Director shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The Executive Director shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent upon request. The Executive Director shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request.
- f. The student shall have all the rights afforded the student at the Dean of Students/Principal 's hearing for long-term suspension.
- g. The Executive Director shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of 603 CMR 53.08(3)(c)1 through 5. If the Executive Director determines that the student committed the disciplinary offense, the Executive Director may impose the same or a lesser consequence than the Dean of Students/Principal, but shall not impose a suspension greater than that imposed by the Dean of Students/Principal's decision.
- h. The decision of the Executive Director shall be the final decision of the school, with regard to the suspension.

### **Re-Entry Meeting From a Short or Long Term Suspension**

A mandatory re-entry meeting with the Dean of Students/Principal or his/her designee will be scheduled prior to a student's return to school. The Dean of Students/Principal will make every effort to schedule the meeting for a time when the student's parent(s) or designee can be in attendance. In only rare cases will a student return to school without his/her parent(s) or designee attending the re-entry meeting. Others who may attend the re-entry meeting include a) Crew Leader, b) Counselor, c) Safety Officer, d) Executive Director e) Wellness Team Representative.

The re-entry meeting serves to accomplish the following:

- a. Provide a supportive transition for the student to re-enter the Baystate Academy community
- b. Set clear expectations for the student's return to classes and the community
- c. Review re-entry plan which may include but is not limited to i) check-ins with Dean of Students/Principal, counselor or designee, ii) modified schedule (e.g. modified lunch/recess plan), iii) behavior plan, iv) mediation
- d. Engage the parents or guardians in discussions of the student's misconduct

### **Long-Term Suspension/Expulsion Procedures for Special Circumstances**

The long-term suspension or expulsion of a student from school will be in accordance with Massachusetts General Laws, Chapter 71, Section, 37H. The grounds for long term suspension or expulsion include but are not limited to the following:

- Possession and/or detonation of fireworks in the school building or on school grounds;
- Possession and/or use of alcoholic beverages, regardless of quantity;
- Physical assault on any member of our school community on school premises or at school-sponsored or school-related events, including athletic games;
- Sexual/ discriminatory harassment;
- Threats of violence against anyone and/or the school;
- Hazing;
- Theft and receiving stolen property;
- Extortion;
- Forgery of doctor's notes, court appearances, parent notes, etc.;
- Possession, use, sale or distribution of illegal drugs, alcohol, weapons or drug paraphernalia, or a controlled substance as defined in Chapter 94 C ;
- Possession or mention of weapons;
- Acts of arson or pulling a fire alarm/ using fire extinguisher;
- Bomb threats;
- Tampering with safety equipment or emergency exits; and
- Compromising the security of the building.

Due process for a student who is subject to an expulsion or a long-term suspension as a result of any of the above infractions includes:

- a. A student shall receive written notice before the expulsion or a long-term suspension takes place and written notice of the right to appeal.
- b. The student shall be given an opportunity for a hearing and the opportunity to present witnesses and evidence. The student may have an attorney at his or her own expense.
- c. Following the hearing, the Dean of Students/Principal or his/her designee may, in his/her discretion, decide to suspend rather than expel the student.
- d. The student may appeal the expulsion or long-term suspension to the Executive Director provided the appeal is requested in writing, within ten (10) calendar days following the long/term suspension or expulsion.
- e. At the appeal hearing the student may be represented by an attorney and may present oral and written testimony.
- f. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of MGL c. 71 Section 37H.
- g. The Executive Director's decision is final.
- h. Any student who is suspended or expelled for more than ten (10) consecutive days shall have the opportunity to receive education services and made academic progress toward meeting state and local requirements, through the school-wide education service plan.

### **Procedures for Students with Felony Complaint or Conviction**

In accordance with Massachusetts General Laws Chapter 71 (§37 H ½), Dean of Students/Principal s have the authority to suspend students charged with a felony and expel or issue a long-term suspension to students convicted or adjudicated of committing a felony if the Dean of Students/Principal has determined that the student’s continued presence in school would have a substantial detrimental effect on the general welfare of the school.

Due process for a student who is subject to suspension as a result of a felony charge includes:

- a. The student shall receive written notice before the suspension takes effect and written notice of the right to appeal.
- b. The student shall be given an opportunity to respond to the charges before the suspension takes effect.
- c. The student may appeal the suspension to the Executive Director, provided the appeal is requested in writing within five (5) calendar days following the suspension.
- d. The Executive Director must hold the appeal hearing within three (3) calendar days of the request.
- e. At the appeal an attorney may represent hearing the student. The student has the right to present oral or written testimony on his/her behalf.
- f. The Executive Director must render a decision within five (5) calendar days.
- g. The Executive Director’s decision is final.
- h. Any student who is suspended or expelled pursuant to this section shall 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/her removal.
- i. Any student who is suspended or expelled for more than ten (10) consecutive days shall have the opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.

Due process for a student who is subject to an expulsion or a long-term suspension as a result of a felony conviction includes:

- a. A student shall receive written notice before the expulsion or a long-term suspension takes place and written notice of the right to appeal.
- b. The student shall be given an opportunity to respond to the charges.
- c. The student may appeal the expulsion or long-term suspension to the Executive Director provided the appeal is requested in writing, within five (5) calendar days following the expulsion.
- d. The Executive Director must hold the appeal hearing within three (3) calendar days of the request.

- e. At the appeal hearing the student may be represented by an attorney and may present oral and written testimony.
- f. The Executive Director must render a decision within five (5) calendar days.
- g. The Executive Director's decision is final. Any student who is suspended or expelled for more than ten (10) consecutive days shall have the opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.

### **Education Services & Academic Progress Under Sections 37H, 37H½ and 37H¾**

Any student who is serving an in-school suspension, short-term suspension, long-term suspension, or expulsion is expected to make up assignments, assessments, and other school work in order to make academic progress during the period of his or her removal from the classroom or school. The Dean of Students/Principal or designee shall inform the student and parent of this expectation in writing when such suspension or expulsion is imposed.

Any student who is expelled or suspended from school for more than ten (10) consecutive days, whether in school or out of school, shall have an opportunity to receive education services and make academic progress during the period of removal. Education services may include tutoring at the public library or on a Saturday and online learning and assignments.

The Dean of Students/Principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English as determined by the home language survey, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school staff member who can provide more detailed information. Education services shall be based on, and provided in a manner consistent with the student's course curriculum (and so aligned with the state standards and curriculum frameworks). McAuliffe will develop education service plans adapted to each student's learning profile and the course curriculum. Services offered to students who are suspended for 10 days or more (consecutively and/or cumulatively) are apt to include a combination of tutoring at the public library and online learning and assignments.

### **Procedures for Disciplining Students with Disabilities**

In general, all students are expected to meet the requirements for behavior as set forth in the family handbook and the school's Code of Character. In accordance with Chapter 71B of the Massachusetts General Laws and with federal law IDEA 2004: Section 615 (k), and with Section 504 of the Rehabilitation Act of 1973: 29 U.S.C. Section 794 (A), the school may suspend or remove your child from his or her current placement for no more than 10 school days. Special provisions are outlined below for students with a documented disability who have an Individualized Education Program (IEP) or a Section 504 Plan.

### **Suspension of Students with Disabilities:**

Procedures for suspension(s) not exceeding 10 school days:

- a. Any student with a disability may be suspended for up to ten (10) days during a school year. Disciplinary decisions are the same as for students without disabilities.

- b. Special circumstances exist if your child: possesses, uses, sells or solicits illegal drugs on school grounds or at a school-sponsored event; carries a weapon to school or a school-sponsored event; or inflicts serious bodily harm upon another person at school or a school-sponsored event. Under these circumstances, the Dean of Students/Principal may place your child in an interim alternative educational setting (IAES) for up to 45 school days. Your child may remain in this IAES for a period of time not to exceed 45 school days. Thereafter, your child will return to the previously agreed-upon placement unless a hearing officer has ordered another placement, or you and the school agree to another placement.

Procedures for suspension of students with a disability when suspension exceeds 10 school days:

- a. If your child is suspended for more than 10 consecutive school days or more than 10 cumulative days which constitutes a pattern of behavior in a school year, this removal is considered a “change of placement”. A change of placement invokes certain procedural protections under federal special education law and Section 504.
- b. Prior to any removal that constitutes a change of placement, the school will convene a Team meeting to develop a plan for conducting a functional behavioral assessment (FBA) that will be used as the basis for developing specific strategies to address your child’s problematic behavior.
- c. Prior to any removal that constitutes a change in placement, the school must inform you that the law requires the school to consider whether or not the behavior that forms the basis of the disciplinary action is related to your child’s disability. This consideration is called a “manifestation determination”. Parents have a right to participate in this process. All relevant information will be considered including the IEP or Section 504 Plan, teacher observations, and evaluations reports.
- d. At a manifestation determination meeting, the Team will consider:
  - 1. Did the student’s disability cause or have a direct and substantial relationship to the conduct in question?
  - 2. Was the conduct a direct result of the school’s failure to implement the IEP or 504 plan?
- e. If the manifestation determination decision is that the disciplinary action was related to the disability, then your child may not be removed from the current educational placement (unless under the special circumstances). The Team will review the IEP or Section 504 Plan and any behavioral intervention plans. If the manifestation determination decision is that the disciplinary action was not related to the disability, then the school may suspend or otherwise discipline your child according to the school’s Code of Character. For students with IEPs, during the period of time of removal from school that exceeds 10 cumulative school days, the school must provide educational services that allow your child to continue to make educational progress. For students with Section 504 Plans, students are entitled to receive educational services to the same extent as their non-disabled peers. See section on School-wide Educational Services Plan.

### **Special Circumstances for Exclusion:**

Special circumstances exist if your child: possesses, uses, sells or solicits illegal drugs on school grounds or at a school-sponsored event; carries a weapon to school or a school-sponsored event;

or inflicts serious bodily harm upon another person at school or a school-sponsored event. Under these circumstances, the Dean of Students/Principal may place your child in an interim alternative educational setting (IAES) for up to 45 school days. Your child may remain in this IAES for a period of time not to exceed 45 school days. Thereafter, your child will return to the previously agreed-upon placement unless a hearing officer has ordered another placement, or you and the school agree to another placement. For students with Section 504 Plans, there is no automatic right to receive educational services beyond the 10<sup>th</sup> school day of suspension.

School personnel will provide Parent’s Notice of Procedural Safeguards (Special Education) or Notice of Parent and Student Rights Under Section 504 for students with disabilities prior to any suspension exceeding 10 school days in one school year. These notices will provide an explanation of the process should there be disagreement regarding the manifestation determination or any placement decision. Parents, guardians and/or students may petition the Bureau of Special Education Appeals for a hearing or the Office of Civil Rights (Section 504). Until issues are resolved, the student remains in his or her current placement.

In either case, BACPS is responsible for providing parents with written information regarding their rights to appeal and to an expedient hearing. If a parent chooses to appeal, the student will continue to receive the previously accepted services until another determination is made.

### **In-School Suspension - 603 CMR 53:02(6) & 603 CMR 53.10**

In-school suspension is defined as the removal of a student from regular classroom activities, but not the school premises, for not more than ten (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions over the course of the school year. An in-school suspension may be used as an alternative to short-term suspension.

A Principal may impose an in-school suspension as defined above according to the following procedures:

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

On the same day as the in-school suspension decision, the principal shall make reasonable efforts to notify the parent orally 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 (2) attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally 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 for the purpose set forth above, 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.

## Appendix B:

### BACPS Bullying Prevention Plan

#### Introduction

Baystate Academy Charter Public School is committed to creating and promoting the safest and highest-quality learning environment for all members of our school community. It is the responsibility of all members of BACPS to ensure that our community is safe, inclusive, and welcoming so that all students may achieve their greatest potential.

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 disabilities, or by association with a person who has or is perceived to have one or more of these characteristics. Therefore, BACPS will work actively to prevent, intervene in, and to respond to bullying as reflected in this comprehensive plan.

#### 1. Definitions

A. **“Bullying”** means the severe or repeated abuse by one or more BACPS community members (student, staff) of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a victim that:

- causes physical or emotional harm to the victim or damage to the victim’s property;
- places the victim in reasonable fear of harm to him/herself or of damage to his/her property;
- creates a hostile environment at school for the victim;
- infringes on the rights of the victim at school;
- materially and substantially disrupts the education process or the orderly operation of a school.

In some circumstances, bullying may be established based on a single incident, due to its severity, despite the fact that the conduct is not repetitive. **“Severe”** means the incident was significantly offensive based objectively from the perspective of a “reasonable person”.

Examples of bullying include but are not limited to:

- unwanted teasing;
- threatening;
- intimidating;
- stalking;
- cyber-stalking;
- cyber-bullying;
- physical violence;
- theft;
- sexual, religious, disability or racial harassment;
- public humiliation;
- destruction of school or personal property;
- social exclusion; and,
- rumor or spreading falsehoods.

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

- the creation of a web page or blog in which the creator assumes the identity of another person.
- the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions listed in the definition of bullying.
- the distribution by electronic means of communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions listed in the definition of bullying.

C. **“Hostile environment”** means 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 the student’s education.

D. **“Retaliation”** means 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.

E. **“Perpetrator”** means the student or staff member who engages in bullying or retaliation.

F. **“School grounds”** means property on which a BACPS building or facility is located; or property that is used by BACPS for any school sponsored activities, functions, programs, instruction or training.

G. **“Victim” or “Target”** means the student who has been bullied or retaliated against.

## 2. Policy

A. Bullying is hereby prohibited by Baystate Academy Charter Public School:

- on school grounds, 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 the school, or through the use of technology or an electronic device owned, leased or used by the school; and,
- at a location, activity, function or program that is not school-related, or through the use of technology or an electronic device that is not owned leased or used by the school, if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim at school or materially and substantially disrupts the education process, the orderly operation of the school or the working environment.

B. Retaliation against a person who reports bullying, provides information during an investigation of bullying or witnesses or has reliable information about bullying is hereby prohibited.

C. False accusations of bullying or retaliation shall be subject to disciplinary action.

D. This policy does not require BACPS to staff any non-school related activities, functions or programs.

### 3. **Bullying Prevention Plan**

#### A. Reporting Bullying or Retaliation:

- Any staff including but not limited to teacher, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional shall immediately report any instance of bullying or retaliation the staff member has witnessed or become aware of to the Principal or Dean of Students.
- Any student, parent, guardian or other interested person may report any bullying or suspected bullying to the Principal or Dean of Students/Principal as soon as reasonably possible. If possible, reports should be in writing but there is no requirement that they be written. Reports of bullying or suspected bullying may be made anonymously. Reports may also be submitted to the Crew advisor/teacher, or the school nurse.
- If an instance of bullying is reported to a staff member other than the Principal or Dean of Students, the staff member shall immediately inform the Principal or Dean of Students.
- The Dean of Students, who is in charge of receiving complaints, should keep accurate documentation of all complaints received.
- The Dean of Students/Principal should document the following:
  - a. the name of the target;
  - b. the name and status of the complainant (i.e. student, staff, third party), although this information can be omitted if the report is made anonymously
  - c. the name of the alleged bully;
  - d. the date the complaint was received;
  - e. how the complaint was received (i.e., written, oral);
  - f. the nature of the complaint (i.e. facts of the complaint); and
  - g. the names of witnesses.
- Reports of bullying or retaliation may be made anonymously; provided, however, that no disciplinary action shall be taken against a student solely on the basis of an anonymous report.
- Please note that any individual who knowingly makes a false report will be subject to disciplinary action.

#### B. Responding to Reports of Bullying or Retaliation:

- Safety
  - a. Before fully investigating the allegations of bullying or retaliation, the Dean of Students/Principal 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 Dean of Students/Principal will take additional steps to promote safety during the course of and after the investigation, as necessary.

- b. The Dean of Students/Principal 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.

- **Obligations to Notify Others**

- a. Notice to Parents or Guardians. Upon determining that bullying or retaliation has occurred, the Principal or Dean of Students/Principal will promptly notify the parents or guardians of the target and the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the Principal or Dean of Students/Principal contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00. *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.*
- b. Notice to Another School or District. If the reported incident involves students from more than one school district, charter school, nonpublic school, approved private special education day or residential school, or collaborative school, the Principal or Dean of Students/Principal 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.
- c. Notice to Law Enforcement. At any point after receiving a report of bullying or retaliation, including after an investigation, if the Principal or Dean of Students/Principal has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the Principal or Dean of Students/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 Dean of Students/Principal 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 aggressor.

- In making this determination, the Principal or Dean of Students/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.

a) Investigation of Reports of Bullying or Retaliation

1. The Principal or Dean of Students/Principal should conduct an investigation within 5 days of the complaint, if possible.
2. The Principal or Dean of Students/Principal should ask all appropriate questions of the target in order to get the full story.
  - a. who, what, when, where, how;
  - b. is there any physical evidence (documents, texts, voicemail);
  - c. effect of bullying or retaliation - what will restore the target's sense of safety; and
  - d. assess the target's need for protection and if needed determine what form the protection should take.
3. The Principal or Dean of Students/Principal shall notify the parents or guardians of the alleged bully and the victim. The Principal or Dean of Students/Principal should caution all witnesses and the alleged bully that retaliation is also a violation of school policy.
4. The Principal or Dean of Students/Principal should interview the alleged bully and fairly warn him/her that the conduct will, if appropriate, be reported to local law enforcement.
5. The Principal or Dean of Students/Principal should interview witnesses.
6. The Principal or Dean of Students/Principal should establish the following:
  - a. if the alleged bullying or retaliation occurred;
  - b. when the alleged bullying or retaliation occurred;
  - c. how frequently the alleged bullying or retaliation occurred;
  - d. specific facts about the type and severity of the alleged bullying or retaliation;
  - e. if the bullying or retaliation has affected the target;
    1. what action will restore the target's sense of safety;
    2. is the target in need of protection and if so what type;
    3. what professional services are appropriate to recommend or require; and,
    4. is notification to local law enforcement required.

### C. Decision

1. Based upon a thorough investigation, the Principal or Dean of Students/Principal shall make a decision that is appropriate for all parties concerning whether bullying occurred and if so, what is the appropriate remedy including discipline of the perpetrator, appropriate educational and counseling remedies and protection of the target.
2. Depending on the circumstances of the case, if it is determined that bullying or retaliation has occurred the Principal or Dean of Students/Principal may discipline the offending party by ordering:
  - a. counseling and counseling for the appropriate family members as well
  - b. schedule or class change;
  - c. stay away order;
  - d. an educational component;
  - e. a verbal warning;
  - f. a written warning;
  - g. suspension;
  - h. expulsion;
  - i. or any other consequences deemed appropriate by the Principal or Dean of Students.
3. The Principal or Dean of Students/Principal shall notify local law enforcement if he/she believes that criminal charges may be pursued against the alleged perpetrator.
  - a. Any discipline should be viewed in the light of balancing accountability with the need to teach appropriate behavior.
4. If the incident involves students from more than one school, the school first informed of the bullying or retaliation shall, consistent with state and federal law, promptly notify the appropriate administrator of the other school or schools. If an incident of bullying or retaliation occurs on school grounds and involves a former student under the age of 21, the school shall inform local law enforcement when appropriate and consistent with this policy.
  - a. Parents/guardians will be notified of action taken to prevent further acts of bullying/retaliation. The Principal or Dean of Students/Principal should confer with the target and his/her parents to explain the action being taken including what if any actions are being taken to create a sense of safety for the target, and implementation of any protection plans and to make counseling referrals for the target and for the target's family members if appropriate.
  - b. The Principal or Dean of Students/Principal shall confer with the alleged perpetrator and his/her parents. The Principal or Dean of Students/Principal shall explain the discipline if any, make any counseling referral for the perpetrator and for any appropriate family members of the perpetrator, explain plans for creating a sense of safety for the target, explain any protection plans and reiterate any retaliation by alleged perpetrator or family/friends may subject the offender to further discipline up to and including expulsion.

- c. The Principal or Dean of Students/Principal may hold meetings with parents and guardians to engage parental support and reinforce the anti-bullying curricula and social skills building at home.
- d. The Principal or Dean of Students/Principal should follow-up on this decision in order to ensure that his/her recommendation has been put into effect.

D. Bullying Prevention Plan – Education and Professional Development:

This bullying prevention plan shall be developed and updated biennially in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, BACPS Board of Trustee members, community representatives, local law enforcement agencies, students, parents and guardians. There shall be notice of the consultation and a public comment period.

E. Specific Bullying Prevention Approaches: Bullying prevention curricula will be informed by current research which, among other things, emphasizes the following approaches:

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

F. 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:

- 1. setting clear expectations for students and establishing school and classroom routines;
- 2. creating safe school and classroom environments for all students, including for students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students;
- 3. using appropriate and positive responses and reinforcement, even when students require discipline;
- 4. using positive behavioral supports;
- 5. encouraging adults to develop positive relationships with students;
- 6. modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;

7. 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;
8. using the Internet safely; and
9. supporting students' interest and participation in co- activities, particularly in their areas of strength.

G. At BACPS, there are structures in place that explicitly work to prevent bullying:

1. Crew: All students at BACPS participate in the daily Crew Advisory Program which presents a personal and social development curriculum around our school-wide character values of Respect, Responsibility, Perseverance and Integrity. In addition, the Crew curriculum contains units on Conflict Resolution, Personal Safety, and Healthy Decision-Making as well as age appropriate instruction on bullying prevention.
2. Parent Workshops: each quarter BACPS offers parenting classes on topics central to adolescent wellness including a session on the dynamics of bullying, online safety and cyber-bullying, and how parents and guardians can reinforce our crew curriculum and bullying prevention curriculum at home; and
3. Community Building: The school holds school-wide “community circle” meetings each week where positive character and school values are warmly celebrated.
4. Teaching Appropriate Behavior through Skill Building: The school will work to explicitly teach students behavioral skills which may include:
  - a. presenting individualized skill-building sessions based on the school's anti-bullying curricula;
  - b. providing relevant educational activities for individual students or groups of students, in consultation with the behavioral health specialist;
  - c. implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social ways to achieve their goals;
  - d. meeting with parents and guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home;
  - e. adopting behavioral plans to include a focus on developing specific social skills; and
  - f. creating a referral for evaluation.
- d. There will be ongoing professional development to build skills of all staff members, including but not limited to teachers, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities and paraprofessionals to prevent, identify and respond to bullying. Professional development shall include:
  - developmentally appropriate strategies to prevent bullying incidents;

- developmentally 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 a perpetrator, victim 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.
- The school shall provide annual written notice of the plan to all staff.
- All staff shall be trained and provision for faculty and staff duties shall be included in the school employee handbook.
- The Plan shall be posted on the website for the school.
- The Principal or Dean of Students shall be responsible for the implementation and oversight of the plan.

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 Program Resolution System (PRS). That information can be found at: <http://www.doe.mass.edu/pga>, 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 are also available at the Executive Director's office.



**BACPS Bullying, Harassment, Intimidation Incident Report Form**

Bullying, Harassment, and Intimidation are serious offenses and will not be tolerated. If you are a student, parent/guardian of a student, a volunteer or visitor and become aware of a possible incident, please fill out this form as completely as you can, and return it to , or any member of the BACPS faculty/staff. All school employees are required to report suspected incidents. This form can be submitted anonymously by omitting your name and signature. BACPS is committed to providing a safe and secure learning environment for everyone in our community. Every reported incident will be investigated and the proper individuals will be informed.

Date of Incident: \_\_\_\_\_

Name of Target: \_\_\_\_\_ Grade: \_\_\_\_\_

Name(s) of Alleged Aggressor/s: \_\_\_\_\_ Grade: \_\_\_\_\_

\_\_\_\_\_ Grade: \_\_\_\_\_

\_\_\_\_\_ Grade: \_\_\_\_\_

**Location of the Incident: (check all that apply)**

1. School bus stop
2. To/ From School
3. Text/Phone/Internet/Social Media
4. School Sponsored Activity
5. Event off Campus
6. On Campus
7. Other \_\_\_\_\_

**What Occurred? (check all that apply)**

1. Taunting
2. Threat
3. Intimidation
4. Stalking
5. Theft
6. Retaliation
7. Humiliation
8. Exclusion
9. Physical Contact

- 10. Cyber-bullying
- 11. Other \_\_\_\_\_

**Did physical injury result? (check all that apply)**

- 1. No
- 2. Yes
- 3. Medical attention required
- 4. Medical attention NOT required
- 5. Student absent from school as a result of the incident? No \_\_\_ Yes\_\_\_ # of days  
\_\_\_\_\_

**Describe the incident (please attach another page if necessary):**

Person reporting incident (print name) \_\_\_\_\_  
(signature) \_\_\_\_\_

Individual reporting is:

- 1. Student
- 2. Faculty/ Staff
- 3. Parent/ Guardian
- 4. Other

## **Appendix C:**

### **BACPS Wellness Policy**

#### **Policy Goals**

Baystate Academy Charter Public School is committed to providing a school environment that promotes and protects students' health, well-being, and ability to learn by supporting healthy eating and physical activity. Therefore, it is our policy that:

- A. All students will have opportunities, support, and encouragement to be physically active each regular school day.
- B. Foods and beverages served at school will meet the nutrition recommendations of the *U.S. Dietary Guidelines for Americans*.
- C. We will participate in available federal school meal programs (including the School Breakfast Program and the National School Lunch Program)
- D. The school will provide students with access to a variety of nutritious and appealing foods that meet the health and nutrition needs of students; will accommodate the religious, ethnic and cultural diversity of the student-body in meal planning; and will provide clean, safe, and pleasant settings and adequate time for students to eat.
- E. We will provide health education and physical education to foster lifelong habits of healthy eating and physical activity.
- F. The school encourages parents, students, teachers, staff, and community members to serve as role models in practicing healthy eating and being physically active
- G. The school will engage parents, students, teachers and staff in developing, implementing, monitoring, and reviewing school-wide nutrition and physical education policies

#### **Plan to Implement Policy Goals:**

1. The BACPS Wellness Policy will be published each year in the student and family handbook and will be subject to review by the school's parent committee.
2. Nutritional Quality of Foods and Beverages Sold and Served on Campus.

#### **School Meals**

Meals served through the National School Lunch and Breakfast Programs will:

- a. be appealing and attractive to students;
- b. be served in clean and pleasant settings;
- c. surpass the nutrition requirements established by local, state, and federal statutes and regulations;

- d. offer a variety of fruits and vegetables.

**Breakfast:** To ensure that all children have breakfast, either at home or at school, in order to meet their nutritional needs and enhance their ability to learn, BACPS will:

- operate the School Breakfast Program.
- arrange bus schedules and utilize methods to serve school breakfasts that encourage participation.
- notify parents and students of the availability of the School Breakfast Program.

**Free and Reduced-priced Meals:** BACPS will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price school meals.

**Sale of Individual Food and Beverage Items:** Foods and beverages will not be sold individually or separately from the school lunch, breakfast, or snack programs.

**Snacks:** Snacks served during the school day or in after-school programming or enrichment programs will make a positive contribution to students' diets and health in accordance with snack guidelines provided via the National School Lunch Program.

### 3. Nutrition and Physical Activity Promotion

BACPS will teach, encourage, and support healthy eating by students by providing health education as part of the physical education and character education (CREW) curriculum:

- equipping students with the knowledge and skills necessary to promote and protect their health;
- promoting fruits, vegetables, whole grain products, low-fat and fat-free dairy products, healthy food preparation methods, and health-enhancing nutrition practices;
- emphasizing caloric balance between food intake and energy expenditure (physical activity/exercise);

### 4. Physical Activity Opportunities and Physical Education

**Physical Education (P.E.):** Students will have the opportunity to engage in regular physical activity (moderate to vigorous) through physical education classes each regular school day.

#### **Physical Activity Opportunities Before and After School:**

BACPS will offer extracurricular physical activity programs, such as physical activity clubs or intramural programs. After-school programming and enrichment programs will provide and encourage – verbally and through the provision of space, equipment, and activities – daily periods of moderate to vigorous physical activity for all participants.

### **Monitoring and Policy Review**

**Monitoring:** The principal will ensure compliance with established nutrition and physical activity wellness policies, and will provide for regular review of the school’s wellness policy.

## Appendix D:

### Physical Restraint Prevention and Behavior Support Policy

#### I. Purpose of Policy

It is the policy of the Baystate Academy Charter Public School (“BACPS”) to (a) promote an orderly, safe environment for its students and employees that is conducive to learning, (b) ensure that every Student is free from use of physical restraints that is inconsistent with this policy, and (c) ensure that physical restraints on Student are used only in emergency situations of last resort, after other lawful and less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution. The purpose of this policy is to comply with the Massachusetts regulations regarding physical restraints, 603 CMR 46.00.

#### II. Definitions

- A. “Physical Escort” shall mean a temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is agitated to walk to a safe location.
- B. “Physical Restraint” shall mean direct physical contact that prevents or significantly restricts a student’s freedom of movement. Physical Restraint does not include providing: brief physical contact to promote student safety, physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.
- C. “Prone Restraint” shall mean a physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student’s body to keep the student in the face-down position. This type of restraint is prohibited on Student.
- D. “Mechanical Restraint” shall mean the use of any physical device or equipment to restrict a student’s freedom of the movement. This type of restraint is prohibited on Student. The term does not include devices implemented by trained school personnel, or utilized by a student they have been prescribed by an appropriate medical or related services professional, and are used for the specific and approved positioning or protective purposes for which such devices were designed. Examples of such devices include: adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; restraints for medical immobilization; or orthopedically prescribed devices that permit a student to participate in activities without risk of harm.
- E. “Medication Restraint” shall mean the administration of medication for the purpose of temporarily controlling behavior. Medication prescribed by a licensed physician and authorized by the parent for administration in the school setting is not medication restraint.
- F. “School Working Day” shall mean day or partial day that students are in attendance at BACPS for instructional purposes.
- G. “Seclusion” shall mean the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include a time-out as defined herein. Seclusion is prohibited with Student.
- H. “Time-out” shall mean a behavioral support strategy in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction

from staff, for the purpose of calming. During time-out, a student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The space used for time-out must be clean, safe, sanitary, and appropriate for the purposes of calming. Timeout shall cease as soon as the student has calmed.

### III. **Physical Restraint Procedures**

#### A. Use of Physical Restraint

Physical Restraint by BACPS employees and agents on a student are an emergency procedure of last resort and are prohibited except when a student's behavior poses a threat of assault, or an imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances. BACPS staff or agents shall review and consider any known medical or physiological limitations, known or suspected trauma history, and/or behavioral intervention plans regarding the use of Physical Restraints on an individual student.

#### B. Prohibitions on Use of Physical Restraint

Physical Restraints on Student shall not be used:

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

#### C. Types of Restraints Prohibited

The use of mechanical restraint, medication restraint, prone restraint or seclusion restraint on students is prohibited.

#### D. Proper Administration of Physical Restraints

1. Only trained BACPS staff or agents shall administer Physical Restraints on students. Trained school personnel are those individuals who have received the training described in Section VI, B, below. These training requirements shall not preclude a BACPS teacher, employee or agent from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

2. Whenever possible, the administration of a Physical Restraint on a student shall be witnessed by at least one (1) adult who does not participate in the Physical Restraint.
3. When administering a Physical Restraint on a student, school personnel shall use only the amount of force necessary to protect the student or others from physical injury or harm.
4. School employees or agents administering a Physical Restraint on a student shall use the safest method available and appropriate to the situation in accordance with the safety requirements detailed below in subsection F, below.
5. All Physical Restraint must be terminated as soon as the student is no longer an immediate danger to himself or others, or the student indicates that he or she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing.

#### E. Safety Requirements for the Use of Physical Restraints

The following are the safety requirements for the use of Physical Restraints:

1. All parents, students and staff will be provided with notification of the policy to assist with preventative practices
2. No Physical Restraints on students shall be administered in such a way that a student is prevented from breathing or speaking.
3. During the administration of a Physical Restraint on a student, a BACPS staff member or agent shall continuously monitor the physical status of the student, including skin temperature and color, and respiration.
4. A Physical Restraint on a student shall be administered in such a way as to prevent or minimize physical harm.
5. If, at any time during a Physical Restraint, the student expresses or demonstrates significant physical distress, including, but not limited to difficulty breathing, the student shall be released from the Physical Restraint immediately, and the BACPS staff member or agent shall take steps to seek medical assistance for the student.
6. If any Physical Restraint lasts longer than ten (10) continuous minutes or if multiple restraints occur that total longer than ten (10) minutes within a thirty (30) minute period, BACPS staff member or agent should consider calling the community's mobile crisis unit. Any Physical Restraint lasting longer than twenty (20) minutes must be approved by the principal or designee

#### F. Follow-up Procedures Regarding the Use of Physical Restraints

At an appropriate time after a student has been released from a Physical Restraint, the school shall implement the follow-up procedures set forth below:

1. Review the incident with the student to address the behavior that precipitated the Physical Restraint.

2. Review the incident with BACPS staff or agent who administered the Physical Restraint to discuss whether proper restraint procedures were followed.
3. Consider whether any follow-up is appropriate for the students who witnessed the incident.

#### **IV. Reporting Requirements Regarding the Use of Physical Restraints**

##### **A. When a Report is Required**

As required in this section, any Physical Restraint on a student shall be reported verbally and documented in writing to the school principal and to the student's parents or guardians, and shall be reported in writing to the Executive Director designee, and, if a student is injured during a Physical Restraint, shall be reported in writing to The Department of Elementary and Secondary Education (DESE).

##### **B. Report to Principal**

The BACPS staff member who administered a Physical Restraint on a student shall verbally inform the principal or his/her designee of the Physical Restraint as soon as possible. No later than the next school working day after the Physical Restraint, the BACPS staff or agent who administered the Physical Restraint shall complete a written report regarding the restraint. If the principal has administered the Physical Restraint, the principal shall prepare the report and submit it to an individual or team designated by the Executive Director for review. The written report shall contain the following:

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

If a staff member is injured during a Physical Restraint, the employee must complete

The school principal shall maintain an on-going record of all reported instances of all Physical Restraints of a Student. A principal shall notify the Executive Director of any request by DESE for its review of the school's on-going record of reported instances of Physical Restraint.

#### C. Report to Parents/Guardian

1. The principal or his/her designee shall make all reasonable attempts to verbally inform the student's parents or guardians of any Physical Restraint by the end of the school day, but no later than twenty-four (24) hours after the Physical Restraint.
2. The principal or his/her designee shall provide the student's parents or guardians with written notice in the language most spoken by the student's family and postmarked no later than three (3) school working days following the use of such Physical Restraint
3. A copy of the written report regarding the Physical Restraint shall be sent to the student's parent or guardian by e-mail to an address provided by the parent for communications about the student or by regular mail. The report will be redacted to protect the privacy of any students or staff identified in the report. The written notice and report shall be provided to the parent or guardian in the language most spoken by the family.
4. The principal shall provide the student and the parent an opportunity to comment orally and in writing on the use of Physical Restraints and on information in the written report.
5. The student support team will develop an preventive action plan.

#### D. Report to Executive Director

When a Physical Restraint is administered on a student, the principal shall provide the Executive Director with copies of the following documentation:

1. Written report of a Physical Restraint;
2. The school's on-going record of all reported Physical Restraints.

This documentation must be provided to the Executive Director no later than two (2) school working days from the administration of the Physical Restraint. If no Physical Restraints were administered in a school in a month, the principal must document that no Physical Restraints occurred. Executive Director should review the monthly school-wide restraint data district-wide.

#### E. Report to DESE Restraint Related Injury

If a Physical Restraint on a student results in an injury to a student or BACPS staff member, the principal shall send to DESE within three (3) school working days of the administration of the Physical Restraint copies of the Physical Restraint Report and a written log of all Physical Restraints administered in the school within thirty (30) days previous to the reported restraint.

## V. Review of Physical Restraint Data

### A. Weekly Individual Student Review

The principal shall conduct a weekly review of restraint data to identify students who have been restrained multiple times (two (2) or more) during the week. If such students are identified, the principal shall convene one or more review teams as the principal deems appropriate to review each student's progress and needs. The principal shall determine the members of the review team. The review team's review shall include at least the following:

1. Review and discussion of the written reports required by paragraphs B and C in Section IV, above;
2. An analysis of the circumstances leading up to each Physical Restraint, including factors such as time of day, day of the week, antecedent events, and individuals involved;
3. Consideration of factors that may have contributed to escalation of behaviors, consideration of alternatives to Physical Restraint, including de-escalation techniques and possible interventions, and such other strategies and decisions, as appropriate, with the goal of reducing or eliminating the use of Physical Restraints in the future; and
4. Agreement on a written plan of action. If the principal directly participated in the Physical Restraint, a duly qualified individual designated by the Executive Director shall lead the review team's discussion. The principal shall ensure that a record of each individual student review is maintained and made available for review by DESE, upon request.

### B. Monthly Administrative Review

The principal of each school shall conduct a monthly review of school-wide restraint data. This review shall consider the following:

1. Patterns of use of Physical Restraints by similarities in the time of day, day of the week, or individuals involved;
2. The number and duration of Physical Restraints school-wide and for individual students;
3. The duration of Physical Restraints; and
4. The number and type of injuries, if any, resulting from the use of Physical Restraint.

The principal shall determine whether it is necessary or appropriate to modify the school's restraint prevention and management policy, conduct additional staff training on restraint reduction/prevention strategies, such as training on positive behavioral interventions and supports, or take such other action as necessary or appropriate to reduce or eliminate Physical Restraints. Documentation of the monthly review of school-wide restraint data must be provided to the Executive Director.

### C. Annual Report to DESE

In a manner and form directed by DESE, the Executive Director shall collect and annually report data to DESE regarding use of Physical Restraints.

## VI. BACPS Training Requirements

### A. For All BACPS Staff

Within the first (1st) month of each school year starting in the school year after the effective date of this revised policy, the principal shall provide all BACPS staff with training on this policy. Additionally, for all new employees that are hired after the start of the school year, the principal shall within the first month of their employment provide the new employees with training on this policy.

The training shall consist of the following:

1. The role of the student, family, and staff in preventing restraint;
2. This policy and related procedures, including use of time-out as a behavior support strategy distinct from seclusion;
3. Interventions that may preclude the need for restraint, including de-escalation of problematic behaviors and other alternatives to restraint in emergency circumstances;
4. When behavior presents an emergency that requires Physical Restraint, the types of permitted Physical Restraints and related safety considerations, including information regarding the increased risk of injury to a student when any restraint is used, in particular a restraint of extended duration;
5. Administering Physical Restraint in accordance with known medical or psychological limitations, known or suspected trauma history, and/or behavior intervention plans applicable to an individual student; and
6. Identification of BACPS staff in the school who have received in-depth training, as referenced in Subsection B, below.

### B. For BACPS Staff Authorized to Serve as a School-Wide Resource on the Proper Administration of Physical Restraints

At the beginning of each school year, the principal shall identify BACPS staff that are authorized to serve as a school-wide resource to assist in ensuring proper administration of Physical Restraint. The identified staff shall participate in in-depth training in the use of Physical Restraint. The initial training shall be competency-based and at least sixteen (16) hours in length with refresher training occurring annually thereafter. The content of the in-depth training shall include, but not be limited to:

1. Appropriate procedures for preventing use of Physical Restraint, including the de-escalation of problematic behavior, relationship building and the use of alternatives to restraint;

2. Description and identification of specific dangerous behaviors on the part of students that may lead to the use of Physical Restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
3. The simulated experience of administering and receiving Physical Restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
4. Instruction regarding documentation and reporting requirements and investigation of injuries and complaints;
5. Demonstration by participants of proficiency in administering Physical Restraint; and
6. 6. Instruction regarding the impact of Physical Restraint on the student and family, recognizing the act of restraint has impact, including but not limited to psychological, physiological and social-emotional effects.

## **VII. Complaints Regarding BACPS's Restraint Practices**

### **A. Informal Resolution of Concerns**

A student or his or her parent or guardian who has any concerns regarding the use of Physical Restraints on Student may discuss the concern with the BACPS principal. The principal shall attempt, within his or her authority, to work with the student or his or her parent or guardian to address the concerns regarding the Physical Restraint.

### **B. Complaint to Executive Director**

A student or his or her parent or guardian who has a complaint regarding a specific use of a Physical Restraint on a student or regarding BACPS's practices relating to Physical Restraints may submit a written complaint to the Executive Director. If the complaint is related to a specific incident regarding the use of Physical Restraints, the written complaint should be sent within twenty (20) school working days of the parent/guardian's receipt of the written report referenced in Section IV, C, above, and should contain (a) the name of the student; (b) the name of the school where the Physical Restraint occurred; (c) the name of the individuals involved in the Physical Restraint (if known); (d) the basis of the complaint; and (e) the corrective action being sought.

The Executive Director or his or her designee shall conduct an investigation into the complaint within ten (10) school working days of receipt of the complaint. The principal and staff will collaborate in writing a report regarding the merits of the complaint and a proposed resolution and will send their report to the individual submitting the complaint and to the Executive Director.

A parent or guardian may appeal the decision of the principal to the Executive Director. The Executive Director or his or her designee will make a decision on the appeal within fifteen (15) school working days of the written notice of the appeal.

## **VIII. Referral to Law Enforcement or Other State Agencies**

Nothing contained in this policy or the Massachusetts regulations regarding Physical Restraints prohibits:

1. The right of any individual to report to appropriate authorities a crime committed by a student or other individual;
2. Law enforcement, judicial authorities or school security personnel from exercising their responsibilities, including the physical detainment of a student or other individual alleged to have committed a crime or posing a security risk; or
3. The exercise of an individual's responsibilities as a mandated reporter pursuant to G.L. c. 119, § 51A. IX. Policy Review. The Executive Director, or his or her designee, shall annually review this policy. This policy shall be provided to BACPS staff and be made available to parents and guardians of student.

- IV. Interventions and Alternative Methods to Physical Restraint There are a variety of appropriate responses to student behavior that may require immediate intervention. These alternative methods should be used first when seeking to prevent student violence, self-injurious behavior and/or de-escalating potentially dangerous behavior occurring among groups of students or with an individual student. Physical restraints only should be used in emergency situations after these other less intrusive alternatives have failed or been deemed inappropriate.

Examples of interventions and less intrusive methods that may preclude the need for the use of physical restraint, include but are not limited to, the following:

- A. Verbal Prompt – A verbal prompt is communicating what is expected behavior by clearly stating instructions and expectations.
- B. Full or Partial Physical Cue – A full or partial physical cue is anytime an adult need to place their hands on a child or physically redirect a child. These are used at increasing levels as needed to return a child safely back to task. See Physical Redirection, Physical Escort and Physical Containment below.
- C. Physical Escort – A physical escort is utilized if a child inappropriately wanders away from the task at hand, or does not comply to walk to a specific location, an adult “escorts” them back to where the task. A physical escort is done by standing just behind the child, grasping the child immediately above the elbow with one hand and placing the other hand between the child’s shoulder blades and then “escorting” the child in a firm and brisk manner to the task.
- D. Physical Redirection – When a child inappropriately gets out of his or her seat, the child should be physically “redirected” back to his or her chair. A physical redirection is done by placing one hand on each of the child’s shoulders and returning the child back to his or her chair.
- E. Physical Containment – Physical containment should be used when a child runs away from adult supervision (i.e., running around classroom, building, etc.) or when an adult anticipates that a child is at risk of darting. If the child moves more than one arm’s length away from the supervising adult, the adult “contains” the child by grasping the child’s arm just below the arm-pit and bringing the child immediately to the adult’s side. The child is firmly “contained” at the supervising adult’s side for approximately three second, then ask the child, “Why am I holding your arm . . . I am holding your arm because you cannot run here.” The supervising adult then should release the child but be prepared to “contain” the child again, if necessary.
- F. Time Out – A time out is a period of time in which the child is unable to access any form of rewarding consequences.

General guidelines for de-escalating potentially dangerous behavior occurring among groups of students or with an individual student include the following:

- A. Remain calm - To possibly help prevent the likelihood of a student experiencing distress from escalating his/her behavior use a neutral and level tone of voice, control one's facial expressions and use a supportive non-threatening body language.
- B. Obtain Assistance – Whenever possible, school personnel should immediately take steps to notify school administrators, the school's administrative response team and/or other school personnel of a potentially dangerous situation and to obtain additional assistance.
- C. One Person Speaks - In order to minimize the likelihood of confusion and/or the likelihood of a student experiencing distress from escalating his/her behavior having one person providing overall direction to the response and the follow up procedures is advisable. This often may be either the first trained staff person on the scene or the staff person with the most information about the particular situation.
- D. Remove Student If Possible – The feasibility of having a student experiencing distress leave an area with other students and move to another more private and safe area in order to de-escalate should be considered.
- E. Remove Other Students – If it is not feasible to have a student experiencing distress move to a more private and safe area in order to de-escalate, consider the feasibility of having other staff assist and monitor the removal of other students to another area within the school until the student de-escalates.

## Appendix E

### Home and Hospital Services

#### Practices and Procedures

Students who must be absent from school or remain in the hospital for medical reasons will be provided with educational services in the home or hospital. To be eligible for these services, students need to have a physician's written order and to be in the home or hospital for a period not less than fourteen school days in any school year. To obtain home or hospital services, parents should contact the Dean of Culture or Director of Student Support Services (if a student has an IEP) and provide the requested written documentation from the physician. Such educational services shall not be considered special education unless the student has been determined eligible for such services and the services include requirements of the student's IEP.

Upon communication from a student's parent/guardian and receipt of physician's written orders, school personnel will work with the family and hospital to arrange tutoring or other educational services. The goal of the school is to expedite the tutoring arrangement in order to allow the student to continue his or her educational program with as little disruption as possible, so long as the services do not interfere with the medical needs of the student.

#### Question and Answer Guide on the Implementation of Educational Services in the Home or Hospital

The following questions and answers prepared by the DESE Program Quality Assurance Services articulate important information about Home and Hospital Services per 603 CMR 28.03(3)(c) and 28.04(4). The information can also be accessed via the following hyperlink:  
[http://www.doe.mass.edu/pqa/ta/hhep\\_qa.html](http://www.doe.mass.edu/pqa/ta/hhep_qa.html).

What is the Intent of the Massachusetts Regulations on Educational Services in the Home or Hospital?

The Massachusetts regulation requiring educational services in the home or hospital is 603 CMR 28.03(3)(c). It reads as follows:

*Upon receipt of a physician's written order verifying that any student enrolled in a public school or placed by the public school in a private setting must remain at home or in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period of not less than fourteen school days in any school year, the principal shall arrange for provision of educational services in the home or hospital. Such services shall be provided with sufficient frequency to allow the student to continue his or her educational program, as long as such services do not interfere with the medical needs of the student. The principal shall coordinate such services with the Administrator for Special Education for eligible students. Such educational services shall not be considered special education unless the student has been determined eligible for such services, and the services include services on the student's IEP.*

The intent of this regulation on home or hospital instruction is to provide a student receiving a publicly funded education with the opportunity to make educational progress even when a physician determines that the student is physically unable to attend school. While it is impossible to replicate the total school experience through the provision of home/hospital instruction, a school district must provide, at a minimum, the instruction necessary to enable the student to keep up in his/her courses of study and minimize the educational loss that might occur during the period the student is confined at home or in a hospital.

Although the regulation on home/hospital instruction is included in the Special Education Regulations (603 CMR 28.00), home/hospital instruction is not considered "special education" unless the student has been found eligible for special education. In other words, home/hospital instruction typically is considered a regular education service, since it is in the interest of both the individual student and the school to make it possible for the student to keep up with schoolwork while s/he is unable to attend school for medical reasons.

The Special Education Regulations also include a provision relating specifically to students who are likely to be confined to home or hospital for medical reasons for more than 60 school days in any school year. Please see regulation 603 CMR 28.04(4), discussed in [Question #4](#), below.

Please note that the requirements and guidance discussed in this Question and Answer Guide are separate and distinct from those relating to the approval of parent requests for "home education" or home schooling programs, which are governed by General Laws Chapter 76, § 1. The Department of Elementary and Secondary Education's Home Education Advisory provides guidance on the Massachusetts law governing homeschooling programs.

### **Who is Entitled to Educational Services in the Home or Hospital?**

**Public school students.** A public-school student who, due to documented medical reasons, is confined to home or a hospital for not less than fourteen (14) school days during the school year, is entitled to receive home/hospital educational services as described under 603 CMR 28.03(3)(c). In this context "public school student" means a student who is enrolled in a public school district or a charter school, or a student who is being educated with public funds in an educational collaborative or an approved private day or residential special education school. (Please see [Question #8](#), below, for more detail about students in approved private day and residential special education schools.) The requirement for a school district to provide home/hospital instruction to a public school student who is being educated at public expense is not dependent upon the student's eligibility for special education.

**Private school students.** A student who is enrolled in a private school at private expense ("private school student") is entitled to receive publicly-funded home/hospital instruction as a special education service if s/he has been found to be a student with a disability who requires special education. Mass. General Laws Chapter 71B, § 1 defines "school age child with a disability" as follows:

A school age child in a public or non-public school setting who, because of a disability consisting of a developmental delay or any intellectual, sensory, neurological, emotional, communication, physical, specific learning or health impairment or combination thereof, is unable to progress effectively in regular education and requires special education services, including a school age child who requires only a related service or related services if said service or services are required to ensure access of the child with a disability to the general education curriculum. G.L. Chapter 71B, § 1 (emphasis added).

A private school student who has been evaluated and has been found eligible for special education is entitled to receive home/hospital educational services as outlined in [Question #9](#), below. For both public-school students and private school students, the justification for any needed home or hospital instruction must be documented by a student's personal physician. A school district that receives a request for home instruction from someone other than a physician, or from a physician who is not personally responsible for a student's care, is not obligated to provide instruction under 603 CMR 28.03(3)(c). In this case, the responsible school district

should inquire further with the student's parent or guardian to determine the student's status and any additional information or action that is needed. For example, the school district may need to proceed under the compulsory attendance law if it determines that a student between ages 6 and 16 is not attending school, is not being otherwise educated in a manner approved by the school district, and is not medically unable to attend school.

Determining eligibility. As required under M.G.L. c. 71B, § 2, if a parent of a private school student requests an evaluation to determine the student's eligibility for special education and presents the school district with a physician's statement, then the school district must immediately review the physician's statement to determine if there is sufficient information available to consider if the student has a "health impairment" according to the definition provided under 603 CMR 28.02(7)(i). If there is sufficient information in the physician's statement, then the school district should convene the Team within 15 days to make an expedited determination of eligibility and begin provision of services. Please refer to [Administrative Advisory SPED 2003-1](#) for additional information about these requirements.

### **How Can Home or Hospital Education Services Be Accessed?**

Once the student's physician (for example, a pediatrician, internist, medical specialist, or psychiatrist) determines that a student's medical condition will require either hospitalization or home care for not less than 14 school days, the physician must notify the school district responsible for the student to begin the home/hospital instruction process. The student's physician must complete a Department of Elementary and Secondary Education form 28R/3 (or equivalent signed statement) and submit it to the student's building principal or another appropriate program administrator. At a minimum, the physician's signed notice must include information regarding:

- the date the student was admitted to a hospital or was confined to home;
- the medical reason(s) for the confinement;
- the expected duration of the confinement; and
- what medical needs of the student should be considered in planning the home or hospital education services.

Students with chronic illnesses who have recurring home/hospital stays of less than 14 consecutive school days, when such recurrences have added up to or are expected to add up to more than 14 school days in a school year, are also eligible for home or hospital educational services if they are requested and the medical need is documented by the physician.

Home and hospital educational services under 603 CMR 28.03(3)(c) must begin without undue delay after the school district receives written notice from the student's physician that such services are necessary. Please note that there is no required 14-day waiting period before home or hospital instruction can commence if it is likely that the student will be absent from the school-based program for 14 school days or more in the school year.

Whenever a student is likely to miss 14 school days or more for health-related reasons, the Department strongly recommends that the school district expedite the delivery of educational services as well as any evaluation or Team meetings that may be necessary, in order to minimize the negative impact on the student's educational progress. (See also [Question #10](#), below.)

### **What Requirements Apply if the Student is Likely to Be Confined to Home or a Hospital for More Than 60 School Days?**

If, in the judgment of the student's physician, a student with an IEP is likely to remain at home, in a hospital, or in a pediatric nursing home for medical reasons and for more than sixty (60) school

days in any school year, the Administrator of Special Education is required, without undue delay, to convene a Team meeting to consider evaluation needs and, if appropriate, to amend the existing IEP or develop a new IEP suited to the student's unique circumstances. (See 603 CMR 28.04(4).) The Department recommends that the Administrator of Special Education convene the Team meeting within 10 school days after the school district is notified that the student is likely to remain at home or in the hospital for more than sixty days. This provision applies to all eligible students, including private school students who have been determined to need special education.

#### How Should Home or Hospital Services Be Delivered?

School districts may provide home/hospital services in a number of ways, including:

- providing the services directly to the student using district employees;
- contracting with the hospital to provide the needed services;
- contracting with another school district to provide the services; or
- contracting with another agency to provide the services.

Home/hospital instruction is typically one-to-one or small group instruction that is provided on an individualized schedule, for less than a full school day or a full school week. The school district should determine the number of instructional hours per day or per week based on the educational and medical needs of the individual student. School districts may not present the number of instructional hours per week provided to students who must remain at home or in the hospital; the decision must be individualized. Based on the student's medical status, the student's physician may determine that the number of instructional hours should be reduced. In addition, the amount of instructional time deemed necessary by a district may be guided by the instructional approach used in a one-to-one home or hospital setting as compared to the instructional approach normally implemented in the student's school-based program. However, such a reduction in instructional time must be based on the educational benefit received by the student given the reduced teacher-student ratio. Service delivery, including the time of day the services are to be delivered, should be determined in the best interests of the student and in consideration of the medical circumstances of the student.

When planning and delivering home or hospital educational services, the school district should carefully consider all aspects of a student's educational program while attending school, including any current IEP services, Section 504 plans and instructional accommodations, as well as the student's general education services.

#### Is the Academic Content of Instruction and the Certification of Staff Any Different for Home or Hospital Instruction Than for School-Based Instruction?

Instruction that is provided in the home or hospital for public school students under 603 CMR 28.03(3)(c) must include the same academic content as that provided in the student's regular school-based program. While teacher certification requirements apply to the teachers who are providing the instruction, the teachers do not have to be certified in all subject areas. However, in all cases the school district must be able to demonstrate that the assigned staff member effectively provides the necessary instruction to the student. Teachers who provide home/hospital instruction to public school students must coordinate the instructional content, approach and student progress with the student's teachers at school.

For both public-school students and private school students, special education and/or related services that are provided in a home or hospital setting under this provision must be delivered (or closely supervised) by staff certified or appropriately licensed to deliver such services.

#### May A School District Require That a Parent or Other Responsible Adult be in the Home While the District's Instructor is Working With the Student?

If a district requires that an adult is present during homebound instruction, the district should take reasonable steps to ensure that this policy does not conflict with its obligation to provide instruction. A district could likely avert a potential conflict by arranging for instruction at a time (such as late afternoon or evening) when an adult would be at home with the student. If a district were unable to send an instructor at a time when an adult was at home, it would be permissible for the district to send a staff member to accompany the instructor. If a district is unable to arrange for instruction during hours when an adult will be at the home or to send a staff member to accompany the instructor, the district should propose a reasonable alternative to the student's parent that would ensure that the student receives instruction while satisfying the district's legitimate concerns about safety and liability.

Under what Circumstances are Educational Collaboratives and Public and Private Day and Residential Special Education Schools Approved Under 603 CMR 28.09 Required to Provide Home or Hospital Instruction?

If the school district continues to pay the costs of the placement in order to hold the enrollment status of the student in a educational collaborative program or a public or private special education school during the student's confinement to home or a hospital, the respective collaborative or public or private school must provide at no additional cost to the school district appropriate educational and special educational services. These services must be provided consistent with requirements of 603 CMR 28.03(3)(c) regarding educational services in a home or hospital, subject only to the limitations outlined in Question #5, above.

If the student is not expected to remain in the placement after the student's confinement to home or hospital, the school district must ensure in another way that the student receives appropriate educational and special educational services or, if appropriate, reconvene the Team consistent with 603 CMR 28.04(4) and consider evaluation needs and/or revisions to the IEP taking into account the services the student needs while s/he is unable to attend school for medical reasons.

How Do These Requirements Apply to a Student Who is Enrolled in Private School at Private Expense and Needs Home/Hospital Instruction for Medical Reasons?

As is stated above in answer to Question #1, although the regulation requiring home/hospital instruction is included in the Special Education Regulations (603 CMR 28.00), home/hospital instruction is not considered "special education" unless the student has been found eligible for special education. State law (G.L. Chapter 71B) requires school districts to provide special education to eligible students who are attending private school at the parent's expense or other private expense ("private school students"). Since home/hospital instruction can be a regular education or special education service, this has led to some confusion about the appropriate provision of home/hospital instruction for private school students.

- If the private school student already has an IEP under which the school district is providing special education services, then during the 14+ school days that the physician says the student will be out of school for medical reasons, the school district must provide the specially designed instruction and/or related services described on the student's current IEP, modified as necessary to accommodate the student's medical needs. If the student's medical condition is likely to affect the ability of the student to maintain effective school progress, the student's parent may request that the Administrator of Special Education convene a Team meeting to consider further evaluation of the student and, if appropriate, to amend the existing IEP or develop a new IEP. Modifications to the IEP can include home or hospital instruction. The Administrator of Special Education is

required to convene a Team meeting without undue delay for any student with an IEP who, in the judgment of the student's physician, is likely to remain at home or in a hospital for more than 60 school days in any school year. This requirement is found in the Special Education Regulations at 603 CMR 28.04(4) and is discussed in Question #4, above.

- If the private school student does not have an IEP and will be confined to home or a hospital for medical reasons, s/he may be eligible for special education services if the student's medical condition is determined to be a health impairment that adversely affects the student's educational performance. Under these circumstances, the parent is entitled, at any time, to request and receive an evaluation of the student by the public school district to determine if the student's medical condition meets special education eligibility requirements. If a physician indicates to a school district that the student has a medical or health condition that is likely to lead to extended school absence(s) or an inability to maintain effective educational progress, the school district shall treat such information as a referral for an evaluation to determine eligibility for special education. In such case, the school district shall, within five school days, send written notice to the student's parent seeking consent for such evaluation to occur (603 CMR 28.04(1)(a)). A Team may find a student eligible for special education based on a chronic or acute health impairment or other disability, as defined in 603 CMR 28.02(7), that adversely affects the student's educational performance. Please see Question #10, below.
- Under Massachusetts law, a private school student who has been determined to be a "school age child with a disability" as defined in G.L. Chapter 71B, § 1, is entitled to receive publicly-funded special education services in accordance with an IEP developed by the school district of residence. The school district may not refuse to evaluate the student because s/he is enrolled in private school or because s/he is currently out of school for medical reasons. The Department recommends that the Administrator of Special Education make every effort to expedite assessment(s) and the Team meeting so that services may be provided in a timely fashion. If the student is evaluated and determined to be a student who is eligible for special education, the student will be entitled to receive home/hospital instruction according to the IEP.
- If the private school student does not have an IEP and the parent does not wish to refer the student for a special education evaluation, the parent may contact the school district of residence, providing documentation from the student's physician that the student is confined to home or hospital for medical reasons for not less than 14 school days during the school year. The school district may, at its discretion, provide home/hospital instruction to the student, using the district's resources to provide the instruction, but it is not required to do so unless the student is evaluated and found to be eligible for special education. Please see Question 2 above for additional information on determining eligibility of private school students based on a physician's statement.

Please note that the public school district is under no obligation to be familiar with nor to use the private school's curriculum, textbooks, or related education materials, but shall provide home or hospital services designed to maintain the private school student's progress in general curriculum areas when such services have been included on the IEP. Consequently, if a private school student will be absent from school for medical reasons for an extended period of time, the student's parent should always contact the private school to find out what tutoring services or other home/hospital instruction the private school will provide to help the student keep up with his or her schoolwork. The administrators and teachers in the private school are most knowledgeable about the private school's curriculum and the coursework that the student is

covering in class, and they are in the best position to design and provide tutoring or other home/hospital instruction that will enable the student to keep up with school assignments. Depending on the circumstances, the private school itself may have an obligation to provide accommodations or services to the student under federal civil rights laws, Section 504 of the Rehabilitation Act and the Americans with Disabilities Act, or under the contract of enrollment between the school and the parents.

#### Are Students with Chronic or Acute Health Issues Always Eligible for Special Education?

The answer depends on the facts of the individual case. Any student with a medical or health condition that is likely to lead to extended school absence(s) or inability to maintain effective educational progress is a reasonable candidate to be referred to the public school district for initial evaluation to determine special education eligibility. Such referrals should take place as soon as it is known that a student's health condition is chronic or acute and is likely to have a negative educational impact, rather than delaying referral or action until the student is absent for significant periods of time or has begun to experience educational failure.

If assessment information indicates that the student's educational progress will be adversely affected as a result of a chronic or acute medical condition that is not temporary in nature, then the Team will likely determine that the student is eligible for special education. An eligibility determination is an individualized decision that depends on the facts of each case. In most cases, if the Team determines the student is eligible, the type of disability as recognized by federal and state special education law will be a "health impairment" (see 603 CMR 28.02(7)(i)). In some cases, the assessments may indicate other types of disability, such as "emotional impairment" or "neurological impairment."

If the student has been evaluated and found eligible for special education, the Team will write an IEP describing the special education and related services that the student needs and the school district will provide. If the student will be out of school for medical reasons for an extended period of time, it is appropriate to include on the IEP educational tutoring as a related service that the student needs in order to access the general curriculum while s/he is in the home or hospital setting. The IEP may be tailored to address expected time periods when the student is unable to attend school, if that is deemed appropriate to meet the unique needs of the individual student.

## Appendix F

### Behaviors/ Offenses Requiring Immediate Action

Our commitment to provide our students and staff with a learning space that is both physically and mentally safe for all our community members requires that the following behaviors will result in immediate action by the Principal or Dean of Students.

The Code of Conduct and Character says a student **MAY** be suspended or expelled for serious offenses, including:

- possessing a firearm;
- use of a dangerous weapon or object in a threatening manner;
- assault and battery on school staff resulting in physical injury;
- sexual assault;
- selling or distributing a controlled substance (including illegal drugs), or possessing a controlled substance with intent to sell or distribute it;
- assault and battery on school staff or another person—this means harming,
- attempting to harm, or threatening to harm another person, with or without a weapon or dangerous object;
- possession/use of a controlled substance, alcohol, or any kind of intoxicant; bringing a weapon or weapon facsimile to school;
- possession/use of tobacco products; threatening another person with a mock gun or a dangerous object;
- setting or attempting to set a fire, possession of incendiary device(s);
- damaging or stealing private or school property (or threatening to do so);
- making a bomb threat or pulling/reporting a false fire alarm;
- violating the civil rights of others including, but not limited to using racial or ethnic slurs;
- obscene behavior including, but not limited to gestures, drawings, and language;
- harassment/stalking/bullying;
- sexually harassing another person;
- physical altercation;
- verbal abuse/profanity;
- breaking the rules for acceptable use of email and the Internet;
- disrupting school or classroom activity, including unauthorized use of cell phones;
- insubordination/refusing to follow a reasonable request;
- tampering with school records;
- cheating/plagiarism;
- cutting detention;
- leaving the school without permission or cutting class(es)

In certain circumstances, a student may be indefinitely suspended or expelled for conduct unrelated to school or school activities, such as when the student is charged with or convicted of a felony and the principal determines the student's continued presence would disrupt the school.

**NOTE: The list above is meant as a guide only. Any incident deemed inappropriate by the principal or designee may result in a suspension or expulsion.**

Below are extended definitions of offenses that may warrant suspension or expulsion.

## **Physical Aggression / Fighting**

All staff and students have the right to come to school where they feel physically safe from harm. Violence will not be tolerated. Therefore, physical aggression or fighting will lead to serious disciplinary consequences for all students involved up to and including expulsion.

## **Harassment / Sexual Harassment**

All staff and students have the right to come to a school without threat of harassment / sexual harassment by any other adult or student member of our community. Students will use the Safe School Form to make a report to the principal of any incident of harassment / sexual harassment. The school principal will follow through with the Safe School Reporting Procedure. Adults will report any incidence of harassment / sexual harassment to the principal or the executive director of Baystate Academy.

## **Bullying**

All students have the right to come to a school without fear of or intimidation by any other adult or student member of our community. Students will use the Safe School Form to make a report to the principal of any incident of bullying. The school principal will follow through with the Safe School Reporting Procedure. Adults will report any incidence of bullying to the principal or the executive director of Baystate Academy.

**Please see Appendix B for BACPS Bullying Prevention Plan.**

## **Cyberbullying**

Bullying conducted through the use of technology (social networking websites, emails, webcams, instant messaging, text messaging, etc.) is known as cyber-bullying. We expect students to behave responsibly online. Inappropriate behavior will lead to disciplinary consequences. Some examples of cyberbullying are spreading rumors via text messages, posting threatening comments on a person's social networking page (i.e. Facebook), and sending explicit images via email.

**Please see Appendix B for BACPS Bullying Prevention Plan.**

## **Sexting**

"Sexting" is the act of sending, receiving, viewing, or forwarding sexually explicit messages, photos, videos or images via cell phone, computer, or other digital devices. These messages, photos, and images are then often being further disseminated through email and internet-based social networking websites well beyond their original intended recipients. Sending or receiving a sexually suggestive image or text under the age of 18 is a crime and is considered child pornography and can result in criminal charges.

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

All adults and students of Baystate Academy Charter Public School are prohibited from being in possession of and/or carrying an odor of drugs, tobacco, and alcohol on campus. Possession of these items must be reported immediately to the school principal and may be grounds for suspension or expulsion. Any student that has an odor of alcohol or drugs, including marijuana will be subjected to a bag and/or body search. That student may also be required to be removed from the school campus. BACPS is committed to having a vape/vaping, smoke and tobacco -free environment for all members of the school community. Therefore, the use or possession of

tobacco products and smoking/vaping related products on school property, at school sponsored activities, and on vehicles used in the transportation of students is strictly prohibited. Tobacco products include cigarettes, cigars, chewing tobacco, snuff, or any other form of tobacco. Vaping products include vaping liquid and vaporizers or e--cigarettes of any kind

### **Firearms, Weapons, and other Dangerous Items**

All adults and students of Baystate Academy are prohibited from mentioning and/or being in possession of firearms, weapons, and other items that may be used as or are intended as weapons on campus. Possession or mention of these items must be reported immediately to the school principal and may be grounds for suspension or expulsion.

**Vandalism: Defacing or damaging school property and materials** will not be tolerated. Parents will be held responsible for the cost to replace or repair damages made.

### **Technology Offenses**

- Sending or posting discriminatory, harassing, or threatening messages or images
- Unauthorized access or attempted access to school technology: acts or attempts to purposely seek security flaws to gain access to school technology resources.
- Altering or attempted altering of school technology: acts or attempts to disrupt the school technology resources by destroying, altering, or otherwise modifying technology (including Hacking).
- Stealing, using, or disclosing someone else's code or password without authorization.
- Participating in the viewing or exchange of pornography or obscene materials
- Inappropriate display of material using school technology: use of school technology resources to distribute or display material that does not serve an instructional or educational purpose or is profane, vulgar, lewd, obscene, offensive, indecent, sexually explicit, pornographic, threatening; advocates illegal, dangerous, or violent acts; is knowingly false, reckless, or defamatory to others; is otherwise harmful to minors as defined by the Children's Internet Protection Act.
- Sending anonymous email messages.
- Engaging in any other illegal activities.
- Disturbing the virtual Learning Environment.
- Refusing to follow the rules of the specific Virtual Learning Classroom.
- Unmuting yourself when your teacher has placed you on mute.
- Recording any class session and transmitting it.
- Recording your teacher and/or classmates.

**Consequences:** Depending on the severity of the incident, evidence, previous discipline history, and prior interventions implemented the following disciplinary options may be imposed.

- Parent Contact/Conference (Required for each offense)
- Verbal warning or reprimand
- Written warning or reprimand
- After-school detention
- School/Community Service Work
- Loss of technology privileges and use
- Collaborative Behavior Contract (includes Parent, Administration, Student, School Counselor & Social Worker
- Referral to Social Worker
- Referral to Guidance Counselor
- Restitution
- Suspension from school

## **Procedures and Due Process Protections for All Students Please see Appendix A**

### **Backpack Search Policy**

Any BACPS student may be subject to a search if on the basis of a reasonable suspicion. Only the administration may conduct a search, or staff under the supervision of an administrator. Any items discovered which are not allowed on the school campus or are unlawful will be turned over to the principal and appropriate authorities.

### **Use of, and/or Possession of Dangerous Objects or Substances**

Objects or substances, which, by their nature or misuse, constitute a threat to the safety of students, are forbidden. These objects include, but are not limited to, toy weapons or other facsimiles. Students in possession of such objects may be subject to a suspension of no less than ten (10) school days or more and, at the discretion of the building principal, a Executive Director hearing, which may result in further disciplinary action up to and including a possible exclusion hearing. Actions which may cause injury to oneself, another student and/or staff member may be subject to a suspension of no less than ten (10) or more school days and, at the discretion of the building principal, a Executive Director hearing, which may result in further disciplinary action up to and including a possible exclusion hearing.

### **Profanity/ Vulgar Language**

Profanity, vulgarity and indecent gestures are out of place in school and won't be tolerated. This includes both verbal and written communication. Language that demeans, insults, harasses, or humiliates students or staff will not be tolerated; including but not limited to:

- No swearing or pseudo-swearing (e.g. Fluck);
- Do not refer to someone's race, gender, gender identity, sexual orientation or religious beliefs with contempt or disapproval; and
- Be aware that in public spaces (hallways, classrooms, bathrooms, cafeteria, etc.) your language affects more than just the people with whom you are talking.

*Swearing unintentionally with stopping after the first prompt will result in a consequence assigned by the classroom teacher or administrator.*

Swearing intentionally with stopping after first prompt:

**1st violation:** club detention. Parents/guardians will be contacted by the teacher.

**2nd violation:** referral to Dean's office. Parents/guardians will be contacted by the Dean.

**Subsequent violations:** 1-3 day out of school suspension. Parents/guardians will be contacted and will be required to meet with the Dean of students to create a plan of action.

Swearing repeatedly with intent to upset, verbally abuse, and/or threaten students or staff with voice tone and presence is an automatic out-of-school suspension of up to 10 days. Repeated offenses could result in extended suspension.

## Appendix G

### Baystate Academy Complaint Procedure

In accordance with guidelines established by the Department of Elementary and Secondary Education and consistent with the values of the board of trustees of the Baystate Academy Charter Public School (Baystate Academy), students, parents, and any member of the community have the right to hold the school accountable. As part of the accountability process, the Baystate Academy has a procedure for formally filing a complaint with and about the school. The procedure is as follows.

1. Any parent, guardian, or other individuals or groups who believe that Baystate Academy has violated or is violating any provision of M.G.L. c. 71, § 89, or 603 CMR 1.00, including any state or federal law or regulation regarding special education, may file a complaint in writing via letter with the charter school's board of trustees. The complaint should be forwarded to the President of the Board of Trustees at 2001 Roosevelt Avenue, Springfield, MA 01104.
2. Once received, the President of the Board of Trustees will acknowledge receipt of complaint via letter.
3. The board of trustees shall, pursuant to a complaint received under 603 CMR 1.10, or on its own initiative, conduct reviews to ensure compliance with M.G.L. c. 71, § 89, and 603 CMR 1.00.
  - a. Complaints will be reviewed by the governance committee of the board of trustees. If a member of the governance committee is specifically identified as the source of the complaint that member will be excluded from the review process and replaced by an officer of the board not already a member of the committee.
4. The board of trustees shall respond no later than 30 days from receipt of the complaint in writing to the complaining party outlining its response to the complaint and its process for arriving at its decision.
5. If the complaining party believes the complaint has not been adequately addressed by the board of trustees of Baystate Academy, they may submit the complaint in writing to the Commissioner of the Department of Elementary and Secondary Education (DESE), who shall investigate such complaint and make a written response. Baystate Academy and the specific individuals involved shall cooperate to the fullest extent with such review.
6. In the event Baystate Academy is found in non-compliance with M.G.L. c. 71, § 89, or 603 CMR 1.00, as a result of a complaint or upon investigation, the Commissioner or Board of DESE may take such action as it deems appropriate, including but not limited to suspension or revocation of the charter under 603 CMR 1.13, or referral of the matter to the District Attorney, the Office of the Attorney General, or any other agency for appropriate legal action.

**Baystate Academy Charter Public School  
Family and Student Handbook  
2022-2023**

We have read, discussed, and understand the rules, regulations and policies in the Baystate Academy Charter Public School Family and Student Handbook. We understand that any policy not followed can result in a variety of consequences stated in the handbook as well as the loss of priority enrollment for the following school year.

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

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

Student Signature: \_\_\_\_\_

Parent Signature: \_\_\_\_\_

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

All scholars and parents are required to read the handbook in its entirety. Please complete and sign this page and return it to your student's crew teacher.

<b>Office Use Only</b> Received:
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