



Timothy Sneed  
*Founding Executive Director*

**Baystate Academy**  
Charter Public School



Stephen Greene  
*Principal*

**Family and Student Handbook**  
**Baystate Academy Charter**  
**Public School**  
**2025- 2026**

**“Welcome to Springfield’s House of Belonging”**



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## Baystate Academy Overview

### **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.

### **Vision:**

Baystate Academy is Springfield's House of Belonging, a safe and structured home intentionally chosen by committed students and families seeking care, trust, and purpose. Here, every child finds an open door, a welcoming seat, and a clear pathway toward success. We pride ourselves in providing 100% of our students with the opportunity to attend college and other post-secondary institutions.

Our house stands on the foundation of academic rigor, meaningful relationships, and measurable achievement through assessments such as NWEA, MCAS, SAT, and PSAT. We embody a spirit of being patiently impatient, tirelessly pursuing excellence yet compassionately understanding that genuine growth takes time, nurturing, and commitment.

Through EL Education, Crew, Project Lead the Way, and our shared Habits of Scholarship and Character: Empathy, Collaboration, Integrity, Wellness, and Integrity—we transform classrooms into rooms of discovery, setbacks into stepping-stones, and challenges into opportunities for resilience. Every student at Baystate Academy is known, valued, and empowered, demonstrating that educational equity and excellence are both achievable and inevitable.

At Baystate Academy, belonging is more than a promise...it's our purpose.

### **History**

Baystate Academy Charter Public School owes its genesis to the vision of Springfield's community leaders represented on our Board of Trustees. Over 10 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 were 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



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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.

### 2025- 2026 Board of Trustees

Martha Anderson - President	<a href="#">Teddy O'Reilly</a>
Peter Blain - 1 <sup>st</sup> Vice President	<a href="#">Kristine Allard</a>
Gilberto Amador - Treasurer	Catherine Rojas, PhD
Caitlin Castillo, Esq. - Secretary	Frank Robinson, PhD
Lisa DeSousa, Esq.	

### 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 – 12.

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 – 3:45 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 will enter the building through different entrances based on their Academy:

- All sixth and seventh grade students will enter the building through the **main entrance** and walk directly to the cafetorium after checking their Yondr pouches and uniform.
- All eighth and ninth grade students will enter the building through **door C** (near the basketball courts) and report to their assigned breakfast locations (e.g., homeroom/Crew).
- All tenth, eleventh and twelfth grade scholars will enter the building via the **media center** and report directly to their assigned breakfast locations (e.g., homeroom/Crew).

Students who arrive at or after 8 am are considered tardy, and they must report to the office to receive a late pass before reporting to their classroom. In order to receive full-day attendance Monday through Thursday, students must arrive no later than 11:30am. To receive full-day attendance on Fridays, students must arrive no later than 10:30am.

### Dismissal Procedures

Students are dismissed at 3:45 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



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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 arriving to school through parent drop-off must be dropped off and picked up in front of the building, and are not allowed to walk, bike, or skateboard to or from 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 at the discretion of the Principal and/or Executive Director..

### **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 prohibit 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
- Learning about and supporting Baystate Academy's values and programs
- Staying informed about your student's progress
- Setting a schedule and structure to ensure their students complete their work.
- Limiting screen time. Keep books and other reading materials available, and set aside time for your student to read each day.
- Permitting your student to participate in fieldwork and extended trips.
- Being familiar with and discussing with your student Baystate Academy's Habits of Scholarship and Student Rights and Responsibilities.
- Attend and participate in school-wide activities during the year.
- Attend all of your student's student-led conferences and exhibition nights.
- Read and reply to teacher communications and return permission slips promptly



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### **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." 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 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) are in jeopardy of not being 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. Otherwise, they may potentially be retained the following school year. All related medical incidents for excessive absences will require official medical 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 14th 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

**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.



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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”)
- has been subjected to sexual exploitation (“sexually exploited child”).



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### 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 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 dress code 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 Room (SSR) until they are dressed as aligned with the school uniform policy. Any missed class time could potentially result in an unexcused absence.

If a student is dressed inappropriately, parents will be called to bring in a change of clothes. Violations of the Uniform Policy will result in incremental disciplinary action. Jackets/coats must be removed and placed in a locker or book bag between 8:00 am and 4:00 pm (Monday - Thursday) and between 8:00 am and 1:30 pm (Friday). No exceptions.

**NEW** - BACPS is excited to offer new options for dress code! We now sell BACPS apparel that can be worn to school from the clothing link below. All items must be worn in their original, new condition:

<https://shop.game-one.com/massachusetts/springfield/baystate-academy>



**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 shirts for high school students (grades 9-12)</li> <li>• Please note: short sleeve/long sleeve shirts may be worn under a uniform shirt (White, gray, or navy blue <b>only</b>)</li> <li>• Shirt collars and sleeves must remain down</li> <li>• <b>ONLY</b> sweatshirts with the same solid color (dark gray, light gray or navy blue) 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> <li>• Shirts not in good condition or have holes, tears, and dye</li> </ul>

**Uniform Bottoms**

Allowed	Not Allowed
<ul style="list-style-type: none"> <li>• Solid tan, navy, or black pants/shorts</li> <li>• Black jeans (denim)</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, tights or yoga pants</li> <li>• Non-black jeans (denim)</li> <li>• Biker shorts</li> <li>• No sweatpants (BACPS logo or not)</li> <li>• Shorts too high over the knee</li> </ul>

**Footwear**

Allowed	Not Allowed
<ul style="list-style-type: none"> <li>• Lace-up shoes or loafers</li> <li>• Athletic shoes</li> <li>• All shoes must have backs or secure straps on the back of shoes for safety reasons 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-toed shoes</li> <li>• Heels</li> </ul>

**PE Uniforms:** (Optional)

- Shirts must be t-shirts or sweatshirts with or without the BACPS logo
- Sweatpants or shorts of an appropriate length and fit with or without logo
- Must be appropriate (standard full-length shirts)



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### Permitted/Not Permitted

- 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 inappropriate. The student may be asked to remove or change such items.
- No neck or head scarves can be worn outside of uniform unless for religious or medical reasons
- No blankets should be worn on campus.
- Jewelry is to be kept to the minimum: Students may be asked to remove excess jewelry.
- Apparel that was school made/issued with or without BACPS logos may be worn (e.g., National Honor Society, Youth Advisory Board, Senior shirts, sport shirts with sleeves)

### Approved Uniform Vendors

<p style="text-align: center;"><b><u>Allen’s Uniform</u></b> 452 W. Boylston Street Worcester, MA 01606 (508) 853-1993 <a href="http://www.allensuniforms.com">www.allensuniforms.com</a></p>	<p style="text-align: center;"><b><u>Blake’s Uniform</u></b> 1205 Parker Street Springfield, MA 01129 (413) 782-4123 <a href="http://www.blakesschooluniform.com">www.blakesschooluniform.com</a></p>
<p style="text-align: center;"><b><u>Tommy Hilfiger</u></b> <a href="http://www.globalschoolwear.com">www.globalschoolwear.com</a></p>	<p style="text-align: center;"><b><u>Baystate Academy Gear</u></b> <a href="https://shop.game-one.com/massachusetts/springfield/baystate-academy">https://shop.game-one.com/massachusetts/springfield/baystate-academy</a></p>

**Allen’s Uniform**  
452 W. Boylston Street  
Worcester, MA 01606  
(508) 853-1993  
[www.allensuniforms.com](http://www.allensuniforms.com)

**Blake’s Uniform**  
1205 Parker Street  
Springfield, MA 01129  
(413) 782-4123  
[www.blakesschooluniform.com](http://www.blakesschooluniform.com)

**Tommy Hilfiger**  
[www.globalschoolwear.com](http://www.globalschoolwear.com)

**Baystate Academy Gear**  
<https://shop.game-one.com/massachusetts/springfield/baystate-academy>



## Grading Language and Policy

At Baystate Academy Charter Public School we use standards-based grading. Each BACPS course is built around MA curriculum 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. Report cards communicate a student’s achievement level of assessed course standards.

### Standards-Based Grading General Rubric

Grade	Descriptor	Criteria
4	<b>Exceeding Target</b>	Students consistently demonstrate an ability to independently extend their understanding of the standard/target by applying learning to more complex content and skills
3.5	<b>Partially Exceedingly 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
2.6	<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>
2	<b>Approaching Target</b>	Students have a foundational understanding of standard/target; students require assistance to develop a more complex understanding and application of content or skill
1	<b>Attempting Target</b>	Student requires consistent help and support to understand standard/target student demonstrates simple understanding of content and concepts

It is expected that students earn an overall grade 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 are considered in good standing.

## Habits of Character

The Education model fosters and celebrates students’ academic growth and character development as inseparable. Members of the school community live up to the spirit of EL Education’s Design Principles on a daily basis and create a school climate characterized by physical and emotional safety, joy in learning, kindness, and positive leadership. All adults in the school communicate clear expectations for student character based on the schools’ Habits of Character and model those values in their own practice and interactions. Policies and practices encourage students to become effective learners and ethical people who contribute to a better world. This means leaders, teachers, and students value diversity and work to create a community that is equitable, inclusive, and committed to social justice.



1. School leaders, teachers, and students adopt Habits of Character to which all students and staff members aspire.

When choosing and naming the Habits of Character, leaders and teachers:

- a. Prioritize social and emotional learning equally with academic learning
- b. Choose habits that support students to become effective learners, ethical people, and contributors to a better world

<b>Habits of Character</b> <b>Middle School</b>			
Empathy	Collaboration	Integrity	Wellness
<ul style="list-style-type: none"> <li>• I consider how my actions will impact others.</li> <li>• I listen to others when they express what they need.</li> <li>• I can express what I imagine someone else is thinking or feeling in a given situation.</li> </ul>	<ul style="list-style-type: none"> <li>• I contribute to group work.</li> <li>• I listen to the ideas of others in my group.</li> <li>• I provide opportunities for all individuals in my group to participate.</li> </ul>	<ul style="list-style-type: none"> <li>• I am honest.</li> <li>• I complete my own work.</li> <li>• I continue to work hard even when faced with a challenge.</li> <li>• I take accountability for my actions.</li> </ul>	<ul style="list-style-type: none"> <li>• I make choices that promote my physical safety.</li> <li>• I use strategies and support to maintain a positive mental health outlook.</li> <li>• I seek out support when feeling overwhelmed.</li> </ul>

<b>Habits of Character</b> <b>High School</b>			
Empathy	Collaboration	Integrity	Wellness



<ul style="list-style-type: none"> <li>• I seek to understand others' perspectives and feelings and react in a supportive manner.</li> <li>• I do not place judgements on others.</li> <li>• I can express my ability to emotionally understand what other people feel and see things from their point of view.</li> </ul>	<ul style="list-style-type: none"> <li>• I value diverse perspectives by contributing to my communities and advocating for others to contribute.</li> <li>• I weigh the pros and cons of multiple ideas.</li> <li>• I interact with others in a way that values their contributions.</li> </ul>	<ul style="list-style-type: none"> <li>• I exhibit honesty in all of my choices.</li> <li>• My work represents my personal knowledge and skills and when I utilize the ideas of others, I give that individual/source credit.</li> <li>• I exhibit the self discipline needed to achieve my goals.</li> <li>• I take accountability for all of my actions.</li> </ul>	<ul style="list-style-type: none"> <li>• I value my health through my words and my actions.</li> <li>• I develop strategies that help me to successfully manage stress.</li> <li>• I advocate for myself and utilize support when I am struggling.</li> </ul>
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**Habits of Scholarship**

The school adopts a subset of Habits of Character connected to becoming effective learners, called Habits of Scholarship or Habits of Work. These habits are assessed and graded separately from academic learning targets.

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 4 Habits of Scholarship linked to essential work habits for success:

1. I come to class on time, prepared and ready to learn.
2. I use class time effectively and contribute positively to the classroom.
3. I am open to challenging myself.
4. I use discourse and revision to further my learning.

**To earn a HOS of 3**

Students must consistently (about 80% of the instructional time) embody the essential characteristics of each characteristic, which includes:

- Arrive to class on time and ready to learn
- Participate effectively and positively in class activities
- Complete assigned tasks, projects, classwork, and homework to the best of their ability as well as revise to improve their learning.



**To earn a HOS of 4**

Students must consistently embody the essential characteristics and take a leadership role in the classroom to support their classmates in meeting the Habits of Scholarship.

<b>Habit of Scholarship #1</b>			
<b>I come to class on time, prepared and ready to learn.</b>			
Advanced (4)	Proficient (3)	Developing (2)	Emerging (1)
<ul style="list-style-type: none"> <li>• I arrive at class on time and immediately gather items and start the opening activity.</li> <li>• I positively support the teacher and/or other students in the transition into the opening activity.</li> <li>• I have all the materials I need to be successful and may support others with materials.</li> <li>• I begin tasks without prompting.</li> </ul>	<ul style="list-style-type: none"> <li>• I arrive at class on time (prior to the bell ringing).</li> <li>• As I arrive to class, I collect the materials needed and find my seat.</li> <li>• I have most of the materials needed to be successful in class.</li> <li>• I begin tasks with little to no prompting.</li> </ul>	<ul style="list-style-type: none"> <li>• I arrive at class within moments of the bell ringing (less than 60 seconds).</li> <li>• I have time to participate in the opening activity.</li> <li>• My arrival to class causes little disruption to the structure of class.</li> <li>• I have some of the materials needed to be successful in class.</li> <li>• I need some prompting to get started on tasks.</li> </ul>	<ul style="list-style-type: none"> <li>• I arrive at class more than a minute after the bell rings.</li> <li>• I am unable to participate in all/most of the opening activity.</li> <li>• My arrival disrupts the learning of other students.</li> <li>• I do not have any of the materials needed to be successful in class.</li> <li>• I need repeated prompting to get started on tasks.</li> </ul>

<b>Habit of Scholarship #2</b>			
<b>I use class time effectively and contribute positively to the classroom.</b>			
Advanced (4)	Proficient (3)	Developing (2)	Emerging (1)



<ul style="list-style-type: none"> <li>I am an active contributor and listener during classroom and group discussions.</li> <li>I build on the ideas of others in class.</li> <li>I seamlessly transition from one activity to the next.</li> <li>I structure my own time to manage assigned tasks.</li> </ul>	<ul style="list-style-type: none"> <li>I am an active contributor and listener during classroom and group discussions.</li> <li>I transition from one activity to the next with little refocusing needed.</li> <li>I utilize time guidelines to manage assigned tasks.</li> </ul>	<ul style="list-style-type: none"> <li>I attempt to be an active contributor and listener during classroom and group discussions.</li> <li>I transition from one activity to the next with some refocusing needed.</li> <li>I utilize time guidelines with support to manage assigned tasks.</li> </ul>	<ul style="list-style-type: none"> <li>I make little to no attempt to be an active contributor and listener during classroom and group discussions.</li> <li>I struggle to transition from one activity even when given support.</li> <li>I struggle to utilize time guidelines with support to manage assigned tasks.</li> </ul>
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<b>Habit of Scholarship #3</b> <b>I am open to challenging myself.</b>			
Advanced (4)	Proficient (3)	Developing (2)	Emerging (1)
<ul style="list-style-type: none"> <li>I look at challenging tasks with a positive mindset.</li> <li>I support other students in developing their ability to persevere through adversity.</li> <li>I develop opportunities for me to extend my own learning.</li> </ul>	<ul style="list-style-type: none"> <li>When faced with a challenging task, I use my resources before asking for help.</li> <li>I persevere in the face of adversity.</li> <li>I maximize opportunities to extend my learning.</li> </ul>	<ul style="list-style-type: none"> <li>With support, I can use resources on challenging tasks.</li> <li>I seek support to persevere in the face of adversity.</li> </ul>	<ul style="list-style-type: none"> <li>I struggle to stay focused on a challenging task even when provided support.</li> <li>I struggle to persevere in the face of adversity.</li> </ul>

<b>Habit of Scholarship #4</b> <b>I use discourse and revision to further my learning.</b>
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Advanced (4)	Proficient (3)	Developing (2)	Emerging (1)
<ul style="list-style-type: none"> <li>• I actively engage in discourse with my peers and teachers about my work and the work of my peers.</li> <li>• I improve my skills by soliciting ideas and feedback from classmates and teachers to revise my work.</li> </ul>	<ul style="list-style-type: none"> <li>• I engage in discourse with my peers and teachers about my work.</li> <li>• I improve my skills by using ideas and feedback from classmates and teachers to revise my work.</li> </ul>	<ul style="list-style-type: none"> <li>• I struggle to engage in discourse with my peers and teachers about my work.</li> <li>• I struggle to use feedback to improve my skills when revising my work.</li> </ul>	<ul style="list-style-type: none"> <li>• I do not engage in discourse with my peers or teachers about my work.</li> <li>• I do not attempt to use feedback to improve my skills when revising my work.</li> </ul>

### Academic Dishonesty

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

- 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 Power Teacher 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.



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Founding Executive Director

# Baystate Academy

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Principal

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:
  - The date when the assignment has been graded, recorded, and returned to students in the class for revisions. Maximum 7 days after being returned by teacher, 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 can 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 assessment (e.g., Form B instead of Form A), student revisions of work products based on descriptive feedback, or alternative methods of assessment (e.g., an oral response rather than a written test).

**Guidelines for revisions include the following:**

- Students will be provided with 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 assessments 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 cannot be used to replace previous scored assignments.

**Communication with Families**

The Power teacher Pro Gradebook is used for all grade reporting. To ensure that families can 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 for communicating 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**

- HS credit recovery mainly occurs during summer school, facilitated by faculty members. Students who fail courses with grades ranging from 2.1-2.5 qualify to make up to 3 courses during summer school. Students who fail courses with grades below 2.1 can make up credit during Saturday School, also facilitated by faculty members. Students must attend all required Summer & Saturday School sessions to complete credit for a course failed during the previous school year.
- Depending on the number of credit recovery courses needed to complete, students may have to do a combination of Summer School and Saturday School.
- If a student fails 4 or more core courses (ELA, Math, History, Science, PLTW) with grades below 2.1, they will need to repeat the grade.
- The maximum grade for each credit recovery courses is 2.6, which is calculated in the student's GPA.



- We do not offer online or independent study options for credit recovery. However, in certain circumstances (e.g., hospitalization or compensatory services), these options will be considered on a case-by-case basis.

**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 with 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 to attend three courses during the summer session and three 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.

Course	Credit Requirements
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.



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Founding Executive Director

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### **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**

#### **Middle School**

- Middle school scholars who fail any of the 4 core courses (ELA, Science, Social Studies or Math) will be required to attend summer school.
- BACPS will offer separate summer school classes for each core subject.
- Scholars will only be expected to retake the courses that they failed.

Considerations:

- If transportation is an issue for students with only 1 or 2 courses, projects/community services will be developed for them.

#### **What happens if a student does NOT pass a class in Summer School?**

Students who do not pass the courses in summer school:

- If TWO or more courses are failed, then they will be required to repeat the grade:
- Caveat: if the student standard grade is above a 2.0 AND their HOS score in perseverance and readiness is a 3.0 or above, then the student will be promoted.

#### **High School**

- To be eligible to attend summer school, scholars must earn a minimum grade of 2.1.
- Students who fail a class but do not earn a 2.1, will have to repeat the course the following year.



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- Science and PLTW courses are not available.
- Scholars needing the courses will have to retake them in Saturday School for credit recovery.

### **What happens if a student does NOT pass in Summer School**

Students who do not pass in summer school will have to retake the course in Saturday school.

### **Attendance Recovery**

Students assigned to community service/special projects (1 full day of summer school equals 2 absences).

### **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.

### **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 step's 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



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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
- Art, 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



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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 of Biomedical Sciences	1	Human Body Systems	1
Spanish I	1	Spanish II	1
Leadership/Crew	1	Leadership/Crew	1
PE/Health	1	PE/Health	1
Art	1	Healthcare Careers	1
Intro. to Public Health	1	Total	9
Totals	9		
<b>11<sup>th</sup> Grade</b>	<b>Credits</b>	<b>12<sup>th</sup> Grade</b>	<b>Credits</b>
English 11 or Pre-AP	1	English 12 or AP English Literature and Composition	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



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Spanish III	1	Spanish IV	1
Leadership/Crew	1	Leadership/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
Total	10	Totals	11

9 <sup>th</sup> Grade	Credits	10 <sup>th</sup> Grade	Credits
Leadership/Crew	1	Leadership/Crew	1
English 9	1	English 10	1
Algebra I	1	Geometry	1
World History II	1	US History I	1
Biology	1	Environmental Science	1



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Principles of Biomedical Sciences	1	Human Body Systems	1
Spanish I	1	Spanish II	1
PE/Health	1	PE/Health	1
Art	1	Elective	1
Elective -	1	<b>Total</b>	<b>9</b>
<b>Totals</b>	<b>9</b>		

11 <sup>th</sup> Grade	Credits	12 <sup>th</sup> Grade	Credits
Leadership / Crew	1	Leadership / Crew	1
English 11 or Pre-AP English	1	English 12 or AP English Literature and Composition	1
Algebra II	1	Pre-Calculus or Statistics	1
US History II	1	US Government and Economics	1
Chemistry	1	Physics	1
Medical Interventions*	1	Senior Seminar	1
Spanish III	1	Senior Elective	1
PE/Health	1	PE/Health	1
College & Career Readiness	1	Community Service (40 hours minimum)	N/A



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Elective	1	Totals	8
Total	10		

***\*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 receive appropriate instructional services, including modifications and accommodations within the general education classroom. The Director of Special Education also ensures that BACPS follows state and federal legislation regarding 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



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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 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.

### Students determined to be not eligible for special education services

If the Team determines that the student is not eligible, the Director of Special Education shall record the reason for such findings on the Team Meeting Summary Notes. This should also be documented on the Notice of Refusal To Act Form (N2). After the meeting, parents should be given a copy of the Summary Notes, and the N2 must be sent to the parent within ten school days of the Team meeting.

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

Baystate Academy's Code of Conduct and Character and Behavior Flow Chart articulate the expectation for scholars so that they know what is expected of them during all parts of the school day. Our Flow Chart is aligned with our four (4) Habits of Character: Empathy, Collaboration, Integrity and Wellness, 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 successful at school and productive members of the community.



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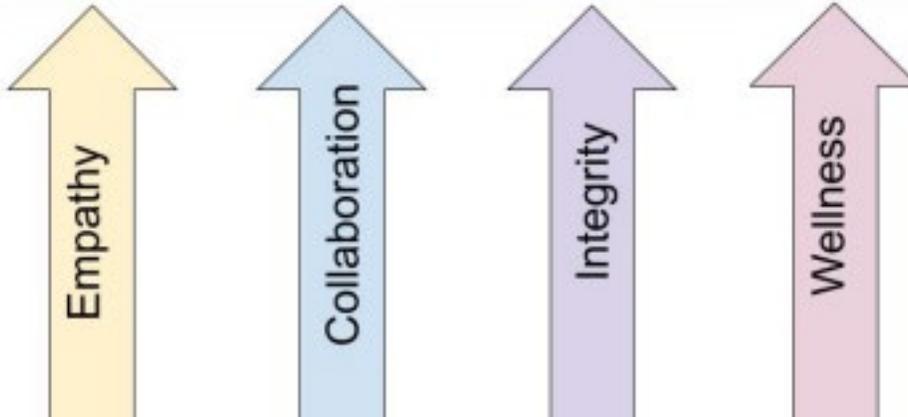


**WE ARE CREW, NOT PASSENGERS!**



### BACPS Definition of Discipline

At our school, discipline involves creating structured systems and supportive frameworks that cultivate crucial social-emotional competencies, empowering individuals to effectively manage themselves, correct behaviors, and contribute positively to a better world, all while upholding integrity.



### BACPS Definition of Discipline

*At our school, discipline involves creating structured systems and supportive frameworks that cultivate crucial social-emotional competencies, empowering individuals to effectively manage themselves, correct behaviors, and contribute positively to a better world, all while upholding integrity.*

- **Empathy:** the ability to understand and share the feelings of another
- **Collaboration:** the action of working effectively with all scholars and adults
- **Integrity:** the quality of being honest and having strong moral principles
- **Wellness:** the state of being in good health, especially as an active pursued goal

The Code of Conduct and Character reflect our vision to provide a comprehensive approach to education to meet individual students' educational, social-emotional, and psychological needs. 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.

Our progressive discipline will utilize restorative justice practice interventions to address inappropriate behavior with a goal of teaching appropriate social behavior. Restorative 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 character, faculty engages the scholar in reflection about what happened and why it is balanced with progressive discipline through restorative practices.



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Principal

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

- Acknowledge and take responsibility for their actions
- Engage 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, the student can be assigned a consequence. The adult assigning the consequence (whether Assistant Principal of Culture or designee) will use the “Code of Conduct and Character,” the information unique to the incident infraction, and the scholar’s disciplinary history to guide decision making.

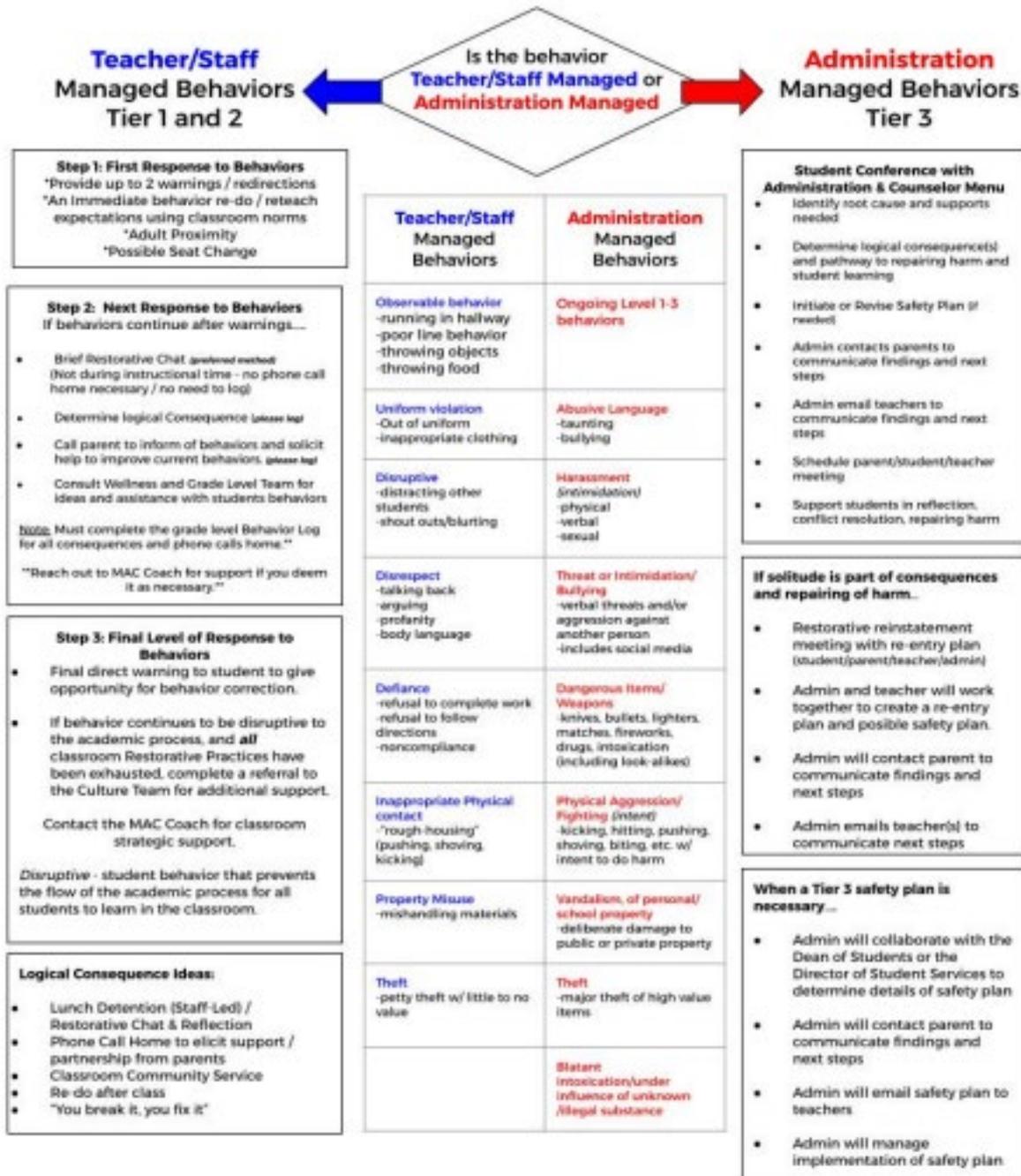
Examples of behavior are classified into three (3) tiers. Each Tier of Behavior has a corresponding level of consequence. The examples for each level of consequence serve as a guide for Baystate Academy faculty and staff to assign consequences that match the tier of behavior. The lists of behaviors at each tier are not absolute. When behaviors arise that are not listed as examples in the Code of Conduct and Character, the Assistant Principal of Culture (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 scholars and teachers and/or principal and administrators. Prevention and the development of appropriate behaviors will be taught in class lessons especially in Crew. Scholars will learn how problems are initiated and how problems escalate. Scholars, guided by the teacher, will learn appropriate “replacement behaviors” to reduce future problematic situations. Consequences for behavior will include, but not limited to, loss of privileges, letters of apology, parental notification, parent/student/teacher and/or administrator conferences, behavioral contract (Safety Plans), lunch detentions, referrals to the Student Support Room (SSR), Friday detentions, suspensions and expulsion. Specific information about the school’s discipline policy, including due process for suspensions and expulsion is available on our school’s website [www.bacps.net](http://www.bacps.net). Special 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. At Baystate Academy Charter Public School (BACPS), 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 their behavioral issues. These may include, but are not limited to, the multi-tiered system of supports (MTSS), the Response To Intervention (RTI) and the new in-school tiered system, Restorative Responses to Disruptive Behaviors.



## Baystate Academy Charter Public School Restorative Responses to Disruptive Behaviors





**Tier #1 & #2 Consequences [Teacher/Staff Managed]:**

These may include but are not limited to: warnings, redirections, immediate behavior re-do's, a reteach of expectations using classroom norms, adult proximity, logical consequences, seat change, brief restorative chat (preferred method), call to parent to inform of behaviors and solicit help to improve current behaviors, classroom community service, reflection, teacher-led lunch detention or "You break it, you fix it" model.

**Note: Disruptive Behavior-** student behavior that prevents the flow of the academic process for all students to learn in the classroom.

**Tier #3 Consequences [Administration Managed]:**

These may include but are not limited to: warnings, redirections, restorative conversations (preferred method), call to parent to inform of behaviors and solicit help to improve current behaviors, school-wide community service, referral to the Student Support Room for reflection, referral to the Wellness Team, administrative lunch detentions, loss of privileges, letter of apology, Friday detentions, parent/student/administrator conferences, damage fees, suspensions or expulsion.

A student conference with administration and/or counselor will be held to find out the following:

- Identify root cause of the behavior and the supports needed
- Determine logical consequence(s) and pathway to repairing harm and student learning
- Initiate or revise "Safety Plan" (If needed)
- Schedule parent/student/teacher conferences (If needed)
  - Contact parent(s) to communicate findings and next steps
  - Email teachers to communicate findings and next steps
  - Support students in reflection, conflict resolution and repairing harm;

If solitude (in-school suspension or external suspension) is part of consequences and repairing harm...

- Restorative reinstatement meeting (student/parent/teacher/administrator) with a re-entry plan
- Dean of Student, Director of Student Support, Principal and/or teacher (Crew) will work together to create a re-entry plan and possible safety plan
- Follow up and communicate findings to the parent(s) and teacher(s);

When a Tier #3 safety plan is necessary...

- Administration will collaborate with the Assistant Principal of Culture and/or the Assistant Principal for that grade to determine details of the safety plan
- Administration will contact parents to communicate findings and next steps
- Administration will manage implementation of safety plans

**Disciplinary Consequences Determination**

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

The following considerations will be considered when administering appropriate consequences:



- The student's age and maturity level
- The student's disciplinary history (to include any prior behavior incidents [infractions], 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 students involved in misconduct
- The student's Individual Education Program (IEP), Behavioral Intervention Plan (BIP), behavior contract (Safety Plan), and/or 504 Individual Accommodation Plan (IAP), if applicable;

Baystate Academy Charter Public School is determined to continue to use Restorative Practices to educate our scholars to grow, to understand their behaviors, and to learn to take responsibility for their actions to become outstanding members of our community.

**There are three (3) *special circumstance* situations that are non-negotiable at BACPS and may result in a long-term suspension or expulsion from school:**

1. Possession/Use of a Weapon
2. Possession/Sale/Use of an illegal narcotic, and
3. Serious Bodily Harm to a member of the BACPS community.

Please see the section in the “**Student / Family Handbook**” where it discusses *Long-Term Suspension* and/or *Expulsion* for more information on these three (3) special circumstances.

### **Massachusetts Student Discipline Law**

The purpose of the law is:

- To limit the use of long-term suspension therefore 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 ensure that every student who is expelled or suspended, regardless of the reason for suspension or expulsion, can 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.

### **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.



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### **School Bus Procedures**

All BACPS students are provided with 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 (1:30 pm-4:00 pm) 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 typically 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. We will also post it on the local TV stations. 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



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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 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. If 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. Lockdowns will be orderly and have as their priority the safety of all people on our campus. A lockdown will occur when school administration or emergency service providers have determined that it is unsafe for people to move around our building. Examples of a situation in which lockdowns 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 lockdown. 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.



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### **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 ensure 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 copyright 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 about:

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.



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### **BACPS Wellness Policy**

BACPS is committed to promoting and protecting students' health by supporting healthy eating. Students are encouraged 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, if 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, if 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 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 with 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 to 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



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Notice of Procedural Safeguards. The written notice meets all 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 the available instructional support programs or other interventions available in general education. 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 record 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 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.



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### **Non-Discrimination Policy**

It is the policy of Baystate Academy Charter Public School pursuant to federal and Massachusetts laws not to discriminate against individuals based on race, color, sex, religious creed, national origin, homelessness, ancestry, gender, sexual orientation, gender identity, age, veteran status, gender stereotyping, 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 the 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 based on 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 the 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 if the student, parent, or guardian acknowledges and accepts the temporary record by written



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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 to the 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. 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
2. The parent has been denied visitation, or
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
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 ensure 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.

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 regard 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 follow 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.



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1. The Athletic Director or designated individual in each school will be responsible for the implementation of this policy and related procedures.
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.
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.
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 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. Sexual 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



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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 provide 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.



Timothy Sneed  
Founding Executive Director

# Baystate Academy

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Stephen Greene  
Principal

### 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 about due process for students. The Code of 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 because of student misconduct until other consequences and interventions have been considered as appropriate. The Assistant Principal of Culture/Principal or designee will exercise discretion in determining disciplinary consequences. The Assistant Principal of Culture/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.

##### Alternative remedies to suspension

The principal or their designee acting as a decision-maker at a student meeting or hearing, when deciding the consequences for the student, shall consider ways to re-engage the student in the learning process; and shall not suspend or expel a student until alternative remedies have been employed and their use and results documented, following and in direct response to a specific incident or incidents, unless specific reasons are documented as to why such alternative remedies are unsuitable or counter-productive, and in cases where the student's continued presence in school would pose a specific, documentable concern about the infliction of serious bodily injury or other serious harm upon another person while in school.

Alternative remedies may include but shall not be limited to: (i) mediation; (ii) conflict resolution; (iii) restorative justice; and (iv) collaborative problem solving. The principal or their designee acting as a decision-maker shall also implement school-wide models to re-engage students in the learning process which shall include but not be limited to: (i) positive behavioral interventions and supports models and (ii) trauma sensitive learning models; provided, however, that the school-wide models shall not be considered a direct response to a specific incident.



## **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 ¾ 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 Assistant Principal of Culture/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 Assistant Principal of Culture/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 Assistant Principal of Culture/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 Assistant Principal of Culture/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; the date, time, and location of the hearing;
- e) the right of the student and the student's parent to interpreter services at the hearing if needed to participate;
- f) if the student may be placed on long-term suspension following the hearing with the Assistant Principal of Culture/Principal:
  1. the rights set forth in 603 CMR 53.08(3)(b); and
  2. the right to appeal the Assistant Principal of Culture/Principal's decision to the Executive Director.

The Assistant Principal of Culture/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 Assistant Principal of Culture/Principal or his/her designee will document reasonable efforts to include the parent. The Assistant Principal of Culture/Principal or his/her designee is presumed to have made reasonable efforts if the Assistant Principal of Culture/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 Assistant Principal of Culture/Principal and parent.

### **Emergency Removal of Student**

Under certain emergency circumstances, it may not be practical for the Assistant Principal of Culture/Principal or his/her designee to provide prior oral and written notice before removing a student from school. The Assistant Principal of Culture/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 Assistant Principal of Culture/Principal's (or his/her designee's) judgment, there is no alternative are moving alleviate the danger or disruption. The Assistant Principal of Culture/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 Assistant Principal of Culture/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 with 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 Assistant Principal of Culture/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.

An Assistant Principal of Culture/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 Assistant Principal of Culture, 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);



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- 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:

### **Assistant Principal of Culture/Principal Hearing - Short-term Suspension:**

- a) The purpose of the hearing with the Assistant Principal of Culture/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 Assistant Principal of Culture/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 Assistant Principal of Culture/Principal or his/her designee should consider in determining whether other remedies and consequences may be appropriate as alternatives to suspension. The Assistant Principal of Culture/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 Assistant Principal of Culture/Principal should consider in order to determine consequences for the student.
- b) Based on the available information, including mitigating circumstances, the Assistant Principal of Culture/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 Assistant Principal of Culture/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 Assistant Principal of Culture/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 Assistant Principal of Culture/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 Assistant Principal of Culture/Principal, or his/her designee with the following process:

### **Assistant Principal of Culture/Principal Hearing - Long-term Suspension:**

- a) The purpose of the hearing with the Assistant Principal of Culture/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 Assistant Principal of Culture/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 Assistant Principal of Culture/Principal should consider in determining whether other remedies and consequences may be appropriate as alternatives to suspension. The Assistant Principal of Culture/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 Assistant Principal of Culture/Principal should consider in determining consequences for the student.
- b) In addition to the rights afforded by 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 Assistant Principal of Culture/Principal may rely in deciding 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 Assistant Principal of Culture/Principal, and to receive a copy of the audio recording upon request. If the student or parent requests an audio recording, the Assistant Principal of Culture/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 Assistant Principal of Culture/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 Assistant Principal of Culture/Principal should consider in determining consequences for the student.
- d) Based on the evidence, the Assistant Principal of Culture/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 Assistant Principal of Culture/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 Assistant Principal of Culture/Principal and the parent. If the Assistant Principal of Culture/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 Assistant Principal of Culture/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 Assistant Principal of Culture/Principal's decision to the Executive Director or designee, but only if the Assistant Principal of Culture/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 at
    - b. the long-term suspension will remain in effect unless and until the Executive Director decides to reverse the Assistant Principal of Culture/Principal's determination on appeal.



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

- A student who is placed on long-term suspension following a hearing with the Assistant Principal of Culture/Principal shall have the right to appeal the Assistant Principal of Culture/'s decision to the Executive Director.
- 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.
- 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.
- 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.
- 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.
- The student shall have all the rights afforded by the student at the Assistant Principal of Culture/'s hearing for long-term suspension.
- 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 Assistant Principal of Culture/but shall not impose a suspension greater than that imposed by the Assistant Principal of Culture/Principal's decision.
- The decision of the Executive Director shall be the final decision of the school, about the suspension.

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

A mandatory re-entry meeting with the Assistant Principal of Culture/Principal's or his/her designee will be scheduled prior to a student's return to school. Assistant Principal of Culture/Principal's 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 reentry 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 Assistant Principal of Culture/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 and 37H <sup>3</sup>/<sub>4</sub>. 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 student shall receive written notice before the expulsion or a long-term suspension takes place and written notice of the right to appeal.
- 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.
- Following the hearing, the Assistant Principal of Culture/Principal or his/her designee may, in his/her discretion, decide to suspend rather than expel the student.
- 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.
- At the appeal hearing the student may be represented by an attorney and may present oral and written testimony.



- 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.
- 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 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 Assistant Principal of Culture/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:

- The student shall receive written notice before the suspension takes effect and written notice of the right to appeal.
- The student shall be given an opportunity to respond to the charges before the suspension takes effect.
- 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.
- The Executive Director must hold the appeal hearing within three (3) calendar days of the request.
- At the appeal an attorney may represent the student. The student has the right to present oral or written testimony on his/her behalf.
- The Executive Director must render a decision within five (5) calendar days.
- The Executive Director's decision is final.
- 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.
- 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 student shall receive written notice before the expulsion or a long-term suspension takes place and written notice of the right to appeal.
- The student shall be given an opportunity to respond to the charges.
- 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.
- The Executive Director must hold the appeal hearing within three (3) calendar days of the request.



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- At the appeal hearing the student may be represented by an attorney and may present oral and written testimony.
- The Executive Director must render a decision within five (5) calendar days.
- 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 Assistant Principal of Culture/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 Assistant Principal of Culture/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**

All students are expected to meet the requirements for behavior as set forth in this handbook. In addition to those due process protections afforded to all students, the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 and the regulations issued pursuant to said statutes require that additional provisions be made for:

- Students who have been found eligible for special education services under the IDEA.
- Students who have been found to have a disability that substantially limits a major life activity, as defined under §504 of the Rehabilitation Act.
- Students who the school knows or has reason to know might be eligible for special education services. The school is deemed to have knowledge that a student is a student with a disability if before the behavior that precipitated the disciplinary action occurred: (1) the student's parent/guardian expressed concern in writing to supervisory or administrative personnel, or the



student's teacher, that the student is in need of special education and related services; (2) the student's parent/guardian requested an evaluation of the child; or (3) the student's teacher, or other school personnel, expressed specific concerns directly to the director of special education or to other supervisory personnel about a pattern of behavior demonstrated by the student.

- The school is not deemed to have knowledge of a disability if (1) the parent/guardian has not allowed an evaluation or has refused special education and related services; or (2) the child has been evaluated and determined not to be a child with a disability.

These students are generally entitled to increased procedural protections prior to imposing discipline that will result in the student's removal from their educational program for more than ten (10) consecutive school days or where there is a pattern of short-term removals that exceed ten (10) school days in a given year. The school will notify the parents/guardians of the decision and will provide written notice of procedural safeguards no later than the date to start any disciplinary actions.

If a request is made for an evaluation of a student's eligibility for special education services during the time period in which the student is subjected to disciplinary measures, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, however, the student shall remain in the educational placement determined by school authorities, which can include suspension or expulsion without direct educational services.

The following additional requirements apply to the discipline of students with disabilities:

- Students with disabilities may be excluded from their programs for ten (10) school days or less in the school year to the extent that such sanctions would be applied to all students. Within ten (10) school days of a determination that a student with a disability will be excluded for disciplinary reasons from his/her program for more than ten (10) consecutive school days in a given school year or is subjected to a pattern of removal constituting a "disciplinary change of placement" as defined under the Individuals with Disabilities Education Act and/or Section 504, building administrators, the parents/guardians and relevant members of the student's IEP or 504 Team will meet to determine the relationship between the student's disability and behavior ("Manifestation Determination").
- If building administrators, the parents/guardians, and relevant members of the student's IEP or 504 Team determine that the student's conduct was not a manifestation of the student's disability, the school may discipline the student in accordance with the procedures and penalties applicable to all students but will continue to provide a free appropriate public education to those students with IEPs. The student's IEP Team will identify the services necessary to provide a free appropriate public education during the period of exclusion, review any existing behavior intervention plan or, where appropriate, conduct a functional behavioral assessment of the student. Eligible Section 504 students shall be entitled to receive alternative education services in accordance with the school's Education Services Plan during any suspension or expulsion in excess of ten (10) consecutive days.
- If building administrators, the parents/guardians, and relevant members of the student's IEP



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or 504 Team determine that the conduct giving rise to disciplinary action was a manifestation of the student's disability, the student will not be subjected to further removal or exclusion from the student's current education program for the incident of misconduct (except for conduct involving weapons, drugs, or resulting in serious bodily injury to others) until the IEP or 504 Team develops, and the parents/guardians consent to, a new placement, or unless the school obtains an order from a court or from the Bureau of Special Education Appeals (BSEA) or a court authorizing a change in the student's placement. The student's Team shall also review, and modify as appropriate, any existing behavior intervention plan to address the behavior so it doesn't happen again or arrange for a functional behavioral assessment.

- If a student with a disability possesses or uses illegal drugs, sells or solicits a controlled substance, possesses a weapon on school grounds, or causes serious bodily injury to another on school grounds or at a school function, the school may place the student in an interim alternative educational setting (IAES) for up to forty-five (45) school days regardless of whether the conduct was a manifestation of the student's disability. A court or BSEA Hearing Officer may also order the placement of a student who presents a substantial likelihood of injury to self or others in an appropriate interim setting for up to forty-five (45) school days. While in an interim alternative educational setting, the school will ensure that the student has access to a general curriculum and continue to receive services identified on their IEP, including services to address the problem behavior.

### **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.



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Principal

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.

The Bullying Prevention Plan is distributed to students and families by way of the Family and Student Handbook which is located on the school's website. The policy is pointed out to families and students during the summer 6th and 9th grade orientations. It's also pointed out during the beginning of the year middle and high school's open house.

### **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, even though 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 using 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.
- 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 using 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 using 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 Assistant Principal of Culture.
- Any student, parent, guardian, or other interested person may report any bullying or suspected bullying to the Principal or Assistant Principal of Culture/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 Assistant Principal of Culture, the staff member shall immediately inform the Principal or Assistant Principal of Culture.
- The Assistant Principal of Culture, who oversees receiving complaints, should keep accurate documentation of all complaints received.
- The Assistant Principal of Culture/Principal should document the following:
  1. the name of the target;
  2. 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
  3. the name of the alleged bully;
  4. the date the complaint was received;
  5. how the complaint was received (i.e., written, oral);
  6. the nature of the complaint (i.e., facts of the complaint); and 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 based on 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
  1. Before fully investigating the allegations of bullying or retaliation, the Assistant Principal of Culture/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 Assistant Principal of Culture/Principal will take additional steps to promote safety during and after the investigation, as necessary.
  2. The Assistant Principal of Culture/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
  1. Notice to Parents or Guardians. Upon determining that bullying or retaliation has occurred, the Assistant Principal of Culture/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 Assistant Principal of Culture/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.
  2. 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 Assistant Principal of Culture/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.
  3. Notice to Law Enforcement. At any point after receiving a report of bullying or retaliation, including after an investigation, if the Assistant Principal of Culture/Principal has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the Assistant Principal of Culture/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 Assistant Principal of Culture/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.

### C. Investigation

1. The Principal or Assistant Principal of Culture/Principal should investigate within 5 days of the complaint, if possible.
2. The Principal or Assistant Principal of Culture/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) assesses the target's need for protection and if needed determine what form the protection should take.
3. The Assistant Principal of Culture/Principal shall notify the parents or guardians of the alleged bully and the victim. The Assistant Principal of Culture/Principal should caution all witnesses and the alleged bully that retaliation is also a violation of school policy.
4. Assistant Principal of Culture/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 Assistant Principal of Culture/Principal should interview witnesses.
6. The Assistant Principal of Culture/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
    4. recommend or require; and,
    5. is notification to local law enforcement required.

### D. Decision

1. Based upon a thorough investigation, the Principal or Assistant Principal of Culture/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 Assistant Principal of Culture/Principal may discipline the offending party by ordering:
  - counseling and counseling for the appropriate family members as well
  - schedule or class change;



- stay away order;
  - an educational component;
  - a verbal warning;
  - a written warning;
  - suspension;
  - expulsion;
  - or any other consequences deemed appropriate by the Principal
3. The Assistant Principal of Culture/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 first school 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.
    - Parents/guardians will be notified of action taken to prevent further acts of bullying/retaliation. The 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.
    - The Assistant Principal of Culture/Principal shall confer with the alleged perpetrator and his/her parents. The Assistant Principal of Culture/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.
    - The Assistant Principal of Culture/Principal may hold meetings with parents and guardians to engage in parental support and reinforce the anti bullying curricula and social skills building at home.
    - The Assistant Principal of Culture/Principal should follow-up on this decision in order to ensure that his/her recommendation has been put into effect.

E. 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.

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

- using scripts and role plays to develop skills;
- empowering students to act by knowing what to do when they witness other students engaged in acts of bullying or retaliation, including seeking adult assistance;



- helping students understand the dynamics of bullying and cyberbullying, including the underlying power imbalance;
  - emphasizing cyber-safety, including safe and appropriate use of electronic communication technologies;
  - enhancing students' skills for engaging in healthy relationships and respectful communications; and
  - engaging students in a safe, supportive school environment that is respectful of diversity and difference.
- G. General teaching approaches that support bullying prevention efforts. The following approaches are integral to establishing a safe and supportive school environment. These underscore the importance of our bullying intervention and prevention initiatives:
- setting clear expectations for students and establishing school and classroom routines;
  - creating safe school and classroom environments for all students, including for students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students;
  - using appropriate and positive responses and reinforcement, even when students require discipline;
  - using positive behavioral supports;
  - encouraging adults to develop positive relationships with students;
  - modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;
  - using positive approaches to behavioral health, including collaborative problem-solving conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development;
  - using the Internet safely; and supporting students' interest and participation in co-activities, particularly in their areas of strength.
- H. 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:
    - presenting individualized skill-building sessions based on the school's anti-bullying curricula;
    - providing relevant educational activities for individual students or groups of students, in consultation with the behavioral health specialist;
    - implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social ways to achieve their goals;
    - meeting with parents and guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home;



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- adopting behavioral plans to include a focus on developing specific social skills; and
- creating a referral for evaluation.

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 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/pgs>, 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.

### **Record retention**

The Assistant Principal of Culture is responsible for the investigation of reported bullying incidents. At the conclusion of the investigation, they will collect and maintain a file of all investigations. They are also responsible for collecting investigation data and reporting it to the Executive Director and Principal on a weekly basis. This data is also reviewed with the school's leadership team at a minimum of monthly and will be shared with the board of directors monthly.



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## **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



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- 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:

- All students will have opportunities, support, and encouragement to be physically active each regular school day.
- Foods and beverages served at school will meet the nutritional requirements approved by the National School Lunch Program and USDA.
- We will participate in available federal school meal programs (including the School Breakfast Program and the National School Lunch Program)
- 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.
- We will provide health education and physical education to foster lifelong habits of healthy eating and physical activity.
- The school encourages parents, students, teachers, staff, and community members to serve as role models in practicing healthy eating and being physically active
- 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:**

- 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.
- The nutritional Quality of Foods and Beverages Sold and Served on Campus will be posted in the cafeteria.

#### **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.



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**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.

### **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);

### **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 Policy

#### I. Purpose of Policy

It is the policy of the Baystate Academy to (a) promote an orderly, safe environment for its students and employees that is conducive to learning, (b) ensure that every BACPS student is free from use of physical restraints that is inconsistent with this policy, and (c) ensure that physical restraints on BACPS students 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 BACPS students.
- 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 BACPS students. 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 the 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 BACPS students.
- 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. Time-out shall cease as soon as the student has calmed.



### III. Methods for Parental Engagement

A copy of this policy will be available (with translations) on the BACPS website. Parents/guardians also have access to the Family and Student handbook and can schedule meetings with members of the school leadership team at any time to discuss.

### IV. Physical Restraint Procedures

#### A. Use of Physical Restraint

Physical Restraint by BACPS employees and agents on a BACPS student are an emergency procedure of last resort and are prohibited except when a BACPS student's behavior poses a threat of assault, or an imminent, serious, physical harm to self or others and the BACPS 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 BACPS students 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 medication restraint, mechanical restraint, prone restraint unless permitted pursuant to 603 CMR 46.03(1) (b), seclusion, and the use of restraint inconsistent with 603 CMR 46.00.

#### D. Proper Administration of Physical Restraints

1. Only trained BACPS staff or agents shall administer Physical Restraints on BACPS 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 BACPS 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 BACPS 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. School Based Crisis Intervention Procedures

Each BACPS school shall develop school-based crisis intervention procedures that is consistent with this policy. The procedures shall include, but not be limited to:

1. Methods for preventing student violence, self-injurious behavior, and suicide, including individual crisis planning and de-escalation of potentially dangerous behavior occurring among groups of BACPS students or with an individual student;
2. Methods for engaging BACPS parents in discussion about restraint prevention and the use of restraint solely as an emergency procedure;
3. A description and explanation of BACPS's alternatives to Physical Restraint and method of Physical Restraint in emergency situations
4. A statement prohibiting medication restraint, mechanical restraint, prone restraint, seclusion, and the use of Physical Restraint inconsistent with this policy;
5. A description of the school's training requirements, reporting requirements, and follow-up procedures;
6. A procedure for receiving and investigating complaints regarding restraint practices;
7. A procedure for conducting periodic review of data and documentation on the use of Physical Restraints;
8. A procedure for implementing the reporting requirements;
9. A procedure for making reasonable efforts to orally notify parent or guardian of the use of Physical Restraint on a student by end of the school day, but no later than twenty-four (24) hours of the Physical Restraint, and for sending written notification no later than three (3) school working days following the use of Physical Restraint; and
10. A procedure for the use of time-out that includes a process for obtaining principal approval of time-out for more than thirty (30) minutes based on the individual student's continuing agitation.



F. Safety Requirements for the Use of Physical Restraints

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

1. No Physical Restraints on BACPS students shall be administered in such a way that a student is prevented from breathing or speaking.
2. During the administration of a Physical Restraint on a BACPS student, a BACPS staff member or agent shall continuously monitor the physical status of the student, including skin temperature and color, and respiration.
3. A Physical Restraint on a BACPS student shall be administered in such a way as to prevent or minimize physical harm.
4. 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.
5. 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.

G. Follow-up Procedures Regarding the Use of Physical Restraints

At an appropriate time after a BACPS 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.

V. Reporting Requirements Regarding the Use of Physical Restraints

A. When a Report is Required

As required in this section, any Physical Restraint on a BACPS 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's designee, and, if a BACPS 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 BACPS 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 an Employee’s Notice of a Work-related Injury and/or Occupations Disease.

The school principal shall maintain an on-going record of all reported instances of all Physical Restraints of a BACPS 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 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.

D. Report to Executive Director's Designee

When a Physical Restraint is administered on a BACPS student, the BACPS principal shall provide the Executive Director's designee 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's designee 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's designee should review the monthly school-wide restraint data district-wide.

E. Report to DESE Restraint Related Injury

If a Physical Restraint on a BACPS student results in an injury to a BACPS 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.

**VI. Review of Physical Restraint Data**

A. Weekly Individual Student Review

The principal of each school 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, BACPS shall collect and annually report data to DESE regarding use of Physical Restraints.



## **VII. 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 of each BACPS school shall provide all BACPS staff with training on this policy. Additionally, for all new BACPS employees that are hired after the start of the school year, the principal shall within the first month of their employment provide the new BACPS 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 of each BACPS school 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 BACPS 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. 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.

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

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

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

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

A BACPS student or his or her parent or guardian who has a complaint regarding a specific use of a Physical Restraint on a BACPS 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 shall conduct an investigation into the complaint within ten (10) school working days of receipt of the complaint. The principal of the school and the Assistant Principal of Culture 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 and the Assistant Principal of Culture 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.



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*Founding Executive Director*

# Baystate Academy

## Charter Public School



Stephen Greene  
*Principal*

### **IX. 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.

### **X. Policy Review**

The Executive Director shall annually review this policy. This policy shall be provided to BACPS staff and be made available to parents and guardians of BACPS students.



## 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 Director of Special Education (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, if 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.*



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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



## Appendix F

### Purpose and Construction; Definition

1. 603 CMR 26.00 is promulgated to ensure that the public schools of the Commonwealth do not discriminate against students on the basis of race, color, sex, gender identity, religion, national origin or sexual orientation and that all students have equal rights of access and equal enjoyment of the opportunities, advantages, privileges and courses of study at such schools. 603 CMR 26.00 will be liberally construed for these purposes.
2. The obligation to comply with 603 CMR 26.00 is not obviated or alleviated by any local law or rule or regulation of any organization, club, athletic or other league or association that would limit the eligibility or participation of any student on the basis of race, color, sex, gender identity, religion, national origin or sexual orientation.
3. For purposes of 603 CMR 26.01, gender identity will mean a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth. Gender-related identity may be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity, or any other evidence that the gender-related identity is sincerely held as part of a person's core identity; provided, however, that gender-related identity will not be asserted for any improper purpose.

### School Admissions

1. The Executive Director will ensure that Baystate Academy will admit students without regard to race, color, sex, gender identity, religion, national origin or sexual orientation.
2. We will not discourage in any express or implied manner, applicants for admission because of race, color, sex, gender identity, religion, national origin or sexual orientation. Written materials and other media used to publicize the school will specifically affirm that the school does not discriminate on the basis of race, color, sex, gender identity, religion, national origin or sexual orientation.
3. The national citizenship of any applicant will not be a criterion for admission nor will national citizenship be a factor in the assignment or availability of courses of study or extra-curricular activities.
4. A student's limited English-speaking ability (as defined by M.G.L. c. 71A) will not be a deterrent to or limitation on a student's admission to a Baystate Academy.
5. In determining admission to Baystate Academy, we will not treat a student differently from another based on the student's race, color, sex, gender identity, religion, national origin or sexual orientation. We will not use admission criteria that have the effect of subjecting students to discrimination because of their race, color, sex, gender identity, religion, national origin or sexual orientation.

### Admission to Courses of Study

1. The principal and assistant principals will ensure all courses of study offered by a Baystate Academy will be open and available to students regardless of race, color, sex, gender identity, religion, national origin or sexual orientation.
2. We have determined what courses or units of study are required of a student without regard to the race, color, sex, gender identity, religion, national origin or sexual orientation of that student.
3. We will not schedule students into courses or units of study on the basis of race, color, sex, gender identity,



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Principal

religion, national origin or sexual orientation.

4. No student, on the basis of race, color, sex, gender identity, religion, national origin, limited English-speaking ability or sexual orientation, will be discriminated against in accessing the courses of study and other opportunities available by the school.
5. Nothing in 603 CMR 26.03 will be construed to prevent the school from providing separately to each sex those segments of a program of instruction dealing exclusively with human sexuality.

### Career and Educational Guidance

1. Assistant Principals, Teachers, Guidance counselors and other personnel will represent to students a broad spectrum of education and career opportunities. School personnel will not present race, color, sex, gender identity, religion, national origin or sexual orientation as limiting factors in career determination.
2. No materials, tests or procedures will be employed for guidance purposes that discriminate and/or limit choices on the basis of race, color, sex, gender identity, religion, national origin or sexual orientation.

### Curricula

1. Our Director of Curriculum and Instruction leads a review process with teachers to ensure our curricula encourage respect for the human and civil rights of all individuals regardless of race, color, sex, gender identity, religion, national origin or sexual orientation.
2. Teachers will review all instructional and educational materials for simplistic and demeaning generalizations, lacking intellectual merit, on the basis of race, color, sex, gender identity, religion, national origin or sexual orientation. Appropriate activities, discussions and/or supplementary materials will be used to provide balance and context for any such stereotypes depicted in such materials.
3. All students have access to a physical education course. Goals, objectives and skill development standards, where used, will neither be designated on the basis of sex, gender identity, nor designed to have an adverse impact on members of either sex.

### Extra-curricular Activities

1. The principal will ensure all of our extra-curricular activities are made available to all students. We do not sponsor or participate in the organization of outside extra-curricular activities that restrict student participation on the basis of race, color, sex, gender identity, religion, national origin or sexual orientation.
2. No student will be denied the opportunity in any implied or explicit manner to participate in an extra-curricular activity because of the race, color, sex, gender identity, religion, national origin or sexual orientation of the student except as provided in 603 CMR 26.06(5). Participation in extra-curricular activities will be actively encouraged for all students regardless of race, color, sex, gender identity, religion, national origin or sexual orientation.
3. The school will provide equal opportunity for male and female students to participate in intramural and interscholastic sports.
4. The Executive Director will ensure that budgetary allocations and the provision of athletic activities and services are fairly distributed between students of both sexes based upon student interests and abilities.
5. We have established separate teams for males and females for interscholastic and intramural competition in a particular sport where selection for the team is based upon competitive skill provided that the requirements of 603 CMR 26.06(6) are satisfied. A student will have the opportunity to participate on the team that is consistent with the student's gender identity.



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6. Teams comprised primarily or solely of students of one sex are granted equal instruction, training, coaching, access to available facilities, equipment and opportunities to practice and compete as teams engaged in a similar activity comprised primarily or solely of students of the opposite sex.

### Active Efforts

1. The board of directors establish policies and procedures and implement monitoring and evaluation practices that ensure that all obstacles to equal access to school programs for all students regardless of race, color, sex, gender identity, religion, national origin, limited English-speaking ability or sexual orientation, are removed. Such policies include a requirement for an annual evaluation of all aspects of the grade 6 through 12 school programs to ensure that all students regardless of race, color, sex, gender identity, religion, national origin or sexual orientation are given an opportunity to participate in all programs offered by the school including athletics and other extra-curricular activities. This review is conducted at the board's June annual planning retreat.
2. Baystate Academy will strive to prevent harassment or discrimination based upon students' race, color, sex, gender identity, religion, national origin or sexual orientation, and all public schools will respond promptly to such discrimination or harassment when they have knowledge of its occurrence.
3. The board of directors and Executive Director will provide in-service training for all school personnel at least annually regarding the prevention of discrimination and harassment based upon race, color, sex, gender identity, religion, national origin and sexual orientation, and the appropriate methods for responding to such discrimination and harassment in a school setting.
4. The Executive Director as an agent of the board of directors, will promote and direct effective procedures for the full implementation of 603 CMR 26.00, and will make recommendations to the board for the necessary policies, program changes, and budget resource allocations needed to achieve adherence to 603 CMR 26.00.
5. The Executive Director will require employers who recruit new employees in and through the schools to sign a statement that the employer complies with applicable federal and state laws prohibiting discrimination in hiring or employment practices.
6. Any contributions to a school for activities and monetary awards within or sponsored by the school or for scholarships administered by the school by any person, group or organization will be free from any restrictions based upon race, color, sex, gender identity, religion, national origin or sexual orientation. We may post or print information regarding private restricted scholarships as long as no preferential treatment is given to any particular scholarship offered and as long as the school does not endorse or recommend any such scholarship nor advise or suggest to a particular student that he or she apply for such a scholarship.
7. The opportunity to receive guidance and counseling in a student's primary language will be made available to students from homes where English is not the primary language spoken.

### Notification and Complaint Procedure

1. The Executive Director will be responsible for ensuring that all school handbooks and codes of conduct reference M.G.L. c. 76, § 5 and affirmatively state and explain the school's obligations under M.G.L. c. 76, § 5. In order to ensure that such obligations are fulfilled, all school handbooks and codes of conduct will also contain the following:
  - (a) A nondiscrimination policy that is consistent with M.G.L. c. 76, § 5 and affirms the school's non-tolerance for harassment or discrimination, including that based upon race, color, sex, gender identity, religion, national origin or sexual orientation; and
  - (b) The school's procedure for accepting, investigating and resolving complaints alleging discrimination or harassment; and
  - (c) The disciplinary measures that the school may impose if it determines that harassment or



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discrimination has occurred.

### Complaint Procedure

In the event that you are unhappy with something going on at Baystate Academy, please reach out to us. If this should happen, you are encouraged to follow these steps:

- Step 1: Go directly to the staff member with direct responsibility for the issue and try to resolve the issue. You may contact us via phone or email until 4:15 p.m. each evening.
- Step 2: If Step 1 fails to resolve the issue, discuss the issue with the Principal. You can call the Principal's cell phone, email him, or contact the front desk to set up an in-person meeting.
- Step 3: If Step 2 fails to resolve the issue, discuss the issue with the executive director. You can email the executive director or contact the front desk to set up an in-person meeting.
- Step 4: If Step 3 fails to resolve the issue, file a formal complaint with the school's Board of Trustees by sending a written letter to the school addressed to the Board President.
- Step 5: If Step 4 fails to resolve the issue, file a complaint with the Commissioner of the Department of Elementary and Secondary.

Although parties are encouraged to follow the steps above, individuals also have a right to file complaints in accordance with the state and/or federal law as stated below:

2. The principal will ensure that the applicable school handbook and schools code of conduct are annually distributed to students, parents and school personnel and, when requested, ensure that such school handbook and school's code of conduct are available in the primary language of a parent or student whose primary language is not English.

### Private Right of Enforcement

Nothing in 603 CMR 26.00 will abridge or in any way limit the right of a parent, guardian, or person affected to seek enforcement of M.G.L. c. 76, § 5 in any court or administrative agency of competent jurisdiction.



Timothy Sneed  
Founding Executive Director

# Baystate Academy

## Charter Public School



Stephen Greene  
Principal

## 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 complaints and make a written response. Baystate Academy and the specific individuals involved shall fully cooperate 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.



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Stephen Greene  
Principal

### Appendix H

### Cell Phone and Electronic Device Policy

Baystate Academy Charter Public School has banned the use of cell phones and all other electronic devices, i.e., iPads, earbuds, smart watches, etc., during school hours. We have implemented the use of the Yondr Pouch to place all cell phones and wearable electronics into them for the entire school day from arrival to dismissal. School hours are Monday through Thursday 8:00am-3:45pm and Friday 8:00am-1:30pm.

Every student is assigned a personal Yondr Pouch. While the Yondr Pouch is considered school property, it is each student's responsibility to bring their Pouch with them to school every day, keep it in good working condition and place all of their devices in the Pouch once they arrive at school. **Baystate Academy is not responsible for lost or stolen phones and will not utilize school personnel or school time to find the lost or missing items.**

#### DAILY PROCESS

As students **Arrive to School**, they will:

- 1) Turn their phone off.
- 2) Place their phone, earbuds, smart watches, etc inside their Pouch and secure it in front of school staff.
- 3) Store their Pouch in their backpack for the day.

At the end of the day, students will exit the appropriate door to open their pouch, remove their electronics and put their pouch in their backpack. Students must bring their pouch to school with them each day.

\*Students arriving late or leaving early will pouch/unpouch their phones and electronic wearables in the main office.

#### VIOLATIONS

##### Using Phone During School

- The first violation will result in confiscation of the device to be returned at the end of the day or before school on the following day **to a parent or guardian.**
- The second violation will result in confiscation of the device, meeting with a parent and a **Friday Detention.**
- Continued violation of the policy may result in a **suspension.**

##### Pouch Damage / Lost Pouch

- If a student damages their pouch, an Administrator will collect the phone/pouch and call home for a parent conference along with a **\$40.00 replacement fee** for the pouch.

Examples of damage:



- Deep scratches on the globe and on the green ring around it
- Intentional pen marks on the inside of the pouch
- Bent pins
- Pin and button not fully recessing, due to pin damage



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### Forgotten Pouch

- If a student forgets their Pouch, their phone will be collected, and an Administrator will call home to remind the Parent of the policy. The phone will be returned to the student at dismissal.
- If a student consistently forgets their Pouch, it will be considered lost. Please refer to the Lost Pouch Policy above.



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### Electronic Device Policy: Acknowledgement & Agreement Form

By signing below, parents and students are acknowledging the existence and agreement to Baystate Academy's Electronic Device Policy, which includes usage of cell phones, smart watches, earbuds, and school-issued laptops. Parents must understand that violation of this policy will result in consequences, which might include revocation of access to school technology and financial liability for damages to school technology.

Refusing to sign below prohibits your student from using Baystate technology.

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

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

Parent/Guardian Name: \_\_\_\_\_

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

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



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# Baystate Academy

## Charter Public School



Stephen Greene  
Principal

## Appendix I

### Civil Rights Grievance Procedure

Baystate Charter Academy School is committed to maintaining school environments free of discrimination, harassment or retaliation based on race, color, religion, national origin, gender, sexual orientation, gender identity, age or disability.

Harassment, discrimination, and retaliation in any form or for any reason is prohibited. This includes harassment or discrimination by administrators, personnel, students, vendors and other individuals in school or at school related events. Retaliation against any individual who has brought harassment or discrimination to the attention of school officials or who has cooperated in an investigation of a complaint under this Procedure is unlawful and will not be tolerated by the Baystate Academy Charter School.

Persons who engage in harassment, discrimination or retaliation may be subject to disciplinary action, including, but not limited to reprimand, suspension, termination/expulsion or other sanctions as determined by the school administration, subject to applicable procedural requirements.

### Non-Applicability of This Procedure to Title IX Sexual Harassment Allegations

The Civil Rights Grievance Procedure shall not apply to reports of sexual harassment as defined under Title IX of the Education Amendment of 1972 and its implementing regulations (“Title IX”) effective August of 2020.

Allegations of conduct that could, if proven, meet the definition of sexual harassment under Title IX shall be addressed through the school’s Title IX Sexual Harassment Grievance Procedure. Similarly, allegations of conduct that meet the definition of sexual harassment under Title IX, and simultaneously meet the definitions of sexual harassment under Title VII (employees), M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will also be addressed through the Title IX Sexual Harassment Grievance Procedure.

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

### Definitions

For the purposes of this Procedure:

- A. “Discrimination” means discrimination or harassment on the basis of race, age, color, national origin, sex, sexual orientation, gender identity, disability or religion by which an individual is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any program or activity of the school.
- B. “Harassment” means unwelcome conduct on the basis of race, age, color, national origin, disability, or religion that is sufficiently severe, persistent or pervasive to create or contribute to a hostile environment for the individual at school. Harassment may include insults, name-calling, off-color jokes, threats, comments, innuendoes, notes, display of pictures or symbols, gestures or other conduct which rises to the level of a hostile environment. A hostile environment is one which unreasonably interferes with an individual’s participation in, denies the individual the benefits of, or otherwise subjected the individual to discrimination under any program or activity of the school.



a. Non-Title IX Sexual Harassment

M.G.L. c. 151B, § 1 - the term “sexual harassment” is defined as sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment. Discrimination on the basis of sex shall include, but not be limited to, sexual harassment.

M.G.L. c. 151C, § 1 - the term “sexual harassment” is defined as sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when: (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of the provision of the benefits, privileges or placement services or as a basis for the evaluation of academic achievement; or (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's education by creating an intimidating, hostile, humiliating or sexually offensive educational environment.

Title VII of the Civil Rights Act of 1964 - Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. A hostile environment on the basis of sex is created when the conduct is sufficiently severe or pervasive to alter the conditions of employment.

When determining whether an environment is hostile, the school shall consider the context, nature, frequency, and location of the incidents as well as the credibility of witnesses and the identity, number and relationships of the persons involved. The school must consider whether the alleged harassment was sufficient to have created such an environment for a reasonable person of the same age, gender, and experience as the Complainant, and under similar circumstances. Conduct does not constitute harassment where the incident occurs off-campus at a non-school sponsored activity and does not create a hostile environment at school for the victim.

C. Retaliation: Retaliatory acts against any individual who exercises his or her rights under the civil rights statutes covered by this Procedure or the Title IX Sexual Harassment Grievance Procedure are considered to be discrimination and are unlawful. Individuals are prohibited from coercing, intimidating, threatening, or interfering with an individual because the individual exercised any right granted or protected under these procedures and/or the Title IX Sexual Harassment Grievance Procedure.

D. Complainant: An individual who is alleged to be the victim of conduct that could constitute discrimination, harassment, or retaliation under this Procedure. Parents and/or legal guardians of a complainant are not considered a complainant but may file formal complaints on behalf of a minor child and act on behalf of the minor child in any civil rights matter.



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Principal

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

F Principal: The Principal or Principal's designee.

G. Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute discrimination, harassment, or retaliation under this procedure.

### **How to make a complaint**

Any student or employee who believes that he/she has been discriminated against or harassed should report their concern promptly to the Principal. Students may also report incidents of harassing conduct to a teacher, administrator, or guidance counselor. Any complaint received by a school personnel shall be promptly reported to the Principal or Civil Rights Coordinator. Students or employees who are unsure whether discrimination, harassment, or retaliation has occurred are encouraged to discuss the situation with the Principal. There may be instances where another third-party, who has not experienced but is aware of the occurrence of prohibited conduct, may bring a complaint under this procedure. In such circumstances, that person is referred to as the "reporter."

- A. Any school employee who observes or receives a report of discrimination, harassment or retaliation shall promptly notify the Principal or Civil Rights Coordinator. Any school employee who observes discrimination, harassment or retaliation against a student should intervene to stop the conduct and report it to the Principal. Upon receipt of a report of discrimination, harassment or retaliation, the Principal shall promptly inform the relevant Civil Rights Coordinator of the report, and the school will respond in a manner consistent with this Procedure. If the report involves an accusation against the Principal or Civil Rights Coordinator, the employee shall report the incident to the Executive Director or designee.
- B. Informal Reports: Individuals may wish to file a formal complaint of discrimination, harassment or retaliation, or to report informally (i.e., without initiating a formal complaint). Such informal reports may be made to the Principal or Civil Rights Coordinator. The school shall inform anyone making an informal report that he or she may initiate a formal complaint at any time, regardless of what steps are being or have been taken in response to an informal report.
- C. Anonymous Reports: Complainants and reporters should be aware that although the school will often be able to maintain confidentiality of reporting persons, the school may sometimes be required to take actions to protect the safety of the school community that may result in the identity of the reporting person being disclosed (to the police, for example). When reporters or Complainants seek to remain anonymous or have their identities kept confidential, they will be informed that honoring such a request may limit the ability of the school to respond fully to any reported event, including limitations on the ability to take disciplinary action against an Respondent.
- D. Informal Process: If the school concludes that it is possible to resolve a matter, whether after formal complaint or an informal report, in a prompt, fair and adequate manner through an informal process involving, and with the consent of, the Complainant and Respondent, the school may seek to do so. The informal process is voluntary, and the Complainant and/or Respondent may terminate or decline any informal process at any time, without penalty.
- E. Formal Process: A formal complaint shall state (if known to the reporter or Complainant) the name(s) of the persons involved and witnesses to the conduct, describe the conduct, and identify, to the extent possible, the dates



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and locations of the conduct. The complaint shall be signed and dated by the reporter and/or Complainant. Complaints will be investigated promptly and equitably by the Civil Rights Coordinator or Principal. Investigations may be initiated whenever warranted, in the absence of a formal complaint, or after a formal complaint has been withdrawn.

- F. **Initial Assessments:** The Civil Rights Coordinator or Principal will make an initial assessment following a complaint. Based on that assessment, the Civil Rights Coordinator or Principal may: (a) if the conduct, even if substantiated, would not constitute harassment, discrimination or retaliation, dismiss the complaint; (b) if the alleged conduct (or complaint) could not, even if true, constitute discrimination, harassment or retaliation, but is within the scope of another procedure, the Civil Rights Coordinator shall refer the matter to the appropriate personnel; (c) if the Civil Rights Coordinator or Principal concludes that it is possible to resolve the complaint in a prompt, fair and adequate manner through an informal process involving and with the consent of both parties, the Civil Rights Coordinator or Principal may seek to do so in accordance with Section D, above; or (d) if the alleged conduct, if substantiated, would constitute discrimination, harassment or retaliation, the Civil Rights Coordinator or Principal will initiate an investigation. The Civil Rights Coordinator or Principal may also identify and initiate any interim measures. See Section G.
- G. **Interim Measures:** The school will provide prompt and reasonable interim measures during the pendency of the investigation, if appropriate, to support and protect the safety of the parties, the educational environment, and the school and/or school community; to deter retaliation; and to preserve the integrity of the investigation and resolution process. Any interim measures will be monitored to ensure they are effective based on the evolving needs of the parties. Violations of the restrictions imposed by interim measures could be considered a violation of school rules and may be considered in determining whether discrimination, harassment or retaliation has occurred.
- H. **Timeframes:** The school will seek to complete any investigation within twenty (20) school days after receipt of a complaint and provide the written notice of the outcome of the investigation within twenty-five (25) school days. The investigator may impose reasonable timeframes on all parties to facilitate the timely completion of the investigation. The investigator may extend the investigation period beyond the time period identified due to extenuating circumstances, including but not limited to availability and cooperation of witnesses, complexity of the investigation, school vacation periods, and the involvement of law enforcement and other outside agency investigations. If a complaint or report of discrimination, harassment or retaliation is received within three (3) weeks of the end of the academic school year, the investigator will attempt to complete the investigation by the end of the school year. In the event that the investigation extends beyond the last day of school, the school will make reasonable efforts to complete the investigation within the above-referenced time frame, but may extend the investigation period to account for the availability of witnesses during the summer vacation period. If the investigator extends the investigation, he or she will notify the Complainant and Respondent of the extension. A report to the law enforcement will not automatically delay an investigation; however, a request from law enforcement to delay the investigation may require a temporary suspension of an investigation, and the school will promptly resume its investigation upon being advised that law enforcement's evidence gathering is completed.



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- I. Under the formal resolution procedure, the complaint will be investigated by the Principal, Civil Rights Coordinator or other individual designated by the Principal or Civil Rights Coordinator who has responsibility for seeking and gathering evidence relative to the investigation. A formal complaint against an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. During the formal resolution procedure:
  1. The Complainant shall be provided with an opportunity to be heard and have the opportunity to identify witnesses and other relevant evidence to the investigator.
  2. The Respondent will be provided with an opportunity to be heard as part of the investigation including the opportunity to provide relevant information and identify witnesses for the investigator's consideration.
  3. The privacy rights of the parties shall be maintained in accordance with applicable state and federal laws.
  4. The investigator will keep a written record of the investigation process.
  5. The investigation will be completed within twenty (20) school days of the date of receipt of the complaint.
  6. The notification of the outcome of the investigation, including, if appropriate, a description of the remedies taken, will be provided to the parties within twenty-five (25) school days of the receipt of the complaint, unless extended for good cause.
  7. Nothing in this procedure will preclude the investigator, in his or her discretion, from completing the investigation sooner than the time period described above.
  
- J. Standard of Proof: The investigation shall make factual findings based on a preponderance of the evidence standard.
  
- K. If the investigator determines that discrimination, harassment or retaliation has occurred, the school shall take steps to eliminate the discriminatory or harassing environment, which shall include but not be limited to:
  1. Identifying what steps are necessary to prevent recurrence of any discriminatory behavior, including but not limited to harassment or retaliation, and to correct its discriminatory effects if appropriate; and
  2. Informing the Complainant and Respondent of the results of the investigation (in accordance with applicable state and federal privacy laws) in accordance with the above timelines.

The school administration may also refer the offender for disciplinary procedures to be conducted in accordance with federal and state law. Nothing in the Civil Rights Grievance Procedure shall be interpreted as limiting or prohibiting the school's ability to take appropriate disciplinary action against the offender in accordance with the applicable code(s) of conduct or employment contracts or policies, where appropriate, prior to completion of the investigation, in accordance with the due process rights of employees and students, as applicable.

L. Appeal: If the Complainant or the Respondent is dissatisfied with the results of the investigation, an appeal may be made to the Executive Director or designee within seven (7) calendar days after receiving notice of the outcome of the investigation, except for circumstances in which the Respondent is subject to long-term



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*Principal*

suspension as a result of a finding of discrimination, harassment or retaliation. In such an instance, the appeal rights of the Respondent will be provided in a manner consistent with the disciplinary due process requirements applicable to the circumstances (e.g., M.G.L. c. 71, 37H, 37H ½ or 37H ¾). Appeals must be made in writing (email is sufficient) to the Executive Director, Baystate Academy Charter School, 2001 Roosevelt Avenue, Springfield, MA 01104.

M. The Executive Director will decide the appeal within thirty (30) calendar days of the date of receipt of the written appeal.

N. Identification of Civil Rights Coordinator for complaints of discrimination, harassment, and retaliation under this Procedure is:

O. Employment Agencies: The contact information for state and federal employment discrimination enforcement agencies is as follows: (1) Federal: United States Equal Employment Opportunity Commission (EEOC); John F. Kennedy Federal Building; 15 New Sudbury Street, Room 475; Boston, MA 02203-0506; 1-800-669-4000; EEOC Boston Area Office Website; and (2) State: Massachusetts Commission Against Discrimination (MCAD); Boston Headquarters; One Ashburton Place; Sixth Floor, Room 601; Boston, MA 02108; (617)-994-6000; MCAD Website.

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



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### List of Acronyms

<b>Acronym</b>	<b>Definition</b>
<b>504 Plan</b>	A support plan for students with disabilities
<b>BACPS</b>	Baystate Academy Charter Public School
<b>BIP</b>	Behavior Intervention Plan
<b>BSEA</b>	Bureau of Special Education Appeals
<b>BSEP</b>	Baystate Health Springfield Educational Partnership
<b>CFR</b>	Code of Federal Regulations
<b>CHINS</b>	Child in Need of Services
<b>CMR</b>	Code of Massachusetts Regulations
<b>CRA</b>	Child Requiring Assistance
<b>DCF</b>	Department of Children and Families
<b>DESE</b>	Department of Elementary and Secondary Education
<b>DPH</b>	Department of Public Health
<b>EL Education</b>	Expeditionary Learning Education
<b>ELA</b>	English Language Arts
<b>EPP</b>	Education Proficiency Plan
<b>FAPE</b>	Free and Appropriate Public Education
<b>FERPA</b>	The Family Educational Rights and Privacy Act
<b>GPA</b>	Grade Point Average
<b>HOS</b>	Habits of Scholarship
<b>IAES</b>	Interim Alternative Educational Setting
<b>IAP</b>	Individual Accommodation Plan
<b>IDEA</b>	Individual with Disabilities Education Act
<b>IEP</b>	Individualized Educational Program
<b>M.G.L</b>	Massachusetts General Law
<b>MCAS</b>	Massachusetts Comprehensive Assessment System



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<b>MTSS</b>	Multi-Tiered System of Supports
<b>NCLB</b>	No Child Left Behind Act
<b>NWEA</b>	Northwest Evaluation System
<b>PLTW</b>	Project Lead the Way
<b>PSAT</b>	Preliminary Scholastic Aptitude Test
<b>SAT</b>	Scholastic Aptitude Test
<b>SLC</b>	Student Lead Conferences
<b>SPED</b>	Special Education
<b>SSR</b>	Student Support Room
<b>STEM</b>	Science, Technology, Engineering and Mathematics
<b>U.S.C.</b>	United States Code
<b>URL</b>	Uniform Resource Locator
<b>USDA</b>	United States Department of Agriculture