

# Helen Y. Davis Leadership Academy Charter Public School

---

*2017-2018 Community Handbook/Student Code of Conduct*



23 LEONARD STREET  
DORCHESTER, MA 02122  
(617) 474-7950 (PHONE)  
(617) 474-7957 (FAX)  
[www.dlacps.org](http://www.dlacps.org)

# Table of Contents

<b>I. General Information</b> .....	8
Office Hours/Visitors .....	8
School Hours .....	8
School Phone Use.....	8
Parent/Guardian Expectations.....	8
Attendance.....	8
Start of the Academy Day.....	9
Tardiness .....	9
Absences/Unexcused Absences.....	9
Attendance Conferences .....	9
Early Dismissal.....	9
End of Day Schedule .....	10
Homework Help.....	10
Transportation.....	10
School Bus Conduct.....	10
Denial of Transportation .....	11
Special Transportation Situations.....	11
Walkers.....	11
Snow Days & School Cancellations .....	11
School Dress Code .....	11
Purchasing Uniforms .....	11
Physical Education Attire .....	12
School Meals Program .....	13
USDA Nondiscrimination Statement.....	13
Food Allergies.....	13
Wellness Policy .....	14
Student Records.....	14
Transfer of Student Records.....	14
2017-2018 School Calendar.....	14
<b>II. Academic Program</b> .....	15
Homeroom.....	15
Student Supplies and Educational Materials .....	15
Academic Design.....	15
Progress Reports/Report Cards.....	16
Parent/Guardian-Teacher Conferences .....	16
Grading Policy .....	16
Honor Roll.....	16
Promotion Policy.....	17
Homework Policy .....	17
Accountability .....	17
Massachusetts Comprehensive Assessment System (MCAS 2.0) .....	18
Other Assessments.....	18
Saturday Academy: Tutorial Program .....	18
<b>III. Student Support Services</b> .....	18
Special Education Services .....	18
Special Education Process.....	19

Individualized Education Plan (IEP).....	19
504 Accommodation Plan.....	19
English Language Learners (ELL) .....	19
Counseling Services.....	20
<b>IV. Health Services .....</b>	<b>20</b>
Health Staff.....	20
Required Forms .....	20
In-School Screenings .....	20
When to Keep a Student Home .....	21
Dispensing of Medication .....	21
Vaccine Review/Medical Exam.....	21
Medical Dismissal.....	21
Returning to School After Absence Due to Illness or Injury .....	22
Home and Hospital Instruction .....	22
Student Health Records.....	22
<b>V. High School Admissions Program.....</b>	<b>22</b>
Mission Statement.....	22
Program Elements .....	22
High School Admissions Process.....	23
<b>VI. STUDENT ACTIVITIES.....</b>	<b>23</b>
Student Athletics .....	23
Student-Athlete Expectations.....	23
Special Programs Policy Exemptions .....	23
Athletic Uniform Policy .....	23
<b>VII. School Safety .....</b>	<b>24</b>
Fire Drills .....	24
School Safety Procedures .....	24
<b>VIII. Computer and Network Use Policy.....</b>	<b>24</b>
Accessing Internet Content .....	24
Responsibilities of Network Users .....	25
Privacy .....	25
<b>IX. Guidelines and Expectations: The Code of Conduct.....</b>	<b>26</b>
Discipline Policy .....	26
Bonus Bucks .....	27
Disciplinary Marks.....	27
Detentions.....	28
Detentions Hours .....	29
Behavior Detention .....	29
Homework Help.....	29
Friday Detention.....	29
<b>X. Suspension and Expulsion.....</b>	<b>30</b>
Suspension and Expulsion.....	30
Suspension/Expulsion Process.....	34
Expulsion Policy.....	36
Due Process - Short Term Suspension.....	37
Due Process - Long-Term Suspension and/or Expulsion.....	38

Emergency Removal .....	38
School-Wide Education Service Plan .....	39
Appeals Process .....	39
Student Discipline Regulations.....	40
<b>XI. Disciplining Students with Special Needs/Section 504 Accommodation Plans .....</b>	<b>50</b>
<b>XII. Non-Discrimination Policy .....</b>	<b>52</b>
Harassment Policy .....	53
<b>XIII. Other Safety Concerns.....</b>	<b>57</b>
Search and Seizure.....	57
Physical Restraint .....	57
Physical Restraint Policy .....	57
Child Abuse and Neglect.....	65
Commonwealth of Massachusetts: Anti-Hazing Law .....	65
Hazing Disciplinary Policy .....	66
Bullying Prevention and Intervention Plan .....	69
Anti-Bullying Law .....	71
Substance Use Prevention and Education Policy.....	76
<b>XIV. School Community Complaint Policy.....</b>	<b>79</b>
<b>XV. Title I Home-School Compact Policy .....</b>	<b>80</b>
<b>Acceptance of Terms.....</b>	<b>82</b>

# LETTER FROM THE DIRECTOR OF TEACHING AND LEARNING

September 2017

Habari Gani (Welcome) Families!

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

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

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

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

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

**Thank you in advance for your commitment to the Academy!**

Arturo Forrest  
Director of Teaching and Learning/Principal

## PURPOSE OF THIS HANDBOOK

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

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

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

The *Acceptance of Terms* is a legal document that will be kept on file at the school. The Academy will provide a copy of this form for you to sign and return to your child's homeroom teacher within the first 3 days of receipt of the Handbook. Please ensure that you read this Handbook and understand the policies and laws that affect your children. Please contact Mr. Forrest, Director of Teaching and Learning/Principal, at 617-474-7950 Ext. 11 with any questions.

### ONE SCHOOL, ONE MISSION

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

### SEVEN CORE VALUES

#### THOUGHT LEADERSHIP

Creative problem solving, innovative thinking

#### PERSONAL EXCELLENCE

Doing your best at everything you do

#### INTELLECTUAL CURIOSITY

Insightful questioning, the desire to learn and know

#### INTEGRITY

Trustworthiness, reliability, honesty with yourself and with others

#### COMPASSION

Sympathy and empathy for others

#### COMMUNITY CITIZENSHIP

Acting to improve your community

#### RESPECT

To hold in high or special regard

## RITUALS, CUSTOMS AND TRADITIONS

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

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

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

We celebrate numerous holidays and special events, including Harvest Fest, Thanksgiving Celebration, Winter Holiday Celebration, Founder's Day, Blacks in Wax/Juneteenth Celebration, and End-of-Year Student Awards Ceremony.

### Important Phone Numbers

School Main Number	617-474-7950
School Fax Number	617-474-7957
School Nurse Secure Fax Number	617-507-0552
Boston: City Services/City Hall (9 a.m. – 5 p.m.)	617-635-4000
Mayor's 24-Hour Line	617-635-4500
Community Centers	617-635-4920
Housing Authority	617-998-4000
Mayor's Health Line	1-800-847-0710
Office of New Bostonians	617-635-2980
Boston Public Library	617-536-5400 ext. 334
Massachusetts Department of Education	781-338-3300

## Helen Y. Davis Leadership Academy Staff Listing

Title	Name	Phone Extension	Email Address
Interim Executive Director	Christopher Coblyn	-	ccoblyn@dlacps.org
Director of Teacher and Learning	Arturo Forrest	11	aforrest@dlacps.org
Dean of Student Affairs	Ugochukwu Ojimba	12	uojimba@dlacps.org
Executive Assistant	Marisol Severance	-	mseverance@dlacps.org
Dean of Student Support	Tia Lites	12	tlites@dlacps.org
Special Programs Coordinator	Claudette Jones	27	cjones@dlacps.org
Marketing and Recruiting	Brandon German	27	bgerman@dlacps.org
Receptionist	Pacita Bradford	10	pbradford@dlacps.org
Meals Program Coordinator	Deloris Borders	34	dborders@dlacps.org
Facilities Assistant	Brenda Borders	34	bborders@dlacps.org
Facilities Assistant	Larry Foxworth	34	lfoxworth@dlacps.org
School Nurse	Tamara Smith	26	tsmith@dlacps.org
IT Coordinator	Dan Saltzman	-	dsaltzman@dlacps.org
HR/Business Manager	Maciell Natera	23	mnatera@dlacps.org
English Language Arts Grade 6	Kakas Rish	20	krish@dlacps.org
English Language Arts Grade 7	Owen Thomas	37	othomas@dlacps.org
English Language Arts Grade 8	William Avtgis	22	wavtgis@dlacps.org
Math Principles Grade 6	Sam Chen	19	schen@dlacps.org
Pre-Algebra Grade 7	Stephen Jackson	35	sjackson@dlacps.org
Algebra 1 Grade 8	Joshua Gresham	36	jpgresham@dlacps.org
Humanities Grade 6	Benjamin Coblyn	20	bcoblyn@dlacps.org
Ethics and Community Service	Ronald Hopkins	15	rhopkins@dlacps.org
U.S./African-American History	Ricardo Vargas	14	rvargas@dlacps.org
Discovery/Exploration Grade 6	Chantelle Ramirez	18	cramirez@dlacps.org
Science/STEAM Grade 7	Ashley Rose	40	arose@dlacps.org
Science Grade 8	Genelle Faulkner	21	gfaulkner@dlacps.org
Support Service Coordinator	Phillip Davis	28	pdavis@dlacps.org
ELL Teacher	Francis Pena	42	fpena@dlacps.org
Reading Specialist	Margaret Lynch	41	mlynch@dlacps.org
Support Service Teacher Grade 6	Osarumese Okoh	28	ookoh@dlacps.org
Support Service Teacher Grade 7	Taliana Jeune	28	tjeune@dlacps.org
Support Service Teacher Grade 8	Jessica Davis	28	jdavis@dlacps.org
Paraprofessional	Latarsha Ancrum	28	lancrum@dlacps.org
Paraprofessional	Paula Coar-Gueye	28	pcoar@dlacps.org



# I. General Information

## Office Hours/Visitors

The school office is open from **8:00 a.m. until 5:00 p.m.**, Monday through Friday. Parents/guardians who would like to speak with school staff **must schedule an appointment** by calling the Main Office at 617-474-7950. Unfortunately, the Academy cannot accommodate unscheduled meetings. All visitors, including those who come to the Academy for a scheduled meeting, must report to the Main Office immediately upon entering the school. At the Main Office, visitors have to sign in and receive a visitor's pass that must be visible at all times. School staff will direct visitors to their intended destination. Visiting hours for alumni are Friday's from 1:30 p.m. until 4:00 p.m.

## School Hours

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

## School Phone Use

Students will be allowed to use Academy phones to contact parents/guardians **only** in the event of an emergency.

## Parent/Guardian Expectations

At the Academy parents/guardians and staff work together to create a community where learning and hard work are valued. Parents/guardians are expected to be actively engaged in their child(ren)'s school experience. Parents/guardians can participate in their child(ren)'s academic success by:

- Ensuring that their student(s) attends school every day and arrives on time;
- Communicating regularly with their child(ren)'s teacher(s). This includes providing needed information, attending parent meetings, school-wide events, and parent/guardian/teacher conferences;
- Creating high standards of behavior, including supporting the school's Code of Conduct and working with the school in solving any problems which may develop;
- Showing interest in their child(ren)'s homework and school work and following through on signing papers and permission slips;
- Keeping their child(ren)'s emergency phone numbers, medical records, and other pertinent information up to date; and
- Ensuring that their child(ren) wears the required Academy uniform daily and comes to school prepared and ready to learn.

## Attendance

Students are expected to be present and in attendance for every class each day school is in session. Parents/guardians **must call the school's Main Office at 617-474-7950 by 8:30 a.m. if their child will be absent**. The Academy strongly suggests that medical and dental appointments be scheduled outside of regular school hours so as not to miss valuable class time. If doctor or dentist appointments are scheduled during school time and result in a student missing class, a doctor's

note on official letterhead must be submitted to the Main Office.

## Start of the Academy Day

Students are required to arrive **no later than 8:15 a.m.** each morning to be greeted by an administrator, shake hands, look the administrator in the eye and say, “good morning.” After entering the school building, students immediately proceed to their assigned morning meeting seats in the gym **for daily attendance, dress code check, breakfast, and Community Circle.** See more information about the dress code below.

## Tardiness

Students are required to be in school every day and **seated in the gym by 8:20 a.m.** Students who arrive at school after 8:25 a.m. are required to report to the Main Office to check in. Students who arrive after **9:00a.m.**, without the presence of a parent/guardian and/or written documentation will not be allowed to enter the school, unless it’s due to the tardiness of the school provided yellow school bus. Excessive tardiness during a term will result in a parent/guardian and student conference with the Dean of Student Support. More information about the discipline policy is presented in Section X (Code of Conduct). Three late arrivals will count as the equivalent of one absence for the purposes of our attendance policy.

## Absences/Unexcused Absences

Absences (e.g., due to illness, injury, bereavement, religious holidays, suspension, etc.) will be excused if students submit a note to the front office with the date and reason for the absence and an authorized signature (e.g., parent/guardian or physician) on the day the student returns to school.

If a student exceeds **5+ unexcused absences in a quarter**, the Executive Director and/or Director of Teaching and Learning/Principal reserves the right to refer the case to the City of Boston Truancy Officer and/or Massachusetts Department of Children and Families.

***Students who exceed 15 days or more of school over the course of the year are automatically considered for grade retention.***

## Attendance Conferences

Excessive absences impair students’ ability to benefit fully from classroom instruction. While we recognize that some absences are unavoidable, in any given quarter, an Attendance Conference may be necessary if a student exceeds the unexcused absence limit total of 5+ days per quarter, at the discretion of the Executive Director and/or Director of Teaching and Learning/Principal. Parents/guardians will be notified of an Attendance Conference status in writing. An Attendance Conference will allow for the development of strategies to reduce tardies and/or unexcused absences.

## Early Dismissal

Students who need to be dismissed early must provide a written note signed by the parent/guardian stating the reason for the dismissal. Students will only be released to their parent/guardian or the person(s) listed as the Emergency Contact; Academy office staff will require the Emergency Contact to show identification. Students being dismissed early must be signed out in the Main Office. In the event that a student must be dismissed early (e.g., medical appointment) on a

day that conflicts with the serving of detention, official documentation must be presented when the student returns to school the next day. Please see the Code of Conduct (Section X) for more details. As noted above, please try to schedule appointments outside of school hours. The Academy will record dismissals before 12:00PM on full days as absences. The Academy will record dismissals after 12:00PM but before 3:55PM as present but dismissed early.

## End of Day Schedule

At the conclusion of the school day, students may stay at the Academy for Homework Help. Students who are not staying after dismissal for Homework Help **must be picked up and exit the building no later than 4:25 p.m.** Pick-up times for extended day students are as follows:

- Students who stay for Detention must be picked up and exit the building by 5:00 p.m. M-Th and 3:00 on Fridays.
- Students who stay for Homework Help must be picked up and exit the building by 5:20 p.m.

In accordance with Massachusetts state law, Academy staff must bring any students who are in the school building after their required pick up time to the nearest Boston Police Department station (40 Gibson Street, Dorchester, MA; 617-343-4330), and parents/guardians have to pick their child(ren) up from there. We do not want to have to exercise this practice, so please establish a regular pick-up/dismissal routine as soon as possible! *Note: Once a student enters school for the day, they cannot leave and return without permission from an administrator.*

## Homework Help

On Mondays, Tuesdays, Wednesdays, and Thursday, students may stay after school with a designated teacher for Homework Help or assistance with other academic assignments **from 4:20 p.m. to 5:20 p.m.** Please note, late buses are NOT available. Students who attend Homework Help must make arrangements for alternate transportation.

## Transportation

The Academy is committed to assist families in safely transporting students to and from school. All 6<sup>th</sup> grade students and 7<sup>th</sup> grade students with BPS voucher approval who live outside a 1.5-mile radius of the school will be serviced by the Boston Public Schools (BPS) Transportation Department. Transportation will not be provided for students who live within a 1.5-mile radius of 23 Leonard Street. The BPS Transportation Department determines which homes are located outside of the 1.5-mile radius and therefore eligible for transportation services. Parents/guardians requesting transportation need to complete a **Request for Transportation** form and return it to the Academy before the first day of school. If a student is eligible, a notice with the bus stop location, time of pick-up and drop-off, and bus number will be sent to the parents/guardians. All 7<sup>th</sup> and 8<sup>th</sup> grade Boston students eligible for transportation will be assigned a T pass. If you have concerns about your child riding the T, please let us know by filling out the [MBTA 7th and 8 grade waiver request form](#). The Academy is not responsible for lost or stolen MBTA passes. As noted above, **there is no late bus transportation available.**

## School Bus Conduct

Under the BPS Transportation Operations Manager, a school bus driver has complete authority over and responsibility for maintaining order and good conduct on the BPS school bus. The Academy school administration may take any disciplinary action as if the violation had occurred on

school grounds. Thus the Academy school administration may suspend or revoke a students' privilege of taking the bus if the students' behavior warrants such action.

### Denial of Transportation

If a student endangers their own safety or the safety of others while on the school bus or van, the Academy school administration may deny school-provided transportation to the student. Some buses are equipped with video cameras, and the Academy school administration may use the videotape as evidence of a student's misbehavior. In such cases, transportation may be denied for up to 3 days.

### Special Transportation Situations

Transportation services for students with disabilities are stated in their Individualized Education Plan (IEP) or Section 504 Plan.

### Walkers

Students who walk to and from the Academy are dismissed at 4:20.

### Snow Days & School Cancellations

In case of extreme or inclement weather conditions or in the event of an emergency, the Academy may need to cancel school or close early in accordance with BPS policies. In such instances, BPS will publicize storm-related information on local television and radio stations and Boston Public Schools Website. Parents and guardians should monitor major radio or television stations as well as the school website for announcements beginning as early as 5:30 a.m.

In case of extreme or inclement weather conditions or in the event of an emergency during the school day, parents/guardians will, whenever possible, be notified of the adjusted release time by an automated phone system. The information will also be posted on the Academy's website.

### School Dress Code

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

To ensure that the school's uniform policy has the desired effect, it is mandatory that it be implemented consistently. As such, Academy faculty and staff perform dress code checks daily during attendance. Students who are not in compliance with the Academy dress code will receive a behavior detention. Families are expected to support the school when a dress code issue is determined. **Please note:** The dress code can be altered for religious purposes. Please contact the Director of Teaching and Learning/Principal for approval.

### Purchasing Uniforms

School uniforms can be purchased online at [www.allensuniforms.com](http://www.allensuniforms.com) or by mailing an order form (this form can be obtained at the school's Main Office) to:

Allen's Uniforms  
452 West Boylston Street  
Worcester, MA 01606

### School Dress Code

Item	Style	Color	Comments
Pants	Khaki pants	Khaki	All students must wear dark beige colored khakis.
Shirts	Oxford button-down shirt with COLLAR (long or short sleeves)	Oxford Blue	All students must purchase shirts with the Academy logo. All shirts must be buttoned and tucked in. No tight-fitting or navel-revealing shirts. No long-sleeved shirts underneath short-sleeved dress code shirts. All students must wear a white t-shirt under the dress shirt. No logos or designs should be visible beneath shirt. All shirts must be clean and wrinkle-free without holes.
Sweaters	Long-sleeved, button-up cardigan sweater	Navy Blue	Students have the option of wearing burgundy cardigan sweaters. No hooded sweaters or sweatshirts allowed. No fleeces, vests, windbreakers, or any coat during the school day.
Shoes	Closed-toed and closed-back black dress shoes, loafer, or lace up style sneaker	<b>Black on Black ONLY</b>	No open back, sandals, spiked heels, heels more than 2 inches, or open-toed shoes and no boots higher than the ankle. All laced shoes must be tied. In bad weather, snow boots may be worn, but removed once in school. No clogs, bowling shoes, no shoes with stripes. No multicolor socks or shoes.
Hats, scarves, and other headwear	None	N/A	No hats, scarves, or headgear may be worn inside the school building (except for religious reasons; parent/guardian note must be provided). No bandanas are allowed. Neutral headbands can be worn. Colors are either tortoise shell brown, black, or white.
Hair, makeup, jewelry	Stud earrings and watches are appropriate		Standard to be at the discretion of the administration. No jewelry (rings, bracelets, chains, etc.). No body piercings except stud earrings (no more than 2 pair). No makeup.

### Physical Education Attire

Students are expected to wear the standard Academy physical education uniform. Students must wear their gym uniform on the days they have physical activity. The gym uniform consists of: black on black sneakers, and official DLA designated t-shirts, and sweatpants.

## School Meals Program

One of the most important ways in which we can help our students perform better in school is to provide them with the nutrition necessary for the healthy growth of minds and bodies. Therefore, the Academy offers a USDA-approved and nutritionally sound breakfast and lunch program free to all students. **School breakfast** is served Monday through Friday from 8:20 a.m. until 8:35 a.m. **School lunch** is served Monday through Thursday from 11:55 a.m. until 12:25 p.m. Please note that due to early dismissal, the Academy does not serve lunch on Fridays. Breakfast and lunch menus are available online at [dlacps.org](http://dlacps.org).

Outside breakfast must be eaten prior to entering school. The school **does not** offer refrigeration and/or microwaves for student breakfasts and lunches. Due to USDA food regulations, students and their families/friends may not have take-out or fast food meals brought/delivered to the school. The Academy does not allow sugary beverages containing high fructose corn syrup, carbonation, artificial flavors and/or colors. The Academy encourages students to eat healthy, balanced meals consisting of whole grains, vegetables, fruits, and lean meats.

## USDA Nondiscrimination Statement

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

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

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

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

This institution is an equal opportunity provider.

## Food Allergies

Please inform the School Nurse before the beginning of the school year if your child has a food allergy. Food allergies must be noted by the School Nurse in a student's health record for menu changes to be made.

If a student chooses not to eat the school-provided breakfast or lunch, they can bring a bag breakfast or lunch from home.

The Academy has several students with peanut and/or nut allergies. These allergies can be life threatening and for this reason ***the Academy is a nut-free school.*** All nuts, including peanuts, almonds, etc. and products containing nuts or traces of nuts are not permitted in the Academy. School breakfasts and lunches do not contain nuts or traces of nuts.

**Children may not bring nut-containing items for meals or snacks.** In addition to peanut butter, some examples of foods containing peanuts and nut products include cookies, candy and granola bars.

## Wellness Policy

The “Act Relative to School Nutrition” became law on July 30, 2010. This law requires the Massachusetts Department of Public Health to establish standards for competitive foods and beverages sold or provided in public schools during the school year. The goal is to ensure that public schools offer students foods and beverages that will enhance learning, contribute to their health, growth and development, and cultivate life-long healthy eating. The Academy encourages families not to include soda, sports drinks, candy or other junk food in lunches or as snacks brought from home. Exercise is part of the Academy’s Wellness Policy and all students are encouraged to participate in regular physical education and activities.

## Student Records

Student records consist of school transcripts, standardized assessments, and temporary records. Parents/guardians have the right (as mandated by the Family Educational Rights and Privacy Act [FERPA]) to inspect all portions of their child’s school record upon written request to the Academy’s school administration at least 24 hours in advance. Parents/guardians may also request copies of any part of the record. Any student who is at least 14 years old has the right to view and receive a copy of their student record.

The student’s transcript, or Permanent Record, includes the student’s name, date of birth, address, years and grades completed, and courses and grades earned. The Permanent Record is kept for 7 years after the student leaves the Academy, at which point they are destroyed.

All other records regarding the student are Temporary Records and are destroyed after the student leaves the Academy. Parents/guardians have a right to receive a copy of the Temporary Records prior to their destruction and may request a copy by contacting the school administration.

## Transfer of Student Records

It is the responsibility of the parent to make sure that their child(ren)’s academic records (including IEPs) from a previous school are transferred to the Academy. Records for graduating 8<sup>th</sup> grade students will be forwarded to the student’s high school by the Academy upon request. Please allow 24-72 hours to process record requests.

## 2017-2018 School Calendar

Students are scheduled to attend school for 190 school days beginning on August 24, 2017 and ending on June 26, 2018.

## II. Academic Program

### Homeroom

At the beginning of the year students are assigned a Homeroom, known as a Cohort, and a respective Homeroom teacher. Students begin and end each day in their homerooms, as well as take all standardized testing there, throughout the year unless they have a specific plan for testing. All administrative and school forms will be given out and collected by homeroom teachers. Students travel from classroom to classroom for all academic subjects. A student's homeroom serves as a home base where they will leave all personal belongings until the end of the day.

### Student Supplies and Educational Materials

It is the Academy's expectation and goal to ensure all students are prepared to learn and achieve academic excellence; the following list includes the materials required for school every day.

- 2 ballpoint pens (blue or black ink)
- 1 ballpoint pen (red)
- 5 No. 2 pencils
- 1 pencil sharpener
- 1 ruler
- 1 eraser
- 1 highlighter
- 4 subject binders
- 4 composition books
- Lined loose-leaf paper
- Graphing paper
- 4 subject dividers
- 1 pocket dictionary
- 1 book for Silent Sustained Reading (every day)

### Academic Design

Academy students take four core academic classes in Math, English Language Arts (ELA), Social Studies/Humanities and Science. Classes meet for 60 minutes four times a week throughout the school year. All students take a health and wellness, the Arts, Math/ELA/STEM centered Enrichment, and Character Development/Ethics/Community Service. Students participate in Response to Intervention (RTI) classes four times a week. Students receive additional support during RTI time based on their proficiency in English and Math Common Core Standards. Students also participate in an end-of-day study session that begins 30 minutes before dismissal. During this time, students receive additional support from Support Services, the RTI Team, and Cohort Teachers.

Fridays at the Academy are divided into four 45-minute periods, allowing teachers to focus on literacy and math support in all areas. Every student receives this support throughout the school year. In addition, students participate in grade-level community service projects and activities focusing on ethics and conflict resolution.

Students receive a Friday ROP course intermittently during the year, along with shortened core academic courses.



## Progress Reports/Report Cards

Academic progress is available online on PowerSchool to all parents/guardians. Parents/guardians will receive a call alert the evening prior to progress report distribution. Report cards are sent home with students four times a year at the end of each quarter. Parents/guardians will receive a call alert the evening prior to report card distribution. In the event that your child is absent on the day of progress report or report card distribution, you may pick up your copy at the Academy's Main Office. Progress reports and report cards will not be mailed home with the exception of the final report card in June.

## Parent/Guardian-Teacher Conferences

Parent/Guardian-Teacher Conferences are scheduled throughout the year. These conferences give families an opportunity to discuss any concerns they may have and find ways to work in conjunction with the teachers to ensure academic success.

## Grading Policy

Each grade is comprised of the following components:

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

The grading scale is as follows:

Letter Grade	Range of Score	Description
A+	98-100	Distinctive
A	94-97	Superior
A-	90-93	Outstanding
B+	87-89	Excellent
B	84-86	Very Good
B-	80-83	Good
C+	77-79	Above Average
C	74-76	Average
C-	70-73	Below Average
F	0-69	Failing
I	N/A	Incomplete

At the end of each quarter, a student who earns below a grade of 70% will be given an F for that quarter. Students who earn below a 70% for the year, in any given subject, will be given an F in that subject area.

## Honor Roll

At the end of each quarter, the Executive Director and/or Director of Teaching and Learning/Principal will announce and post the names of those students awarded Honor Roll. The Honor Roll is determined by averaging the student's classroom grades for the quarter. The following averages are required:

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

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

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

## Promotion Policy

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

- If a student fails only one core academic class (below a 70%), they are promoted to the next grade.
- If a student fails two core academic classes (below a 70%), they must attend and complete summer school with 70% or above (in order to be eligible for summer school a student must have a grade threshold of 65%-69%).
- If a student fails two or more classes below a 65% or three or more core academic classes, they will not be promoted to the next grade and are not eligible for Summer School program.
- Promotion decisions for students on IEPs will be determined based on whether or not they have achieved the goals outlined in their IEPs.
- 8<sup>th</sup> grade students in good academic standing will receive a diploma and participate in moving on ceremony.
- 8<sup>th</sup> grade students who fail two core academic classes for the year will not be allowed to attend the moving on ceremony.
- 8<sup>th</sup> grade students who have not met financial, disciplinary and other school-wide expectations will not be allowed to attend the moving on ceremony nor receive the diploma.

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

## Homework Policy

The Academy homework policy is designed to support and keep students current with instructional activities and learning occurring in the classroom. Students who do not complete their homework often fall behind and are at a disadvantage in class. Homework is mandatory and assigned daily for all classes. Homework assignments are due the following day unless otherwise noted (e.g., a long-term assignment).

## Accountability

Parents/guardians should thoroughly review the goals and objectives of each class. Each teacher will distribute a syllabus that explains the goals and objectives of the class and the homework policy. Students are required to write down their homework assignments in the agenda book daily. Parents/guardians should view the agenda book daily and feel free to jot notes of inspiration to their child or comments to the teachers. When students open the agenda book, parent/guardian notes will serve as a reminder that they are interested in and concerned about their academic achievement and/or that they are in regular contact with the teachers.

Parents are expected to sign their child’s homework log indicating that they have checked their child’s homework for completion and that it has been safely stored in their backpack.

### Massachusetts Comprehensive Assessment System (MCAS 2.0)

Every student who attends a Massachusetts public school must take the Massachusetts Comprehensive Assessment System (MCAS) tests. The MCAS is given in grades 3-10 in the subjects of ELA, Mathematics, Science, and History/Social Studies. These standardized tests are one measure of how well students and schools are meeting the learning standards set by the state. To view all MCAS test questions for tests given in the past, go to: [www.doe.mass.edu/mcas/testitems.html](http://www.doe.mass.edu/mcas/testitems.html).

Educators, parents, and students use MCAS results to follow student progress; identify strengths, weaknesses, and gaps in curriculum and instruction; gather information that can be used to improve student performance; and identify students who may need extra academic support. The Massachusetts Department of Education uses MCAS results and other data to determine if schools and districts are meeting standards for improving student academic performance. For more information about MCAS please visit or call:

- Mass. Department of Education website: [www.doe.mass.edu/mcas/](http://www.doe.mass.edu/mcas/)
- MCAS Parent Information Hotline: 1-866-MCAS220

MCAS Testing Schedule for Spring 2017:

Test Subject	Administration Dates	Participating Grades
ELA	March	6, 7, 8
Math	May	6, 7, 8
Science	May	8

### Other Assessments

The Academy also uses a variety of reading and math tests that are given in school districts all over the United States, such as Achievement Network, STAR Math, Degrees of Reading Power (DRP) and PEAR.

### Saturday Academy: Tutorial Program

Saturday Academy is designed to provide additional support in ELA and Math. The Massachusetts’ Common Core Standards, as well as the needs of individual students drive the curriculum. Please see the School Calendar for Saturday MCAS Academy dates. Saturday MCAS Academy runs from 10:00 a.m. to 1:00 p.m. Please note that the Academy **does not** provide transportation for Saturday MCAS Academy.

## III. Student Support Services

### Special Education Services

The Academy offers an inclusive model in working with students who have IEPs. Classroom teachers, together with special education teachers, work to ensure that each student has equal access to the general educational curriculum. When appropriate, accommodations will be made to allow students with IEPs, to be successful in the regular classroom. Every grade has a Special

Education Teacher who works within the classroom alongside the Classroom Teacher providing academic support and accommodations to the Special Education Students in each class. The Special Education Coordinator is responsible for coordinating special education evaluations and arranging team meetings to review students' progress on their IEPs. All Special Education Staff communicate with classroom teachers and parents/guardians on a regular basis.

## Special Education Process

If a student is having continued difficulties in school and if modifications have not proven to be effective, a special education evaluation may be requested. A teacher or specialist, an administrator, or a parent/guardian may request that a student be evaluated. Parent/guardian requests must be received in writing and sent to the Support Services Coordinator, Phillip Davis at Helen Y. Davis Leadership Academy, 23 Leonard Street, Dorchester, MA 02122 or by e-mail to [pdavis@dlacps.org](mailto:pdavis@dlacps.org). The Academy is responsible for responding to the request and completing the evaluation within 30 days.

A student must meet all of the following criteria in order to be eligible for special education services:

- The student must have a disability;
- The disability must lead to a lack of effective progress in regular classrooms; and
- The student must need specially designed instruction or related services (Occupational Therapy and/or Speech-Language, etc.) to make effective progress.

Re-evaluation of eligibility for special education services occurs every 3 years.

## Individualized Education Plan (IEP)

The IEP is a legal document that identifies the services and accommodations that are necessary for students to make effective progress. Parents play an important role in the development of this document because they often know how their child learns best. The support services team – the student's teachers, any specialists such as Speech-Language Pathologist or Occupational Therapist, the parent/guardian and quite often the student, depending on their age, reviews the IEP yearly. At this meeting, the team discusses the student's progress, map out future goals, and determines appropriate services and accommodations for the remainder of the year and beyond. Parents/guardians have the right to accept or reject parts of the IEP or the entire IEP. No services can be provided to the student until their parents/guardians sign the IEP. The support services team reviews an IEP annually.

## 504 Accommodation Plan

Upon completion of an evaluation, the IEP team will meet and may recommend that a 504 Accommodation Plan be written for a student rather than an IEP. A 504 Plan is a legal document that is primarily a classroom accommodation plan, not a special education plan. In order to be eligible for a 504 Plan, a student must have a disability that "substantially limits one or more major life activities," such as learning. However, the student may still be making effective progress. There may only be a need for some classroom accommodations and/or consultation to the classroom teacher to address the disability. The support services team reviews a 504 Plan annually.

## English Language Learners (ELL)

The Academy offers support services for English Language Learners (ELLs). ELLs must meet

promotion and graduation requirements. However, they may receive special accommodations (e.g., taking the MCAS mathematics and science/technology tests in Spanish if certain criteria are met). ELLs with disabilities are expected to meet promotion and graduation requirements. A student's IEP or 504 Accommodation Plan will state the expected requirements and the Academy's plan to meet promotion goals as well as the conditions by which the student will take standardized tests and alternative classroom tests and assessments.

### Counseling Services

The Academy aims to create an environment that supports the academic, social, and emotional wellbeing of all students. The Academy provides preventative and intervention services within the school, and it also provides students and families with relevant information on community-based resources. In collaboration with the Academy, students and parents/guardians can explore support service options ranging from school-based support to a referral for support at a community agency or with a primary care physician. Should a mental health crisis occur during the school day, it will be handled in the same manner as a medical emergency. A parent/guardian will be contacted first. In the event that a parent/guardian cannot be located, school officials may choose to take action independently, as they would in a medical emergency. The student will not be allowed back to school without a physicians' note. If a student is at harm to themselves or others, or someone is at harm to the student, by law, the Director of Teaching and Learning/Principal is required to report information to the appropriate agencies. For more information please contact the Dean of Student Affairs, Mr. Ugo Ojimba, at 617-474-7950 Ext. 12 [uojimba@dlacps.org](mailto:uojimba@dlacps.org).

## IV. Health Services

### Health Staff

The Academy employs a Registered School Nurse. Students may use the nurse's office if they become ill during the school day, injure themselves, or have a health-related question. The school nurse has access to a pediatrician consultant.

### Required Forms

School and state regulations require that the following forms must be on file in each student's health record before entry into the school is allowed, any medicine can be given and/or accommodations for medical/health purposes can be made:

- 1.) Student Health Form;
- 2.) Physician signed Medication Order;
- 3.) Medication Administration Consent Form for ANY medications;
- 4.) Copy of **current/updated** physical exam (dated within 6 months of entry into school); and
- 5.) Copy of **current/updated** immunization record (dated within 6 months of entry into school).

### In-School Screenings

During the school year, the School Nurse will conduct the following screenings as mandated by the MA Department of Public Health:

Vision and Hearing: Grade 8	Body Mass Index (BMI) and Scoliosis: Grades 6, 7, 8
-----------------------------	---

These screenings do not replace annual physical exams by a pediatrician and are not diagnostic. They allow the School Nurse to detect potential problems and alert the parent/guardian to follow up with a doctor's visit.

## When to Keep a Student Home

Students are not allowed at school under the following circumstances:

- The student had a fever within the last 24 hours (a medicated fever is still a fever!);
- The student vomited within the last 24 hours;
- The student has a known communicable disease (e.g., strep throat, whooping cough, etc.) and has not been cleared (written statement) by a physician to return to school; and/or
- The student has an injury and has not been cleared by a physician (written statement) to return to school.

The school will notify the parent/guardian of any students who come to school under any of the above mentioned circumstances, and the student will be sent home.

## Dispensing of Medication

The Academy **does not provide ANY** medication for students (including over-the-counter medications). If a student requires medication during the school day, these medications must be delivered to the school in their original (pharmacy or manufacturer-labeled) containers by the parents/guardians. Students **may not** bring their own medication(s) to school. Parents/guardians can ask their pharmacy to provide separate bottles of medications for school and home. No more than a 30-day supply of each medicine should be delivered to the school.

Every student has to have a medication permission slip on file at the nurse's office. Only the school nurse may dispense medications (prescription or over-the-counter), and medications can only be dispensed if there is a medication permission slip on file. In accordance with Department of Health regulations, over-the-counter medications will be administered as per the protocols set forth by the physician signed Medication Order. The school does not stock any cold remedies such as cough drops or vitamins. No student is permitted to carry any over-the-counter or prescription medications on their person or in the bag they bring to school during the school day. The exception to this is prescription inhalers for asthma and an injection of epinephrine for anaphylaxis (i.e., an EpiPen). The School Nurse is happy to store extra emergency medication for any student. Parents/guardians should contact the School Nurse prior to arrival on the first day for specific medical questions, concerns, or conditions that require medical management at school.

## Vaccine Review/Medical Exam

Every student must have up-to-date immunizations on record as required by the Massachusetts School Immunization Requirements that are adjusted and reissued each year by the State. Students must also have an *annual* medical exam record on file. A student may be excluded from school for lack of immunizations in accordance with M.G.L. c.76, sec. 15.

## Medical Dismissal

The School Nurse or staff may dismiss ***an ill or injured*** student during the school day. Families must respond promptly when called to pick up their children for a medical reason. The school reserves the right to call emergency transport and/or 911 care for any student deemed to have an emergent illness or injury whether or not the school can contact the parent or guardian. In such an

event, the school makes every effort to locate and communicate with a family member immediately.

### **Returning to School After Absence Due to Illness or Injury**

The Academy requires a physician-signed medical absence note for re-admission to school following an absence due to any illness or injury. This note serves to document the severity of illness or injury and confirms the student is well enough to safely return to school.

### **Home and Hospital Instruction**

In accordance with 603 CMR 28.03(3)(C), the Academy provides an instructional program for any student who, in the judgment of the student's physician, will have to remain at home or in a hospital for a period of not less than 14 days. As soon as it is known that the student will be absent from school, the Home or Hospital Instruction program may be authorized. Please contact the School Nurse, Ms. Smith, at 617-474-7950 Ext. 26 or at [tsmith@dlacps.org](mailto:tsmith@dlacps.org) for more information and to obtain the necessary forms.

### **Student Health Records**

All student health information is subject to Health Insurance Portability and Accountability Act (HIPAA) laws and is only accessible to the School Nurse except under certain circumstances where it may be necessary for the health and safety of the student for other staff members to have knowledge of certain medical conditions (e.g., field trips, allergies, etc.). Health information will never be shared without written parent/guardian consent.

For further information or questions regarding any health issues, please contact the School Nurse, Ms. Smith at 617-474-7950 Ext. 26 or at [tsmith@dlacps.org](mailto:tsmith@dlacps.org). Please note that this is not a secure e-mail. Please use the Academy's secure fax line (617-507-0552) when sending personal medical information to the school.

## **V. High School Admissions Program**

### **Mission Statement**

The high school admissions program is designed to prepare students and families for, and guide them through, the high school search, application, and matriculation process. Students and their families receive extensive support and guidance. In addition to ensuring that students complete the high school application process, the overarching goal is to equip students with the skills and competencies needed to gain acceptance into and graduate from high school.

### **Program Elements**

#### **Grades 7**

7<sup>th</sup> grade students receive an early high school awareness workshops aimed at helping them understand the importance of a high school education and the route they must take in high school to prepare for success in college.

#### **Grade 8**

8<sup>th</sup> grade students participate in campus visits, on-campus activities, high school entrance test preparation, high school information sessions, high school fairs, and individual counseling sessions. During the 8<sup>th</sup> grade year, students are introduced to the different phases of the high school

admissions process. During the 8<sup>th</sup> grade year, the focus is on completing and organizing high school applications, including all supplements. Additionally, students are prepared to make the transition from middle school to high school. 8<sup>th</sup> graders and their parents/guardians receive intensive individual counseling throughout the high school and financial aid application process.

### **High School Admissions Process**

All students apply to a maximum of 5 high schools. The final high school list for each student includes a balanced list of schools that fall into 3 categories: reach, likely, and very likely. Students, in partnership with the Dean of Student Affairs, teachers, and family, use a variety of resources to determine which schools align well with their academic transcript, interests, and personality.

## **VI. STUDENT ACTIVITIES**

### **Student Athletics**

Though this list varies from year to year (depending on staffing and other requirements), the following after school student activities have been or are currently offered at the Academy:

- Boys and Girls Basketball Team;
- Boys and Girls Track Team;
- Boys and Girls Soccer Team;
- Step Team;
- Double Dutch Team

### **Student-Athlete Expectations**

Athletics plays a critical role in the overall development of our students and is a natural extension of the mission and core values of the Academy. Students who participate in our program gain valuable experience in sportsmanship, teamwork, discipline, work ethic, respect, fair play, character-building, and mental toughness. Our athletic program stresses the importance of being a complete student-athlete, succeeding both on and off the court. At the Academy, we pride ourselves on competing and winning the right way. Our Student-Athlete Handbook outlines expectations for our student-athletes, which is available upon request.

### **Special Programs Policy Exemptions**

Any student-athlete who is receiving special educational services and who has an IEP can be declared eligible to participate by the Athletic Director. This determination will be made on a case-by-case basis and participation is by no means guaranteed.

### **Athletic Uniform Policy**

- All student-athletes are responsible for the proper care and security of uniforms issued to them.
- School issued uniforms must be worn only for the Academy sponsored contests and/or practices.
- All student-athletes are responsible for returning their issued athletic uniforms in good condition.
- Uniforms must be returned immediately following the final competition of the season.
- Students who lose or damage uniforms will be charged for their replacement or repair.



- Failure to reimburse lost or damaged uniforms will result in report cards and/or transcripts being withheld until the obligation is met.

## **VII. School Safety**

### **Fire Drills**

Fire drills are a very serious part of the school routine. Whether in a drill or a fire, the actions that students and staff take are the same. Students leave and return to the building following the instructions of the school staff, always remaining silent and orderly. The signal for a fire drill will be a long continuous ring of the fire alarm and flashing of strobe lights. Students should immediately stand up and, in a silent and orderly fashion, move out of the building according to the directions of the teacher. Once out of the building and lined up in the designated areas across from the building with their teacher, students will remain silent and await further instruction. Students will return to the school building only when directed.

Fire drills will be held throughout the school year. The drills are planned and carried out in such a way as to accomplish the evacuation of the school building in the shortest possible time and in the most efficient and orderly fashion. The Director of Teaching and Learning will see that the school complies with all legal requirements related to emergency and evacuation procedures. Exit doors are kept unlocked from the inside and all corridors and usual means of exit are kept free from obstruction of any kind.

### **School Safety Procedures**

The Academy has comprehensive School Safety Procedures, which all parents/guardians are encouraged to review. In addition to the School Safety Procedures, the Academy has established guidelines and procedures for the safety and security of students and staff. Lock down drills will be held throughout the school year. All students, staff, and parents/guardians are expected to obey safety rules and to exercise caution in all activities. Any member of the Academy school community should immediately report any unsafe condition to a school administrator. Academy school community members, including students and parents/guardians, may not violate safety standards or cause hazardous or dangerous situations and are required to report, or where appropriate, remedy such situations. For a copy of the School Safety Procedures, please contact the Main Office at 617-474-7950.

## **VIII. Computer and Network Use Policy**

Individuals who are provided access to the Academy's computer equipment and/or to the school network assume responsibility for their appropriate use. The Academy expects individuals to be careful, honest, responsible, and civil in the use of computers and networks. Those who use the network to communicate with others or to connect to external networks are expected to abide by the rules governing the remote systems and networks as well as the rules defined below. In addition to the Academy terms of use, users are subject to all local, state and federal laws.

### **Accessing Internet Content**

The Academy uses an Internet content filtering device that is designed to prevent inappropriate and/or malicious data from infiltrating the Academy's protected and private local network. Such data includes but is not limited to:

- Pornographic or otherwise obscene material;
- Graphically violent material;
- Illegally duplicated music, videos and software or other copyrighted material;
- Unauthorized applications;
- Malicious software such as viruses, spyware, or adware; and
- Racist, sexist and otherwise pejorative or discriminatory speech.

Any attempt to use the Academy computer equipment or network to access or disseminate data or content that meets the above description above is in direct violation of the terms of appropriate use.

The Information Technology (IT) Department recognizes that it is nearly impossible to block all communication with every potentially unscrupulous person using the Internet. Use of the Academy's network by a student constitutes acceptance of this risk by the student's parents/guardians.

### **Responsibilities of Network Users**

All users of the Academy's computer equipment are required to act by notifying the IT Department at [helpdesk@dlacps.org](mailto:helpdesk@dlacps.org) or a school administrator when the following occurs:

- Accidental viewing of or access to inappropriate content;
- Accidental access of another user's account;
- Absence of data, such as word processing documents, from a user's account;
- A computer appears in any way defective or physically damaged; and
- Learning that someone uses technological means to aggrieve or demean another individual – commonly known as cyber-bullying – or that someone is the recipient of said behavior.

### **Privacy**

The Academy reserves the right to inspect any and all data stored on or transmitted through its network. Users should not have any expectation of privacy with respect to any data kept on or transmitted through the Academy's network in any way. This includes but is not limited to data in the form of:

- Email communications;
- Word processing documents;
- Spreadsheets;
- Presentations;
- Websites;
- Blogs;
- Instant Messages;
- File attachments;
- Voicemails; and
- IP addresses.

The Academy reserves the right to monitor all data contained and transmitted in the system to protect the integrity of the system and to insure compliance with the policies, laws, and regulations governing appropriate use.

Students are explicitly prohibited from engaging in the following activities on the Academy's computers and/or network:

- Bullying and harassment of any kind, as determined by the Academy's Anti-Bullying Policy;
- Cheating of any kind, including plagiarism;
- Communicating with anyone outside of the Academy without explicit permission of an Academy teacher or school administrator. This includes but is not limited to using the following methods:
  - Email, instant messaging or other chat services;
  - VOIP;
  - Forums and bulletin boards; and
  - Blogs or social networking sites.
- Attempting in any way to defeat, compromise or discover the security and filtering methods set in place by the Academy. This includes but is not limited to the following:
  - Trying to obtain any password other than the student's own;
  - Trying to access any account other than the student's own;
  - Network/Packet "sniffing";
  - Connecting to the school's wireless network outside of school hours, outside of the physical confines of the school and/or without explicit permission;
  - Using proxy servers or any other method to access websites blocked by the school's Internet filter;
  - File sharing with anyone outside of the Academy without explicit permission of a the Academy teacher or administrator;
  - Viewing, downloading or otherwise accessing inappropriate and/or obscene material, including anything deemed obscene by the Academy;
  - Viewing, listening to or otherwise accessing high-bandwidth media without explicit permission of a the Academy teacher or administrator;
  - Downloading any files from a remote computer without express permission of a teacher or school administrator;
  - Sharing user accounts and/or passwords;
  - Installing or modifying software or hardware;
  - Modifying the configuration of any of the Academy's networked devices; and
  - Using the Academy's printers, scanners, or copiers for anything other than approved school work.

## **IX. Guidelines and Expectations: The Code of Conduct**

### **Discipline Policy**

The Academy is a public charter school with the purpose of "developing high achieving students of good character"; therefore, maintaining accountability for student behavior is essential. At the Academy, discipline is provided with nurturing guidance that reflects the school's core values in regards to academic, behavioral, and cultural standards. In all disciplinary matters, students are given notice and have the opportunity to reflect on their understanding of the incident. Students receive immediate consequences for their actions and are expected to follow the Academy's Core Values. Consequences to disciplinary offenses may include disciplinary marks, detentions, loss of school privileges (e.g., participation in field trips, celebrations, special events, etc.), denial of school-

provided transportation, community service, getting sent home for the day, in-school and out-of-school suspension, and/or expulsion.

## Bonus Bucks

Bonus Bucks are awarded to students for demonstrating our schools core values, as a method of incentive based discipline. Students earn the opportunity to participate in a number of school sponsored events based on the amount of Bonus Bucks they earn.

## Disciplinary Marks

Disciplinary Marks are warnings. Accumulating four disciplinary marks in a single day will result in a behavior detention. Infractions within the following categories will result in at least one disciplinary mark:

### 1) Horseplay

Examples include, but are not limited to: poking, tickling, other students. This also includes yelling or running anywhere in the building before, between, or after classes.

### 2) Carrying/Eating Food or Drink Outside of the Lunchroom

Examples include, but are not limited to: food or drink of any kind (other than water), including chewing gum and candy. Water in a clear, plastic container is acceptable.

### 3) Arriving Unprepared for Class

Examples include, but are not limited to: arriving to class without an authorized agenda book, required reading books, writing utensils, current class work, completed homework, notebook, paper, and all other materials required by the teacher. If a student is missing any of the required materials, then the student is unprepared for class.

### 4) Disrupting Class

Examples include, but are not limited to: arguing with a teacher or classmate, demonstrating a disruptive, negative attitude, tapping and banging on tables, adjusting the windows without permission, leaning in a chair, getting out of the seat without permission, making noises/sound effects, mimicking, calling out, and speaking out of turn or when not called upon.

### 5) Inability to Follow Directions

Examples include, but are not limited to: holding off-topic conversations, failing to pay attention to the teacher and to other classmates, reading unauthorized material, unable to line up prior to transition, unable to walk in a silent line during transition, or distracting other students.

### 6) Using Cell Phones and Other Portable Electronic Devices

Examples include, but are not limited to: cell phones and other portable electronic devices. They should neither be seen nor heard. They must remain turned off and out of sight throughout the school day. They may not be used in the school building. It is strongly recommended that students leave all valuable electronics (iPods, iPads, cell phones, game consoles, etc.) at home. If students do decide to bring valuables to school, they are responsible for keeping these possessions safe.

- **First Offense:** device will be confiscated, and the student may collect the device after school from school staff or administrator.

- **Second Offense:** device will be confiscated and kept securely overnight for one to three nights at the discretion of the school administrator, and a parent/guardian must pick up the device. Student will serve an automatic behavior detention.
- **Third Offense and Thereafter:** device will be confiscated and a parent/guardian must pick up the device. Student will face a one-day suspension.

## 8) Talking in the Hallways

Students are not permitted to talk in the hallway during transitions.

## Detentions

Infractions within the following categories will result in an **automatic behavior detention**. Further consequences, especially for repeat violations, including suspension and/or expulsion, are at the discretion of the Director of Teaching and Learning and/or other school administrators.

### 1) Dress Code Violation

Examples include, but are not limited to: non-uniform dress shirt, un-tucked shirts, sagging pants, non-uniform undershirt, unauthorized outwear including hoodies, missing or non-uniform belt and/or tie, non-uniform jewelry and/or accessories, no solid black shoes. All students are expected to be in full school dress code at all times.

### 2) Disrespecting Staff (including any adults associated with the school)

Examples of this infraction include, but are not limited to: using an inappropriate tone of voice or inappropriate language, unwanted physical contact, displaying disrespectful body language, presenting a poor attitude, using disrespectful slang, yelling, lying, rolling eyes, sucking teeth, being confrontational, blocking access to any part of the school building, and/or refusing to follow instructions.

### 3) Disrespecting Other Students

Examples of this infraction include, but are not limited to: taunting, hitting, pushing, shoving, copying homework (see information about plagiarism), physically or emotionally threatening or intimidating, blocking access to any part of the school building, using foul language (including “shut up”), or using a condescending tone of voice, harassment, making fun of, name calling, insulting or otherwise belittling.

### 4) Disrespecting the School

Examples of this infraction include, but are not limited to: loitering in unauthorized parts of the school property, including Saint Ambrose Parish and Shelter, writing graffiti, leaving trash, damaging or defacing any school property, or taking school supplies and materials without permissions, and/or misusing, wasting, or damaging school supplies. Vandalism to school property will immediately result in a conference with the student, their parents/guardians and school administrators. The offending student(s) or the parents/guardians are responsible for covering the cost of all damages.

### 5) Removal from Class

Removal from class for any reason will result in a behavior detention and, at times, a phone call home to the parent/guardian. If the offense is severe, and/or the student refuses or is unable to reenter the classroom after adequate reflection time at the discretion of the school administrators, a student may be sent directly home and/or may be suspended.

## 6) Skipping School/Cutting Class

Students who skip school, cut a class, leave the school buildings without permission, or are in an unauthorized part of the building, will receive either a detention, a Friday Detention, or a 1-day suspension, at the discretion of the school administration. Further violations will result in lengthier suspensions of up to ten days. Work missed during either set of circumstances may not be made up or turned in without approval of the teacher(s) involved and the Principal. Each incident of skipping school/cutting class will result in the student marked as absent.

## Detentions Hours

Detentions run from 4:20 p.m. to 5:20 p.m. Monday-Thursday, and 12:20 p.m. to 3:00 p.m. on Friday. Arriving late to detention, skipping detention, or disrupting detention may lead to an additional detention, the assignment of a Friday Detention, or suspension. Students must use the bathroom prior to arriving at detention. Students will not be allowed to leave detention to go to the bathroom or make phone calls. Parents/guardians will receive a phone call and/or email when a student has detention.

## Behavior Detention

Students must serve all behavior detentions no later than 1 day after the detention was assigned. Parents/guardians will be notified of the behavior detention 24 hours in advance of all detentions. Students in behavior detentions are required to remain silent at all times (absolutely no verbal or non-verbal communication is allowed with any other student). Students who fail to attend a scheduled behavior detention will receive an automatic Friday detention.

## Homework Help

Students may be required to stay after school with a teacher to complete missing or inadequately completed homework assignment not submitted on the date it is due. If a student fails to attend homework help, arrives late to homework help and/or arrives to homework help without the appropriate homework assignments, they may be given a behavior detention. Students who repeatedly skip homework help may be given a Friday detention.

## Friday Detention

Friday Detention will be held from 12:20 p.m. to 3:00 p.m. Students are assigned a Friday Detention for:

- Skipping detentions;
- Arriving late for detentions;
- Being disruptive during detention;
- Having more than four unserved detentions; and
- Incidents of severe behavior.

If a student skips, arrives late, or is disruptive during Friday detention, they may receive a 1-day suspension to be served the next school day. Each time a student is suspended for violating the Friday detention policy, they will receive a longer suspension at the discretion of the school administrators.

## X. Suspension and Expulsion

### Suspension and Expulsion

Students who are deemed to be continually disruptive to the school and/or classroom or engage in inappropriate or illegal activities may be subject to suspension and/or expulsion from the school. The list of punishable offenses is not exhaustive, but provides examples of prohibited conduct. These rules and regulations may be supplemented by teachers' rules for classes and other school events. Repeated infractions resulting in disciplinary marks and/or detentions may lead to suspension and repeated suspensions may lead to expulsion. Suspended students are not entitled to participate in school activities. In addition, any breaches of state or federal law may be handled in cooperation with the appropriate authorities.

**Disciplinary offenses that result in suspension/expulsion are subject to the discretion of the Executive Director, Principal, or their designee(s)** and may include marks, detentions, school service/cleaning, loss of school privileges, denial of school-provided transportation, After School Activities, Saturday School, Friday extended detention, out-of-school suspension, and/or expulsion (certain expulsions may be subject to the discretion of the Academy's Board of Trustees).

After three suspensions, an expulsion hearing may be scheduled. Relevant proceedings may commence at the discretion of the Executive Director, Director of Teaching and Learning, and/or school administrators.

#### **Suspensions may include:**

- Out-of-school suspension
- In-school suspension
- School service/cleaning
- Loss of school privileges
- Denial of school-provided transportation

Students and families should be aware of the fact that all incidents leading to suspension and/or expulsion may be reported to all future schools and colleges.

Every time a student accumulates more than 4 behavior detentions he/she will be given a Friday Detention. If a student earns a second Friday Detention before serving their first Friday Detention, he/she may be suspended.

After three suspensions, an expulsion hearing or exclusion procedures may be scheduled. Relevant proceedings may commence to the discretion of the Executive Director, Principal, or their designee(s).

**Infractions that may warrant an out-of-school suspension and/or expulsion include, but are not limited to, the following items listed below:**

### I. Disrupting the School Environment

**1.1 Arriving Late to School or Class:** Student tardiness disrupts class, inconveniences others, and often results in academic difficulties. Students may not be late to school or class.

**1.2 Skipping School, Class, Detention, Homework Detention, or Mandatory School Events:** Students are required to attend all academic and enrichment classes, assigned detention, and other

mandatory school events. Students are not permitted to have unexcused absences or to leave the school building without permission. In addition to other disciplinary consequences, this offense may result in long-term suspension and/or expulsion.

**1.3 Misbehaving on School-Provided Transportation:** Students may not misbehave while walking to or from, waiting for, or riding on school-provided transportation, including the school bus. Please note that students are subject to temporary or permanent denial of school-provided transportation (in which case students and parents are responsible for travel to and from school) in addition to demerits, detention, suspension, expulsion, and/or other consequences. Misbehavior includes, but is not limited to, using inappropriate language, making excessive noise, touching other students inappropriately, being disrespectful of others, or failing to follow the bus driver's instructions.

**1.4 Trespassing onto Saint Ambrose Church Property:** Students may not trespass onto the property of the Saint Ambrose Church. In addition to other disciplinary consequences, this offense may result in long-term suspension and/or expulsion.

**1.5 Blocking Access to any Part of the School Building:** Students are not permitted to block access to any room or part of the school building. In addition to other disciplinary consequences, this offense may result in long-term suspension and/or expulsion.

**1.6 Violating the Dress Code:** Students will not be permitted to attend classes. Parents must bring the missing dress code items to the school, or authorize via fax or email that their child return home to retrieve the necessary items.

**1.7 Gum, Food, and Beverages:** Students may not chew gum at the Academy. Students may not eat or drink at unauthorized times or places at the Academy.

**1.8 Talking in the Hallway:** Students are not permitted to talk in the hallway during transitions.

**1.9 Disrupting Class and Preventing Teaching:** The Academy can fulfill its mission only if classrooms are safe and teaching is uninterrupted. If a student is removed from class 3 or more times in one week, it will result in a suspension. In addition to other disciplinary consequences, this offense may result in long-term suspension and/or expulsion.

**1.10 Plagiarism (Cheating/Forgery):**

The definition of plagiarism is to use and pass off the ideas or writings of another as one's own. The Academy considers cheating and plagiarism of any kind a serious offense. Cheating includes any action which gives a student improper access to answers on an assignment or assessment or gives a student a grade that they did not earn. Plagiarism includes copying another student's assignment or allowing someone else to copy one's assignment. Plagiarism also includes completing an assignment with the help of a classmate and not stating, in writing on top of the work submitted, the other student's name. Students can collaborate or "get help" if the following conditions are met: 1) the teacher explicitly approves or the assignment/assessment explicitly states that students can "get help" from one another; 2) at the top of the assignment, all students must write the name(s), of any other student(s), with whom they worked. Individual teachers may add additional requirements, but this baseline applies to all students in all courses. Failure to adhere to these policies will mean the student has cheated or plagiarized. In all situations, even when students have collaborated with permission, individual students work must be in the student's own words and cannot show evidence of having been directly copied from another student.

**First Offense:**

- Student(s) involved receive a zero on the assignment. This includes the person whose work is being copied (assuming the student is complicit in allowing their work to be copied) and the student doing the copying.
- Student(s) receives a behavior detention.
- School Principal or teacher will notify parent/guardian of the student(s) offense.



- Teacher will submit an incident report along with two copies of all plagiarized work to the Principal to be filed in each involved student's permanent records.
- Students must explain all incidents of plagiarism to high schools/colleges on admissions applications.

### **Second Offense:**

- Student(s) involved receive a zero on the assignment. This includes the person whose work is being copied (assuming the student is complicit in allowing their work to be copied) and the student doing the copying.
- Student(s) receives a minimum suspension of 1 day.
- School Principal or teacher will notify parent/guardian of the student(s) offense.
- Teacher will submit an incident report along with two copies of all plagiarized work to the Principal to be filed in each involved student's permanent records.
- Students must explain all incidents of plagiarism to high schools/colleges on admissions applications.

### **Third Offense:**

- Student(s) involved receive a zero on the assignment. This includes the person whose work is being copied (assuming the student is complicit in allowing their work to be copied) and the student doing the copying.
- Student(s) receives a minimum suspension of 1 to 3 days.
- School Principal or teacher will notify parent/guardian of the student(s) offense.
- Teacher will submit an incident report along with two copies of all plagiarized work to the Principal to be filed in each involved student's permanent records.
- Student(s) return to school with the parent/guardian for a post-suspension re-entry meeting. If this is the third suspension, the student may be referred by the Principal to the Executive Director for an expulsion hearing.
- Students must explain all incidents of plagiarism to high schools/colleges on admissions applications.

**1.13 Forgery:** Students may not forge a signature.

**1.14 Lying to a Staff Member:** Integrity is a core value at the Academy. It is an essential element of personal character and is needed to build a community based on trust and respect. Students are not permitted to lie or attempt to conceal the truth. If a student lies to a staff member, he/she will be required to make an apology in the community circle.

**1.15 Being Disrespectful toward a Staff Member:** Students may not be disrespectful toward a staff member or any other adult associated with the school. This offense may result in long-term suspension and/or expulsion.

**1.16 Being Disrespectful toward a Student:** If students do not feel physically and emotionally safe in school, teaching and learning are made more difficult. This offense may result in long-term suspension and/or expulsion.

**1.17 Possession of Inappropriate Property:** Students cannot use cell phones, iPods, iPads, game consoles, electronic devices, printed text or lyrics that are vulgar, profane, or sexually explicit, or any other items inappropriate for school. Such items will be confiscated and may be confiscated indefinitely irrespective of any costs or fees students and/or their families may incur as a result. In addition to other disciplinary consequences, this offense may result in long-term suspension and/or expulsion.

**1.18 Gambling:** Gambling or betting is not tolerated.

## **II. Assault, Battery, Bodily Harm, Inappropriate Touching, and/or Threats (in addition**

## to other disciplinary consequences, these offenses may result in long-term suspension and/or expulsion)

**2.1 Causing Bodily Harm:** Students may not cause physical injury to a student, school employee, or another person with a weapon or dangerous object.

**2.2 Committing Assault or Assault and Battery:** The Academy does not condone assault. This includes sexual or verbal assault, or assault and battery on a student, school employee, or another person. Assault is an attempt or threat to physically harm another person; assault does not require physical contact. Battery is any unlawful touching of another person.

**2.3 Fighting or Unwanted Physical Contact:** Academy students may not fight with other students—from the Academy or any other school. Harassing, pushing, touching, or any form of unwanted physical contact is not tolerated. Any type of fighting, whether it is play-fighting and/or the use of threats, affects the safety of the community.

**2.4 Setting off a False Alarm or Making a Threat:** Students may not intentionally set off a false alarm or make a destructive threat.

**2.5 Engaging in Sexual Activity or Inappropriate Touching:** A student may not engage in sexual activity of any kind or touch him/her self or others inappropriately.

**2.6 Possession or Distribution of Pornographic Items or Materials:** Including, but not limited to images downloaded from the Internet or otherwise stored on a computer, cell phone, or other device

**2.7 Hazing:** Hazing (a crime) is any conduct or method of initiation into any student organization that willfully or recklessly endangers the physical or mental health of any student or other person. It includes a discussion of a person's legal obligation to report to law enforcement authorities if he/she knows that someone is a hazing victim or is at the scene of such a crime.

**2.8 Bullying:** Pursuant to G.L. c. 71, § 370, means the repeated use by one or more students of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that: (i) causes physical or emotional harm to the target or damage to the target's property; (ii) places the target in reasonable fear of harm to himself or herself or damage to his or her property; (iii) creates a hostile environment at school for the target; (iv) infringes on the rights of the target at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. Bullying shall include cyber bullying.

**2.9 Cyber Bullying:** Pursuant to G.L. c. 71, § 370, means bullying through the use of technology or any electronic communication, which shall include, but 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.

**2.9 Sexual Harassment:** The term "sexual harassment" refers to any sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's school performance by creating an intimidating, hostile, humiliating or sexually offensive school environment. This definition is adapted from the workplace sexual harassment definition found in M.G.L. c. 151b.

## III. Possession or Use of Firearms, Weapons, and/or Dangerous Objects (in addition to other disciplinary consequences, these offenses may result in long-term suspension and/or expulsion)

**3.1 Possession or Use of a Firearm:** Students may not possess or use a firearm.

**3.2 Possession or Use of a Mock Firearm:** Students may not possess or use a mock firearm.

**3.3 Using or Possessing a Weapon or Dangerous Object:** Students are not allowed to bring a weapon of any sort to school, use any object in a dangerous or threatening manner, or have a

weapon on him/her or their property.

**3.4 Arson:** Setting fire is a criminal offense and will be handled as such by the local authorities.

#### **IV. Possession, Use, or Distribution of Controlled Substances, Alcohol, and Tobacco (in addition to other disciplinary consequences, these offenses may result in long-term suspension and/or expulsion)**

**4.1 Using or Possessing Drugs or Alcohol:** Students may not use or possess any non-prescribed or prescribed controlled substance, narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind. Prescribed and over-the-counter drugs must be delivered to the Nurse by a parent or guardian with a doctor-signed Medication Authorization Form. Students may not be in possession of prescribed or over-the-counter drugs.

**4.2 Possessing or Selling Drugs or Alcohol:** Students may not sell, distribute, or possess any prescribed or non-prescribed controlled substance. This includes tobacco products.

#### **V. Theft or Vandalism (in addition to other disciplinary consequences, these offenses may result in long-term suspension and/or expulsion)**

**5.1 Theft, Loss, or Destruction of Personal or School Property:** Students may not steal, lose, or damage someone else's property or school property. In addition to facing other consequences for violation of this rule, students are expected to return property to its rightful owner in its original condition or to reimburse the owner and/or the school for lost, damaged, or stolen property.

**5.2 Mistreatment or Inappropriate Use of Technology or School Property:** Students must treat computers, printers, and other technology with care. The Academy does not tolerate attempts to access the school's files or other inappropriate uses of technology or the Internet. Students do not have the right to use school computers to access chat rooms or email or to access websites or files that contain profanity, sexually explicit language or pictures, excessively violent themes, and/or other material inappropriate for minors. In the event of an emergency, students may be allowed to use school telephones, but only at the discretion of school staff members.

In order to resume classes, a student and their parents/guardians must attend a re-entry meeting with the Executive Director, Principal, Dean of Student Affairs, or their designee(s). The Executive Director, Principal, Dean of Student Affairs, or their designee(s) reserve the right to require students to attend counseling as a condition of re-entry from suspension, including, but not limited to when the students behavior has been violent, disturbing, or bullying related.

#### **Suspension/Expulsion Process**

##### **53:06: Notice of Suspension under Section 37H3/4**

- (1) Except as provided in 603 CMR 53.07, a principal may not impose a suspension as a consequence for a disciplinary offense without first providing the student and the parent oral and written notice, and providing the student an opportunity to be heard and the parent an opportunity to participate in such hearing.
- (2) The principal or designee shall provide oral and written notice to the student and the parent in English and in the primary language of the home if other than English. The notice shall include:
  - a) the disciplinary offense;
  - b) the basis for the charge;
  - c) the potential length of the student's suspension

- d) the opportunity for the student to have a hearing with the principal or designee, concerning the proposed suspension, and for the parent to attend the hearing;
- e) the date, time, and location of the hearing;
- f) the right of the student and student's parent to interpreter services at the hearing if needed to participate;
- g) if the student may be placed on long-term suspension following the hearing with the principal or designee"
  - i. the rights set forth in 603 CMR 53.08(3)(b); and
  - ii. the right to appeal the principal's decision to the superintendent.

(3) The principal or designee shall make reasonable efforts to notify the parent orally of the opportunity to attend the hearing. To conduct a hearing without the parent present, the principal must be able to document reasonable efforts to include the parent and or guardians. The principal is presumed to have made reasonable efforts if the principal has sent written notice and has documented at least two attempts to contact the parent in the manner specified by the parent for emergency notification.

(4) Written notice to the parent may be made by hand delivery, first-class mail, email to an address provided by the parent or school communications, or by any other method of delivery agreed to by the principal and parent.

Students and families should be aware of the fact that all incidents leading to suspension and/or expulsion may be reported to all future schools.

Suspensions may result from the following:

- Four detentions (behavior) equals one Friday detention; and
- Two unserved Friday detentions equals one 1-day suspension

Expulsion is defined as the removal from the Academy on a permanent basis at the discretion of the Executive Director, the Director of Teaching and Learning and school administrators. M.G.L. c. 71 §37H provides the Executive Director with the authority to expel students without Board of Trustee involvement for offenses that are delineated below:

1. Possession of controlled substances as defined in M.G.L. c. 94C (including, but not limited to illegal drugs (e.g. marijuana) and prescription medication);
2. Possession of a dangerous weapon on the school premises, at school sponsored events or school-related events; and
3. Assault on any member of the educational staff, including but not limited to the Executive Director, Director of Teaching and Learning, Teachers or Support Staff.

Pursuant to M.G.L. c. 71, sec. 37H1/2 the Executive Director may also issue a suspension if a student is charged with a felony and the continued presence of the student would have a substantial detrimental effect on the general welfare of the school. That student may be permanently expelled from school if the student is convicted, or is found guilty (by admission or adjudication), of the felony and the student's continued presence would have a substantial detrimental effect on the general welfare of the school. In addition, the Director of Teaching and Learning has the authority to recommend expulsion to the Executive Director under M.G.L. c. 76 §16 & 17, for behavioral infractions, including, but not limited to the following:

- Repeated, deliberate and fundamental disregard of school policies and procedures and Code of Conduct;
- Assault and/or battery against fellow students or members of the school community;

- Theft or destruction of personal or school property;
- Harassment and violation of civil rights, as delineated in the Academy Student and Family Handbook

## Expulsion Policy

### I. Definition of Expulsion

Expulsion is defined as the removal from the Academy for more than 90 school days, indefinitely, or permanently at the discretion of the Executive Director and the Director of Teaching and Learning. M.G.L. c. 71 §37H provides the Executive Director with the authority to expel students without Board of Trustee involvement for offenses that are delineated below:

**A) Discipline Offenses Subject to Expulsion:** Students who engage in inappropriate or illegal activities may be subject to expulsion from the school. The list of punishable offenses is not exhaustive, but provides examples of prohibited conduct. The list of offenses include: conviction of a **felony or felony delinquency**, any student found on school or school sponsored or school-related events, in **possession of a dangerous weapon, including a gun or knife; vandalism, violation of a student's civil rights, a controlled substance as defined in chapter 94 C**, but not limited to **marijuana, cocaine, and heroin**, may be subject to expulsion from Davis Leadership Academy Charter Public School. Chapter 71, Section 37H (a), (b); Chapter 71, Section 37H ½ (2).

**B)** A student who **assaults a principal, assistant principal, teacher, teacher assistant, paraprofessional and/or other staff** on school premises or at school-sponsored or school-related events, including athletic games may be subject to expulsion from the Academy. Students that use **force against school personnel, vandalize or violate a student's civil rights are subject to expulsion**. Chapter 71, Section 37H (a), (b); Chapter 71, Section 37H ½ (2).

### II. Standards and Procedures Assuring Due Process for Expulsion

According to 603 CMR 53.02, the Executive Director or Director of Teaching & Learning may not impose an expulsion as a consequence for a disciplinary offense without first providing the student and the parent/guardian oral and written notice, and providing the student an opportunity to be heard and the parent/guardian an opportunity to participate in such hearing.

The Director of Teaching & Learning shall provide oral and written notice to the student and the parent in English and in the primary language of the home if other than English. Written notice to the parent/guardian may be made by hand delivery, first-class mail, email to an address provided by the parent or school communications, or by any other method of delivery agreed to by the principal and parent.

#### a) The notice shall include the following:

1. the disciplinary offense and the evidence for the expulsion;
2. the opportunity for the student to have a hearing with the Director of Teaching & Learning concerning the proposed expulsion, and for the parent/guardian to attend the hearing;
3. the date, time, and location of the hearing;
4. the right of the student and student's parent/guardian to interpreter services at the hearing if needed to participate according to Chapter 71, Section 37H½.
5. the right for students and parents to bring counsel (at the student's expense),

present evidence through the student's own testimony or witnesses and through written evidence) and cross-examine witnesses presented by the school.

### **III. Right to Appeal to the Helen Y. Davis Leadership Academy CPS Executive Director**

**A)** If the Director of Teaching & Learning decides to expel the student, the Director of Teaching & Learning shall give written notification at the hearing to student and parent/guardian of student of the right to appeal to the Executive Director. The written notification will include the process for appealing the expulsion and the opportunity to receive educational services per Chapter 71, Section 37H; paragraph 2, (c) and 37H½ and 603 CMR 53.08.

**B)** The student will have ten days per 37H and 5 days per 37H ½ from the date of the expulsion to notify the Executive Director of the appeal. The Executive Director must hold the hearing, with the opportunity for the student's parent or guardian to attend, within 3 days of receipt of the request per 37H½.

**C)** The student shall have the right to present written or oral testimony, the right to be represented by counsel, the right to confront and cross-examine witnesses presented by the school.

**D)** The Executive Director shall have the authority to overturn or alter the decision of the Director of Teaching & Learning, including the recommendation of an alternative educational setting for the student. The Executive Director shall make a decision on the appeal within five calendar days of the hearing. This decision is final per Chapter 71. Section 37H (d), 37 H½ (2) and 603 CMR 53.09.

### **IV. Description of Educational Services for Student During Expulsion**

**A)** The Director of Teaching & Learning will make available to the expelled student educational services and the contact numbers that will allow the student to make academic progress during the period of the expulsion. The Director of Teaching & Learning will inform the student and parent/guardian in writing of the educational services to be provided at the time of expulsion per Chapter 76, Section 21; Chapter 71, Section 37H, (e); 603 CMR 53.01 and 53.13 (1), (2), (4). The written notification will be provided in English and the primary language spoken in the student's home or other means of communication where deemed appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a specific school district staff member to arrange services.

**B)** The decision to expel rather than suspend may depend on whether the Director of Teaching & Learning determines that the student's continued presence in the school setting would have a substantially detrimental effect on the general welfare of its students and the school.

**C)** If the student moves to another district during the period of expulsion, the new district of residence shall either admit the student to its schools or provide educational services to the student in an education service plan.

### **Due Process - Short Term Suspension**

Students who face a suspension that lasts 10 days or less are entitled to oral and/or written notice of the charges and an opportunity to present their side of the story at a hearing. The school sets a hearing date and the parents/guardians are notified by phone and in writing of the charges and statement of evidence, and date, time, and place of the hearing. Students do not have the right to appeal short-term suspensions.

## Due Process - Long-Term Suspension and/or Expulsion

Prior to the suspension of more than 10 days or expulsion under M.G.L. c. 71, § 37H, or for infractions of the Code of Conduct in the Student and Family Handbook, the student shall be entitled to a hearing before the Executive Director, Director of Teaching and Learning, and school administrators and the following procedures will apply:

The student and the parents/guardians shall receive written notice of the following:

- Charges and a statement of the evidence;
- Date, time and place of a hearing;
- Notice of the right at the hearing to: be represented by their parents, legal or other representative (at the students/parents own expense) present evidence, and confront and cross-examine witnesses.

Notices and proceedings will be translated into the students/parents primary language if necessary for their understanding of the proceedings. The student and/or parent, upon request, will have the right to review the student's records in accordance with the Massachusetts Student Records Regulations or other applicable law

The Executive Director or their designee will conduct the hearing. Any decisions shall be put in writing and sent to the student and their parents/guardians and the Board of Trustees. If a student is admitted back into classes at the Academy, it will be on a probationary basis. A meeting between the Executive Director, student, and a parent/guardian will take place in which the terms of the probation are explained. If these terms are violated at any point during the probationary period, the Executive Director reserves the right to expel the student.

## Emergency Removal

Pursuant to M.G.L. c. 71, § 37H a principal has the authority to remove a student from school temporarily when a student is charged with a disciplinary offense and the principal determines that the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption. The principal is required to notify the Executive Director immediately in writing of an emergency removal and the reason for it, and describe the danger presented by the student. The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the principal is required to:

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

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

### **School-Wide Education Service Plan**

In order to promote continued academic progress for students who are removed from their classroom or school, whether pursuant to MGL §37H, §37H 1/2, or §37H 3/4, the School has the obligation to provide each student who is suspended or expelled an opportunity to make academic progress during the suspension or expulsion. Students and parents will be notified in writing of this opportunity at the time of suspension or expulsion.

Pursuant to MGL c. 76 § 21, students who are suspended from school for 10 days or less, whether in or out of school, will have the opportunity during the period of suspension to earn credits, make academic progress, and be allowed to complete assignments, including, but not limited to, homework, quizzes, exams, papers and projects missed. The Director of Teaching and Learning/Principal shall inform the student and parent of this opportunity in writing when such a suspension is imposed.

Also pursuant to MGL c. 76 § 21, students who are expelled or suspended for more than 10 consecutive days must be provided an equitable opportunity to receive education services that are identified in a school-wide education service plan.

The Academy's School-Wide Education Service Plan is subject to change, and may include, but is not limited to, tutoring, alternative placement, Saturday school, and online or distance learning. In developing changes to the overall School-Wide Education Service Plan, or changes to a specific Education Service Plan for an expelled or suspended student, the Director of Teaching and Learning/Principal may seek the input of relevant health and human service, housing and nonprofit agencies, education collaboratives, and other service providers.

For each student expelled or suspended from school for more than ten consecutive days, whether in school or out of school, the Director of Teaching and Learning/Principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information. Upon selection of an alternative educational service by the student and the student's parent or guardian, The Academy shall facilitate and verify enrollment in the service. The Academy shall document the student's enrollment in education services. For data reporting purposes, The Academy shall track and report attendance, academic progress, and such other data as directed by the Department.

Students exempt from attending school under MGL c. 76 § 1 shall not be subject to this section.

### **Appeals Process**

Whenever the Executive Director decides to suspend or expel a student for criminal conduct on or off school premises pursuant to M.G.L. c 71 § 37H and § 37H1/2, or for other infractions of the Academy's Code of Conduct, the student shall have the right to appeal such decision to the Board of Trustees by notifying the Chair of the Board of Trustees within 10 calendar days following the effective date of the suspension or expulsion. An ad-hoc committee of the Board of Trustees shall



hold a full hearing with the student and the student's parents/guardians within 3 days. The student and their parents/guardians shall receive written notice of the following:

- Charges and a statement of the evidence;
- Date, time and place of a hearing; and
- Notice of the right at the hearing to: be represented by their parents, legal or other representative (at the student's or parents/guardians' own expense) present evidence, and confront and cross-examine witnesses.

The student and/or parent, upon request, will have the right to review the student's records in accordance with the Massachusetts Student Records Regulations or other applicable law. Notices and proceedings will be translated into the students/parents primary language if necessary for their understanding of the proceedings.

The ad-hoc committee of the Board of Trustees will conduct the hearing. The ad-hoc committee of the Board of Trustees shall render a decision on the appeal. Such decision shall be the final decision of the school. Decisions shall be put in writing and sent to the student and the student's parents/guardians.

## **Student Discipline Regulations**

**The Student Discipline Regulations were approved by the Board of Elementary and Secondary Education on April 29, 2014. They are effective July 1, 2014.**

### **53.01: Purpose and Scope**

(1) The purpose of 603 CMR 53.00 is:

(a) for those discipline offenses subject to M.G.L. 71, § 37H<sup>3</sup>/<sub>4</sub>, as set forth in 603 CMR 53.01(2)(a), to limit the use of long-term suspension as a consequence for student misconduct until other consequences have been considered and tried as appropriate;

(b) to promote engagement of a student's parent in discussion of the student's misconduct, and options for responding to it;

(c) to assure that every student who is expelled or suspended, regardless of the reason for suspension or expulsion, has the opportunity to receive education services to make academic progress during the period of suspension or expulsion; and,

(d) to keep schools safe and supportive for all students while ensuring fair and effective disciplinary practices.

(2) 603 CMR 53.00 sets forth, for all public preschool, elementary, and secondary schools and programs in Massachusetts, including charter and virtual schools:

(a) at 603 CMR 53.03 through 53.11, the minimum procedural requirements applicable to the suspension of a student for a disciplinary offense other than:

(b)

1. possession of a dangerous weapon;
2. possession of a controlled substance;
3. assault on a member of the educational staff; or

4. a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school, as provided in M.G.L. c. 71, § 37H or 37H½;

(b) the minimum requirements and procedures necessary to ensure that all students who have been suspended, in-school or out-of-school, or expelled, regardless of the type of offense, have an opportunity to make academic progress during their period of suspension, expulsion, or removal from regular classroom activities; and

(c) requirements pertaining to school discipline data reporting and analysis.

### **53.02: Definitions**

**Commissioner** means the commissioner of the Department of Elementary and Secondary Education appointed in accordance with M.G.L. c. 15, § 1F, or his or her designee.

**Department** means the Department of Elementary and Secondary Education.

**Disciplinary offense** means any alleged or determined disciplinary infraction by a student, except for:

(a) possession of a dangerous weapon;

(b) possession of a controlled substance;

(c) assault on a member of the educational staff; or

(d) a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school, as provided in M.G.L. c. 71, § 37H or 37H½. A disciplinary offense, as defined, is subject to the provisions of M.G.L. c. 71, § 37H¾ and 603 CMR 53.00.

**Disciplinary offense under M.G.L. c. 71, § 37H or 37H½** means one or more of the following alleged or determined disciplinary infractions:

(a) possession of a dangerous weapon;

(b) possession of a controlled substance;

(c) assault on a member of the educational staff; and

(d) a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school, as provided in M.G.L. c. 71, § 37H or 37H½.

**Expulsion** means the removal of a student from the school premises, regular classroom activities, and school activities for more than 90 school days, indefinitely, or permanently, as permitted under M.G.L. c. 71, § 37H or 37H½ for:

- (a) possession of a dangerous weapon;
- (b) possession of a controlled substance;
- (c) assault on a member of the educational staff; or
- (d) a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school, as provided in M.G.L. c. 71, § 37H or 37H½.

**In-school Suspension** means removal of a student from regular classroom activities, but not from the school premises, for no more than ten consecutive school days, or no more than ten school days cumulatively for multiple infractions during the school year. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days. In-school suspension for ten days or less, consecutively or cumulatively during a school year, shall not be considered a short-term suspension under these regulations. If a student is placed in in-school suspension for more than ten days, consecutively or cumulatively during a school year, such suspension shall be deemed a long-term suspension for due process, appeal, and reporting purposes.

**Long-term Suspension** means the removal of a student from the school premises and regular classroom activities for more than ten consecutive school days, or for more than ten school days cumulatively for multiple disciplinary offenses in any school year. A principal may, in his or her discretion, allow a student to serve a long-term suspension in school. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days. Except for students who are charged with a disciplinary offense set forth in M.G.L. c. 71, § 37H(a) or (b), or M.G.L. c. 71, § 37H ½ no student may be placed on long-term suspension for one or more disciplinary offenses for more than 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.

**Parent** means a student's father, mother, or legal guardian, or person or agency legally authorized to act on behalf of the student in place of or in conjunction with the father, mother, or legal guardian.

**Principal** means the instructional administrative leader or headmaster of a public school or his or her designee for purposes of school disciplinary matters. The board of trustees of a charter school or virtual school shall designate in the school discipline code who will serve as the principal for purposes of 603 CMR 53.00.

**School-wide Education Service Plan;** means the document developed by a principal, in accordance with M.G.L. c. 76, §21, that includes a list of education services available to students who are expelled or suspended from school for more than ten consecutive days.

**Short-term Suspension** means the removal of a student from the school premises and regular classroom activities for ten consecutive school days or less. A principal may, in his or her discretion, allow a student to serve a short-term suspension in school. Removal solely from participation in

extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days.

**Superintendent** means the chief executive officer employed by a school committee or board of trustees to administer a school system, charter school, or virtual school pursuant to M.G.L. c. 71, §§ 59, 59A, 89, or 94, or his or her designee appointed for purposes of conducting a student disciplinary hearing. The board of trustees of a charter school or virtual school shall designate in the school's discipline code who will serve as the superintendent for the purposes of 603 CMR 53.00.

**Suspension** means short-term suspension and long-term suspension unless otherwise stated.

### **53.03: Policies and Procedures**

Each school committee and board of trustees shall ensure that policies and procedures are in place in public preschool, elementary, and secondary schools and programs under its jurisdiction that meet, at a minimum, the requirements of M.G.L. c.71, §37H¾, M.G.L. c. 76, § 21, and 603 CMR 53.00.

### **53.04: Investigation of Disciplinary Incidents**

Nothing in 603 CMR 53.00 shall prevent a school administrator from conducting an investigation, including student interviews, of a school-related disciplinary incident.

### **53.05: Alternatives to Suspension under M.G.L. c. 71, § 37H¾**

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

### **53.06: Notice of Suspension and Hearing under M.G.L. c. 71, § 37H¾**

(1) Except as provided in 603 CMR 53.07 and 603 CMR 53.10, a principal may not impose a suspension as a consequence for a disciplinary offense without first providing the student and the parent oral and written notice, and providing the student an opportunity for a hearing on the charge and the parent an opportunity to participate in such hearing.

(2) The principal shall provide oral and written notice to the student and the parent in English and in the primary language of the home if other than English, or other means of communication where appropriate. The notice shall 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 principal concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing;
- (e) the date, time, and location of the hearing;

(f) the right of the student and the student's parent to interpreter services at the hearing if needed to participate;

(g) if the student may be placed on long-term suspension following the hearing with the principal:

1. the rights set forth in 603 CMR 53.08 (3)(b); and
2. the right to appeal the principal's decision to the superintendent.

(3) The principal shall make reasonable efforts to notify the parent orally of the opportunity to attend the hearing. To conduct a hearing without the parent present, the principal must be able to document reasonable efforts to include the parent. The principal is presumed to have made reasonable efforts if the principal has sent written notice and has documented at least two attempts to contact the parent in the manner specified by the parent for emergency notification.

(4) 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 principal and parent.

### **53.07: Emergency Removal under M.G.L. c. 71, § 37H<sup>3</sup>/<sub>4</sub>**

(1) Nothing in 603 CMR 53.00 shall prevent a principal from removing 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 principal's judgment, there is no alternative available to alleviate the danger or disruption. The temporary removal shall not exceed two school days following the day of the emergency removal, during which time the 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, and the other matters set forth in 603 CMR 53.06(2);

(b) Provide written notice to the student and parent as provided in 603 CMR 53.06(2);

(c) Provide the student an opportunity for a hearing with the principal that complies with 603 CMR 53.08(2) or (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 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 (d) or (3)(c) and (d), as applicable.

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

### **53.08: Principal's Hearing under M.G.L. c. 71, § 37H<sup>3</sup>/<sub>4</sub>**

(1) The principal 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 principal shall afford the student, at a minimum, all the

rights set forth in 603 CMR 53.08(3) in addition to those rights afforded to students who may face a short-term suspension from school.

## (2) Principal Hearing - Short-term Suspension

(a) The purpose of the hearing with the principal 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 principal 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 principal should consider in determining whether other remedies and consequences may be appropriate as set forth in 603 CMR 53.05. The principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.

(b) Based on the available information, including mitigating circumstances, the principal shall determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.

(c) The principal 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.

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

## (3) Principal Hearing - Long-term Suspension

(a) The purpose of the hearing is the same as the purpose of a short-term suspension hearing.

(c) At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights:

1. In advance of the hearing, the opportunity to review the student's record and the documents upon which the principal may rely in making a determination to suspend the student or not;
2. the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense;
3. the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so; and
4. the right to cross-examine witnesses presented by the school district; and

5. the right to request that the hearing be recorded by the principal, and to receive a copy of the audio recording provided to the student or parent upon request. If the student or parent requests an audio recording, the principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request.

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

(d) Based on the evidence, the principal shall determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension as set forth in 603 CMR 53.05, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The principal shall send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or other method of delivery agreed to by the principal and the parent. If the principal 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 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 as provided in 603 CMR 53.13(4)(a);
5. Inform the student of the right to appeal the principal's decision to the superintendent or designee, but only if the principal has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate, and shall include the following information stated in plain language:
  - a. the process for appealing the decision, including that the student or parent must file a written notice of appeal with the superintendent within five calendar days of the effective date of the long-term suspension; provided that within the five calendar days, the student or parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven additional calendar days; and that
  - b. the long-term suspension will remain in effect unless and until the superintendent decides to reverse the principal's determination on appeal.

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

### **53.09: Superintendent's Hearing under M.G.L. c. 71, § 37H<sup>3/4</sup>**

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

(2) The student or parent shall file a notice of appeal with the superintendent within the time period set forth 603 CMR 53.08 (3) (d) 5.a. If the appeal is not timely filed, the superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

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

(4) The superintendent shall make a good faith effort to include the parent in the hearing. The superintendent 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 superintendent to participate. The superintendent shall send written notice to the parent of the date, time, and location of the hearing.

(5) The superintendent 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 superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent upon request. The superintendent 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.

(6) The student shall have all the rights afforded the student at the principal's hearing for long-term suspension under 603 CMR 53.08(3)(b).

(7) The superintendent shall issue a written decision within five calendar days of the hearing which meets the requirements of 603 CMR 53.08(3)(d)1. through 4. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than the principal, but shall not impose a suspension greater than that imposed by the principal's decision.

(8) The decision of the superintendent shall be the final decision of the school district, charter school, or virtual school, with regard to the suspension.

### **53.10: In-School Suspension under M.G.L. c. 71, § 37H¾**

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

(2) The principal may impose an in-school suspension for a disciplinary offense under 603 CMR 53.10, provided that the principal follows the process set forth in 603 CMR 53.10(3) through (5) and the student has the opportunity to make academic progress as set forth in 603 CMR 53.13(1).

(3) 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 days, cumulatively or consecutively, in a school year.



(4) On the same day as the in-school suspension decision, the principal shall make reasonable efforts to notify the parent orally as soon as possible of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The principal shall also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the principal is unable to reach the parent after making and documenting at least two attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.

(5) 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 in 603 CMR 53.10(4), 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 other method of delivery agreed to by the principal and the parent.

### **53.11: Exclusion from Extracurricular Activities and School-Sponsored Events**

The principal may remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on the student's misconduct. Such a removal is not subject to the procedures in M.G.L. c. 71, § 37H<sup>3</sup>/<sub>4</sub> or 603 CMR 53.00.

### **53.12: Disciplinary Offenses under M.G.L. c. 71, § 37H or 37H<sup>1</sup>/<sub>2</sub>**

(1) School districts shall adopt disciplinary policies and procedures applicable to a student who is accused of a disciplinary offense under M.G.L. c. 71, § 37H or 37H<sup>1</sup>/<sub>2</sub>. Such policies and procedures shall be consistent with the applicable statute and provide due process of law.

(2) The principal may remove a student who has committed a disciplinary offense under M.G.L. c. 71, § 37H or 37H<sup>1</sup>/<sub>2</sub> from school for more than 90 days in a school year.

(3) Any student who is removed from school for a disciplinary offense under M.G.L. c. 71, § 37H or § 37H<sup>1</sup>/<sub>2</sub> shall have an opportunity to receive education services and make academic progress during the period of removal, as provided in 603 CMR 53.13.

### **53.13: Education Services and Academic Progress under M.G.L. c. 71, §§ 37H, 37H<sup>1</sup>/<sub>2</sub>, and 37H<sup>3</sup>/<sub>4</sub>**

(1) Any student who is serving an in-school suspension, short-term suspension, long-term suspension, or expulsion 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 or her removal from the classroom or school. The principal shall inform the student and parent of this opportunity in writing when such suspension or expulsion is imposed.

(2) Any student who is expelled or suspended from school for more than ten consecutive days, whether in school or out of school, shall have an opportunity to receive education services and to make academic progress toward meeting state and local requirements, through the school-wide education service plan.

(3) The principal shall develop a school-wide education service plan describing the education services that the school district will make available to students who are expelled or suspended from school for more than ten consecutive days. The plan shall include the process for notifying such students and their parents of the services and arranging such services. Education services shall be based on, and be provided in a manner consistent with, the academic standards and curriculum frameworks established for all students under M.G.L. c 69, §§ 1D and 1F.

(4) Notice of Education Services for Students in Long-Term Suspension and Expulsion; Enrollment Reporting.

(a) The principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.

(b) For each student expelled or suspended from school for more than ten consecutive days, whether in school or out of school, the school district shall document the student's enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department.

#### **53.14: Student Suspension and Expulsion Data Collection and Reporting**

(1) Every school district, charter school, and virtual school shall collect and annually report data to the Department regarding in-school suspensions, short- and long-term suspensions, expulsions, emergency removals under 603 CMR 53.07, access to education services under 603 CMR 53.13, and such other information as may be required by the Department. Such data shall be reported in a manner and form directed by the Department.

(2) The principal of each school shall periodically review discipline data by selected student populations, including but not limited to race and ethnicity, gender, socioeconomic status, English language learner status, and student with a disability status. In reviewing the data, the principal shall assess the extent of in-school suspensions, short- and long-term suspensions, expulsions, and emergency removals under 603 CMR 53.07, and the impact of such disciplinary action on selected student populations. The principal shall further determine whether it is necessary or appropriate to modify disciplinary practices due to over-reliance on expulsion, or in-school or out-of-school suspension, or emergency removals, or the impact of such suspensions, removals, and expulsions on selected student populations compared with other students.

(3) In the fall of each year, the Department shall publish an analysis and report of student discipline data disaggregated by district and school, and by selected student populations, included but not limited to race and ethnicity, gender, socioeconomic status, English language learner status, and student with a disability status. The data shall be reported in a manner that protects the identity of each student and shall be made available to the public online in a machine readable format.

(4) The Department shall annually determine the schools with the highest percentage of students expelled or placed on long-term suspension for more than ten cumulative days in a school year. After review of the discipline data described in 603 CMR 53.14(3) and other relevant school and district information, including but not limited to student demographics, student performance,

promotion, attendance, attrition, graduation, and dropout rates, the Commissioner shall identify schools that need assistance to reduce over-reliance on long-term suspension or expulsion as a consequence for student misconduct. The Department shall identify models that such schools may use to incorporate intermediate steps before long-term suspension and expulsion and to foster positive school climate.

Through use of statistical analysis, the Commissioner shall identify schools and districts with data that reflect significant disparities in the rate of suspension and expulsion by race and ethnicity, or disability. Such schools and districts shall develop and implement a plan approved by the Department to address such significant disparities.

## **XI. Disciplining Students with Special Needs/Section 504 Accommodation Plans**

The Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act and related regulations provide eligible students with certain procedural rights and protections in the context of student discipline. A brief overview of these rights is provided below. For additional information, please contact Phillip Davis, Student Support Coordinator, at (617) 474-7950.

Short-term suspensions: School personnel may refer a student to an alternative placement or suspension for up to 10 total school days without services. Regarding students with IEP's, for subsequent removals during the school year which constitute a change in placement:

1. The school must provide services to the extent necessary for progress in the general curriculum and IEP goals as determined by school personnel in consultation with at least one teacher.
2. If appropriate, the school must conduct a functional behavioral assessment and develop a behavioral plan.

### **I. Change of Placement**

A change of placement is defined as removal for more than ten consecutive school days or for a series of shorter removals that constitute a "pattern." A "pattern" of conduct will take into consideration the length and total time removed, as well as the proximity and similarity of behavior. On the date of a decision to make a removal constituting a change of placement, parents/guardians must be notified of the decision and the procedural safeguards.

Within ten school days of a decision resulting in a change of placement, the team must conduct a manifestation determination. The meeting must include representatives of the district, parents/guardians and any other relevant members. The team must consider all relevant information in the student's file, teacher observations, and relevant information from the parents/guardians. The team must determine whether the conduct was: (1) caused by the disability; or (2) had a direct and substantial relationship to the disability; or (3) was a direct result of the district's failure to implement the IEP (or 504 Plan). If any of these criteria are met, then the conduct is a manifestation of the student's disability.

If the team determines that the conduct was a manifestation of the disability, the student must be returned to his/her placement. The parties, however, may change the IEP and placement through the team process. Also, the team must conduct a functional behavioral assessment and implement a behavior intervention plan or, if a behavioral plan already exists, review the plan and make any necessary modifications.

A 504 Plan may be changed as well to address the behaviors at hand.

If the team determines that the conduct was not a manifestation of the disability, the school discipline can be put into effect. The student on an IEP is entitled, however, to receive educational services to enable progression in the general curriculum and IEP goals. The team must determine which services are necessary and the setting where they will be provided. A student with a 504 Plan, however, is entitled to educational services only to the extent that non-disabled peers would be provided the same educational opportunity.

## **II. Appeal Rights**

When a parent/guardian disagrees with the Team's decision on "manifestation determination," or an alternative placement, the parents/guardians have the right to request an expedited hearing from the Bureau of Special Education Appeals. Placement pending the appeal is in the alternative setting as determined by the team for the duration of the discipline or completion of the appeal.

Exceptions for Specified Conduct: Under certain special circumstances as defined by federal law, school personnel may place the student in an interim alternative setting for 45 school days, without regard to the manifestation determination. These special circumstances include incidents where the student possesses, uses, sells or solicits illegal drugs, carries or possesses a weapon, or inflicts serious bodily injury while on school premises or at a school function.

Otherwise, if the student's continuation in the current placement is substantially likely to cause injury to him/her or others the district may request an expedited hearing for an order to place a student in an alternative setting for a period not to exceed 45 school days. The district also has the right to seek a court injunction.

## **III. Discipline for Children Who May Be Disabled But Do Not Have IEPs**

The IDEA protections summarized above also apply to students who have not yet been found to be eligible for IEPs if the district "had knowledge" the child was a child with a disability within the meaning of the IDEA before the precipitating event. The IDEA provides that the district is "deemed to have knowledge" if: (1) the parent/guardian had expressed concern in writing to the administrator or the child's teacher that the child needed special education and related services; (2) the parent/guardian had requested an evaluation; or (3) the teacher of the child or other personnel had expressed specific concern about a pattern of behavior to the Director of Special Education or other supervisory personnel in the district. However, a school district is not "deemed to have knowledge" if the district evaluated the student and determined that the child was not eligible for special education services needs or the parent/guardian refused an evaluation or services.

If the school is not "deemed to have knowledge" regarding the existence of a disability prior to the precipitating event, the student may be disciplined in accordance with the district policies. If, however, a request is made for an evaluation to determine eligibility while the student is subject to disciplinary measures, the evaluation must be done in an expedited manner. Pending the results of the evaluation, the student must remain in the placement determined by the school officials, which may include suspension or expulsion without services. If the student is determined eligible for an IEP as a result of the evaluation, the district must provide the student with special education and related services in accordance with the IDEA.

## **IV. Students with Disabilities under Section 504**

Students who are not eligible for services under the IDEA, but who have disabilities within the meaning of Section 504 of the Rehabilitation Act are entitled to certain procedural protections associated with Section 504. Additional information regarding the procedural protections for students with disabilities under Section 504 can be obtained from Phillip Davis, Student Support Coordinator, at (617) 474-7950.

## **XII. Non-Discrimination Policy**

Helen Y. Davis Leadership Academy Charter Public School does not discriminate in admission to, access to, treatment in, or employment in its services, programs and activities, on the basis of race, color or national origin, in accordance with Title VI of the Civil Rights Act of 1964 (Title VI); on the basis of sex, in accordance with Title IX of the Education Amendments of 1972; on the basis of disability, in accordance with Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (ADA); or on the basis of age, in accordance with the Age Discrimination in Employment Act of 1974 (ADEA). In addition, no person shall be discriminated against in admission to the school or in obtaining the advantages, privileges and access to the courses of study and extracurricular activities offered by the school on the basis of race, sex, color, creed, religion, ethnicity, national origin, ancestry, sexual orientation, gender identity or expression, mental or physical disability, age, ancestry, athletic performance, socio-economic status, housing status or homelessness, special need, proficiency in the English language or a foreign language, or prior academic achievement, as required by federal and state law, including MGL c. 71, §89(1); 603 CMR 1.06(1); MGL c. 76, § 5 and 603 CMR 26.00: Access to Equal Educational Opportunity.

To file a complaint alleging discrimination or harassment by the Academy on the basis of race, color, national origin, sex, disability, age, sexual orientation, sexual identity or religion or to make inquiry concerning the application of Title VI, Title IX, Section 504, the ADA, the Age Discrimination Act, or applicable state laws and their respective implementing regulations, please contact the Director of Teaching and Learning/Principal, Mr. Forrest (telephone 617-474-7950 Ext. 11, email [aforrest@dlacps.org](mailto:aforrest@dlacps.org)).

Inquiries concerning the applicability of the aforementioned federal laws and regulations to the Academy also may be referred to the U.S. Department of Education, Office for Civil Rights (OCR), JW McCormack POCH, Boston, Massachusetts 02109-4557, telephone (617) 223-9662, TTY (617) 223-9695. A grievant may file a complaint with OCR, generally:

- Within 180 calendar days of alleged discrimination or harassment, or
- Within 60 calendar days of receiving notice of Helen Y. Davis Leadership Academy CPS final disposition on a complaint filed through the school, or
- Within 60 calendar days of receiving a final decision by the Massachusetts Department of Elementary and Secondary Education, Bureau of Special Education Appeals, or instead of filing a complaint with the Academy.

The Academy's Title VI and Title IX Coordinator and Homeless Liaison is Christopher Coblyn, Acting Interim Executive Director (telephone 617-474-7950, email [ccoblyn@dlacps.org](mailto:ccoblyn@dlacps.org)).

Inquiries relative to state law may be referred to the Massachusetts Department of Elementary and Secondary Education, 350 Main Street, Malden, MA 02148-5023 (telephone 781-338-3300) or the Massachusetts Commission Against Discrimination at One Ashburton Place, Boston, MA 02108

(telephone 617-727-3990).

## **Harassment Policy**

Helen Y. Davis Leadership Academy Charter Public School is committed to maintaining a school environment free of harassment based on race, sex, color, creed, religion, ethnicity, national origin, ancestry, sexual orientation, gender identity or expression, mental or physical disability, age, ancestry, athletic performance, socio-economic status, housing status or homelessness, special need, physical appearance, proficiency in the English language or a foreign language, or prior academic achievement. Harassment by administrators, certified and support personnel, students, vendors and other individuals at school or at school-sponsored events is unlawful and is strictly prohibited. Helen Y. Davis Leadership Academy Charter Public School requires all employees and students to conduct themselves in an appropriate manner with respect to their fellow employees, students and all members of the school community.

### **I. Definition of Harassment**

#### **In General**

Harassment includes communications such as jokes, comments, innuendoes, notes, display of pictures or symbols, gestures, or other conduct that offends or shows disrespect to others based upon race, sex, color, creed, religion, ethnicity, national origin, ancestry, sexual orientation, gender identity or expression, mental or physical disability, age, ancestry, athletic performance, socio-economic status, housing status or homelessness, special need, physical appearance, proficiency in the English language or a foreign language, or prior academic achievement.

By law, what constitutes harassment is determined from the perspective of a reasonable person with the characteristic on which the harassment is based. What one person may consider acceptable behavior, may reasonably be viewed as harassment by another person. Therefore, individuals should consider how their words and actions might reasonably be viewed by other individuals. It is also important for individuals to make it clear to others when a particular behavior or communication is unwelcome, intimidating, hostile or offensive.

#### **Sexual Harassment**

While all types of harassment are prohibited, sexual harassment requires particular attention. Sexual harassment includes sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when:

1. Acceptance of or submission to such conduct is made either explicitly or implicitly a term or condition of employment or education;
2. The individual's response to such conduct is used as a basis for employment decisions affecting an employee or as a basis for educational, disciplinary, or other decisions affecting a student;
3. Such conduct interferes with an individual's job duties, education or participation in extra-curricular activities; or
4. The conduct creates an intimidating, hostile or offensive work or school environment.

### **II. Harassment and Retaliation Prohibited**

Harassment in any form or for any reason is absolutely forbidden. This includes harassment by administrators, certified and support personnel, students, vendors and other individuals in school

or at school related events. In addition, retaliation against any individual who has brought harassment or other inappropriate behavior to the attention of the school or who has cooperated in an investigation of a complaint under this policy is unlawful and will not be tolerated by Helen Y. Davis Leadership Academy Charter Public School.

Persons who engage in harassment 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 and/or Board of Trustees, subject to applicable procedural requirements.

### **III. Grievance Procedure**

#### **Where To File A Complaint**

Any student or employee who believes that the school has discriminated against or harassed her/him because of her/his race, sex, color, creed, religion, ethnicity, national origin, ancestry, sexual orientation, gender identity or expression, mental or physical disability, age, ancestry, athletic performance, socio-economic status, housing status or homelessness, special need, physical appearance, proficiency in the English language or a foreign language, or prior academic achievement in admission to, access to, treatment in, or employment in its schools, services, programs, activities, and extracurricular activities may file a complaint with the Executive Director. If the Executive Director is the person who is alleged to have caused the discrimination or harassment, the complaint may be filed with the Director of Teaching and Learning/Principal. These individuals are listed below and are hereinafter referred to as "Grievance Administrators."

Christopher Coblyn, Interim Executive Director  
Arturo Forrest, Director of Teaching and Learning/Principal  
Helen Y. Davis Leadership Academy Charter Public School  
23 Leonard Street  
Dorchester, MA 02122  
(617) 474-7950

#### **Complaints of harassment by peers**

In the event the complaint consists of a student's allegation that another student is harassing him/her based upon the above-referenced classifications, the student may, in the alternative, file the complaint with the school's complaint manager (hereinafter referred to as "Building Complaint Manager"), who is the school's Dean of Students.

#### **Complaints of discrimination based upon disability**

A person who alleges discrimination on the basis of disability relative to the identification, evaluation, or educational placement of a person, who because of a handicap need or is believed to need special instruction or related services, pursuant to Section 504 of the Rehabilitation Act of 1973, Chapter 766, and/or the Individuals with Disabilities Education Act, must use the procedure outlined in the Massachusetts Department of Education's Parents' Rights Brochure rather than this Grievance Procedure.

A copy of the brochure is available from the following individual:

Phillip Davis  
Student Support Coordinator  
Helen Y. Davis Leadership Academy Charter Public School

23 Leonard Street  
Dorchester, MA 02122  
(617) 474-7950

A person with a complaint involving discrimination on the basis of a disability other than that described above may either use this Grievance Procedure or file the complaint with the U.S. Department of Education at the address provided at the end of this Grievance Procedure.

### **Contents of Complaints and Timelines for Filing**

Complaints under this Grievance Procedure must be filed within 30 school days of the alleged discrimination. The complaint must be in writing. The Grievance Administrator or any person of the grievant's choosing, may assist the grievant with filing the complaint. The written complaint must include the following information:

1. The name and school (or address and telephone number if not a student or employee) of the grievant.
2. The name (and address and telephone number if not a student or employee) of the grievant's representative, if any.
3. The name of the person(s) alleged to have caused the discrimination or harassment (respondent).
4. A description, in as much detail as possible, of the alleged discrimination or harassment.
5. The date(s) of the alleged discrimination or harassment.
6. The name of all persons who have knowledge about the alleged discrimination or harassment (witnesses), as can be reasonably determined.
7. A description, in as much detail as possible, of how the grievant wants the complaint to be resolved.

### **Investigation and Resolution of the Complaint**

Respondents will be informed of the charges as soon as the Grievance Administrator deems appropriate based upon the nature of the allegations, the investigation required, and the action contemplated.

The Grievance Administrator will interview witnesses whom s/he deems necessary and appropriate to determine the facts relevant to the complaint, and will gather other relevant information. Such interviews and gathering of information will be completed within fifteen (15) school days of receiving the complaint.

Within twenty (20) school days of receiving the complaint, the Grievance Administrator will meet with the grievant and/or her/his representative to review the information gathered and, if applicable, to propose a resolution designed to stop the discrimination or harassment and to correct its effect. Within five (5) school days of the meeting with the grievant and/or representative, the Grievance Administrator will provide written disposition of the complaint to the grievant and/or representative and to the respondent(s).

Notwithstanding the above, it is understood that in the event a resolution contemplated by the school involves disciplinary action against an employee or a student, the complainant will not be informed of such disciplinary action, unless it directly involves the complainant (i.e., a directive to "stay away" from the complainant, as might occur as a result of a complaint of harassment).



Any disciplinary action imposed upon an employee or student is subject to applicable procedural requirements.

All the time lines specified above will be implemented as specified, unless the nature of the investigation or exigent circumstances prevent such implementation, in which case, the matter will be completed as quickly as practicable. If the time lines specified above are not met, the reason(s) for not meeting them must be clearly documented. In addition, it should be noted that in the event the respondent is subject to a collective bargaining agreement which sets forth a specific time line for notice and/or investigation of a complaint, such time lines will be followed.

Confidentiality of grievants/respondents and witnesses will be maintained, to the extent consistent with the school's obligations relating to investigation of complaints and the due process rights of individuals affected.

Retaliation against someone because he/she has filed a complaint under this Grievance Procedure is strictly prohibited. Acts of retaliation may result in disciplinary action, up to and including suspension or expulsion/discharge.

## **Appeals**

If the grievant is not satisfied with a disposition by a Grievance Administrator, the grievant may appeal the disposition to the Board of Trustees, as follows:

Chairperson, Board of Trustees  
Helen Y. Davis Leadership Academy Charter Public School  
23 Leonard Street  
Dorchester, MA 02122  
(617) 474-7950

The Board of Trustees will issue a written response on the appeal to the grievant within ten (10) school days of receiving the appeal.

Generally, a grievant may file a complaint with the U.S. Department of Education through the following contact information:

U.S. Department of Education  
8th Floor  
5 Post Office Square  
Boston, MA 02109-3921  
Telephone: (617) 289-0111  
Facsimile: (617) 289-0150  
Email: [OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov)

1. Within 180 calendar days of alleged discrimination of harassment, or
2. Within 60 calendar days of receiving notice of the school's final disposition on a complaint filed through the school, or
3. Within 60 calendar days of receiving a final decision by the Massachusetts Department of Education, Bureau of Special Education Appeals, or
4. Instead of filing a complaint with the school.

## **XIII. Other Safety Concerns**

### **Search and Seizure**

To ensure the safety of students and staff, the Academy maintains the right to search students and their property if there is reason to believe a school rule or state law has been violated. To that end, school officials may search the student storage-area, student coats, person, backpack, or other personal belongings. The school may also use canine searches in the school building. Classroom closets and supply rooms are the property of the Academy and students are not allowed to store any belongings in these locations.

### **Physical Restraint**

As outlined in 603 CMR 46.00, physical restraint may be used at the Academy under certain emergency conditions:

1. When other non-physical interventions have been tried and failed or are judged to be inadequate to the circumstances
2. A student's behavior poses a threat of imminent, serious, physical harm to self and/or others.

The use of physical restraint shall not be used as a means of punishment, or as a response to property destruction, disruption of school order, a student's refusal to comply with a school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious, physical harm. When physical restraint is required, it is the goal of school personnel to prevent or minimize any harm to the student as a result of the use of physical restraint.

Only those staff members that have received in-depth training as described within the schools Physical Restraint Policy shall administer physical restraints.

The Academy follows the regulations and reporting and documentation requirements of 603 CMR 46.00. All procedures surrounding the Academy's implementation of restraint follow the guidelines outlined in regulation 603 CMR 46.00. For further information, visit: <http://www.doe.mass.edu/lawsregs/603cmr46.html?section=03>.

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

### **Physical Restraint Policy**

#### **I. Introduction and Purpose**

In accordance with state law, Helen Y. Davis Leadership Academy Charter Public School has determined that physical restraint on a student will only be administered when needed to protect a student and/or a member of the school community from assault or imminent, serious, physical harm; and if non-physical interventions would not be effective. The use of physical restraint shall not be used as a means of punishment, or as a response to property destruction, disruption of

school order, a student's refusal to comply with a school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious, physical harm. When physical restraint is required, it is the goal of school personnel to prevent or minimize any harm to the student as a result of the use of physical restraint.

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

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

## II. Definitions

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

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

5. **Physical restraint** shall mean direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.
6. **Director of Teaching and Learning/Principal** shall mean the instructional leader of the school or his or her designee. In accordance with 603 CMR 46.02, Helen Y. Davis Leadership Academy Charter School Executive Director designates the Principal of The Academy, as the instructional leaders of their respective schools, and the Dean of Students shall serve as designee for purposes of 603 CMR 46.00.
7. **Prone restraint** shall mean a physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student's body to keep the student in the face-down position.
8. **Seclusion** shall mean the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include a time-out as defined in 603 CMR 46.02.
9. **Time-out** shall mean a behavioral support strategy developed pursuant to 603 CMR 46.04(1) in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During time-out, a student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The space used for time-out must be clean, safe, sanitary, and appropriate for the purpose of calming. Time-out shall cease as soon as the student has calmed.

### **III. Prohibited Restraints**

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

### **IV. Use of Physical Restraint**

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

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

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

Physical restraint is an emergency procedure of last resort and shall not be used as a means of discipline or punishment or as a response to the destruction of property, disruption of school order,

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

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

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

## **VI. Proper Administration of a Physical Restraint**

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

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

School personnel shall discontinue the restraint as soon as the student is no longer an immediate danger to himself or others, or the student indicates that he or she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing. As noted in Section 5 of this policy, floor restraints, including prone restraints, are prohibited unless the school personnel administering the restraint has received in-depth training, in the judgment of the trained staff member, such method is required to provide safety for the student or others present, and the additional conditions detailed in Section 5 have been met.

## **VII. Duration & Safety Requirements**

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

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

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

### **VIII. Follow-up Procedures**

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

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

### **IX. Reporting & Reviewing Requirements**

#### **9.1. Verbal and Written Reports: School Personnel**

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

#### **9.2. Verbal and Written Reports: Parents/Guardians**

The Director of Teaching and Learning/Principal or designee shall verbally inform the student's parents or guardians of any physical restraint within 24 hours of the event, and shall send a written report within three school working days following the use of the physical restraint. The report shall be sent to an email address provided by the parent for communications about the student or by

regular mail postmarked no later than three school working days following the use of the restraint. If the school customarily provides a parent of the student with school-related information in a language other than English, the written restraint report shall be provided to the parent in that language. The Director of Teaching and Learning/Principal or designee shall provide the student and the parent an opportunity to comment orally and in writing on the use of the restraint and on information in the written report.

### **9.3. Contents of the Reports**

The written reports referenced above shall include the following information:

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

### **9.4. Review of Restraint Data**

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

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

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

### **9.5. Administrative Review**

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

### **9.6. Reporting of Injuries**

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

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

## **X. Policies, Procedures, & Training**

### **10.1. Policies and Procedures**

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

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



## **10.2. Staff Training**

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

Training shall include information on the following:

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

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

## **XI. Complaint Procedures**

### **11.1. Informal Resolution of Concern About Use of Physical Restraint**

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

### **11.2. Formal Resolution of Concern About Use of Physical Restraint**

A student or his/her parent/guardian, who has concerns regarding a specific use of a physical restraint, may seek to resolve his/her concerns regarding a specific use of a physical restraint by submitting a written complaint to the Executive Directors. The student and/or his/her

parent/guardian should submit this letter within twenty (20) days of the parent/guardian's receipt of the written report from the school detailed. The written complaint shall include (a) the name of the student; (b) the location where the physical restraint allegedly occurred; (c) the name of the individuals involved in the alleged physical restraint; (d) the basis of the complaint or concern; and (e) the corrective action being sought. The Academy's Executive Director shall conduct an investigation into the complaint promptly after receiving the complaint. In the course of its investigation they shall contact those individuals that have been referred to as having pertinent information related to the complaint. Strict timelines cannot be set for conducting the investigation because each set of circumstances is different. The Executive Director will make sure that the complaint is handled as quickly as is feasible. After completing the formal investigation, the Executive Directors shall contact the individual who filed the complaint regarding the outcome of its investigation and its determination as to whether any corrective action is warranted.

### **Child Abuse and Neglect**

The Academy is committed to protecting its students and preventing abuse and neglect of any kind. Under M.G.L. Chapter 119, Section 51A, any public or private school teacher, educational administrator, guidance or family counselor, nurse, or social worker, as well as certain other professionals, who in their professional capacity believes that a child under eighteen is suffering serious physical or emotional injury resulting from abuse or neglect, must immediately report such cases to the Department of Children and Families (DCF). School personnel are mandated reporters of child abuse and neglect under the statute. The mandated reporter must make an oral report, and within 48 hours, must make a written report to DCF. Alternatively, the mandated reporter may notify the person in charge of the school (or their designee) who shall then become responsible to make the oral and written report to DCF. The statute requires that such a report contain, among other things, the names and addresses of the child and their parents/guardians, the child's age and sex, the nature and extent of their injuries, the name of the person making the report, and various other information.

### **Commonwealth of Massachusetts: Anti-Hazing Law**

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

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

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

#### **Chapter 269: Section 18. Failure to report hazing**

Whoever knows that another person is the victim of hazing as defined in section seventeen and is

at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

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

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

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

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

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

**Hazing Disciplinary Policy**

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

**Policies and Procedures for Reporting and Responding to Hazing**

## **I. Reporting**

### **1.1. Reporting Overview**

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

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

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

### **1.2. Reporting by Staff**

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

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

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

## **II. Responding to a Report of Hazing or Retaliation**

Before investigating, the Director of Teaching and Learning/Principal or Dean of Students will take steps to ensure safety of targets and witnesses.

Upon determining that an incident of hazing has taken place, the Director of Teaching and Learning or Dean of Students will notify parents of all involved parties as well as the appropriate law enforcement official.

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

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

## **III. Investigation**

The Director of Teaching and Learning/Principal or Dean of Students will investigate promptly all reports of hazing or retaliation and in doing so will consider all available information known, including the nature of the allegation(s) and the ages of the students involved. The Director of Teaching and Learning/Principal or Dean of Students will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action. To the extent possible, the Director of Teaching and Learning/Principal or Dean of Students will maintain

confidentiality during the process. The Director of Teaching and Learning/Principal or Dean of Students will make a written record of the investigation.

#### **IV. Determinations and Responses to Hazing**

The Director of Teaching and Learning/Principal will make a determination based upon all the facts and circumstances. If, after investigation, hazing or retaliation is substantiated, the Director of Teaching and Learning/Principal or Dean of Students will take steps to ensure:

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

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

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

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

#### **V. Collaboration With Families**

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

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

## **Bullying Prevention and Intervention Plan**

### **POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION**

#### **I. Reporting**

##### **1.1. Reporting Overview**

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

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

##### **1.2. Reporting by Staff**

A staff member will report any bullying incidents immediately to the Dean of Students in addition to following all other customary disciplinary procedures.

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

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

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

Before investigating, the Dean of Students will take steps to ensure safety of targets and witnesses.

Upon determining that an incident of bullying has taken place, the Dean of Students will notify parents of all involved parties as well as the Director of Teaching and Learning/Principal. Notice will be consistent with 603 CMR 49.00.

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

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

#### **III. Investigation**

The Dean of Students will investigate promptly all reports of bullying or retaliation and in doing so will consider all available information known, including the nature of the allegation(s) and the ages of the students involved. The Dean of Students will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action. To the extent

possible, the Dean of Students will maintain confidentiality during the process. The Dean of Students will make a written record of the investigation.

#### **IV. Determinations and Responses to Bullying**

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

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

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

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

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

#### **V. Collaboration With Families**

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

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

#### **VI. MGL, Chapter 71, Section 370**

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

Leadership Academy Charter Public School, have updated their Bullying Prevention and Intervention Plans to reflect these changes.

## Anti-Bullying Law

Section 370: School bullying prohibited; bullying prevention and intervention plans; reporting of bullying incident date

Section 370. (a) As used in this section the following words shall, unless the context clearly requires otherwise, have the following meaning:-

"Approved private day or residential school", a school that accepts, through agreement with a school committee, a child requiring special education pursuant to section 10 of chapter 71B.

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

"Charter school", commonwealth charter schools and Horace Mann charter schools established pursuant to section 89 of chapter 71.

"Cyber-bullying", bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by 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 (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying. Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying.

"Collaborative school", a school operated by an educational collaborative established pursuant to section 4E of chapter 40.

"Department", the department of elementary and secondary education.

"Hostile environment", 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.

"Plan", a bullying prevention and intervention plan established pursuant to subsection (d).

"Perpetrator", a student or a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional who engages in bullying or retaliation.



"School district", the school department of a city or town, a regional school district or a county agricultural school.

"School grounds", property on which a school building or facility is located or property that is owned, leased or used by a school district, charter school, non-public school, approved private day or residential school, or collaborative school for a school-sponsored activity, function, program, instruction or training.

"Victim", a student against whom bullying or retaliation has been perpetrated.

(b) Bullying shall be prohibited: (i) 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 a school district or school, or through the use of technology or an electronic device owned, leased or used by a school district or school and (ii) at a location, activity, function or program that is not school-related, or through the use of technology or an electronic device that is not owned, leased or used by a school district or 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 or the orderly operation of a school. Nothing contained herein shall require schools to staff any non-school related activities, functions, or programs.

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

(c) Each school district, charter school, approved private day or residential school and collaborative school shall provide age-appropriate instruction on bullying prevention in each grade that is incorporated into the curriculum of the school district or school. The curriculum shall be evidence-based.

(d)(1) Each school district, charter school, non-public school, approved private day or residential school and collaborative school shall develop, adhere to and update a plan to address bullying prevention and intervention in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians. The plan shall apply to students and members of a school staff, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity and paraprofessionals. The consultation shall include, but not be limited to, notice and a public comment period; provided, however, that a non-public school shall only be required to give notice to and provide a comment period for families that have a child attending the school. The plan shall be updated at least biennially.

(2) Each plan shall include, but not be limited to: (i) descriptions of and statements prohibiting bullying, cyber-bullying and retaliation, including procedures for collecting, maintaining and reporting bullying incident data required under subsection (k); (ii) clear procedures for students, staff, parents, guardians and others to report bullying or retaliation; (iii) a provision that reports of bullying or retaliation may be made anonymously; provided, however, that no disciplinary action shall be taken against a student solely on the basis of an anonymous report; (iv) clear procedures for promptly responding to and investigating reports of bullying or retaliation; (v) the range of disciplinary actions that may be taken against a perpetrator for bullying or retaliation; provided, however, that the disciplinary actions shall balance the need for accountability with the need to teach appropriate behavior; (vi) clear procedures for restoring a sense of safety for a victim and assessing that victim's needs for protection; (vii) strategies for protecting from bullying or retaliation a person who reports bullying, provides information during an investigation of bullying

or witnesses or has reliable information about an act of bullying; (viii) procedures consistent with state and federal law for promptly notifying the parents or guardians of a victim and a perpetrator; provided, that the parents or guardians of a victim shall also be notified of the action taken to prevent any further acts of bullying or retaliation; and provided, further, that the procedures shall provide for immediate notification pursuant to regulations promulgated under this subsection by the principal or person who holds a comparable role to the local law enforcement agency when criminal charges may be pursued against the perpetrator; (ix) a provision that a student who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action; and (x) a strategy for providing counseling or referral to appropriate services for perpetrators and victims and for appropriate family members of said students. The plan shall afford all students the same protection regardless of their status under the law.

(3) Each plan shall recognize that certain students may be more vulnerable to becoming a target of bullying or harassment based on actual or perceived differentiating characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by association with a person who has or is perceived to have 1 or more of these characteristics. The plan shall include the specific steps that each school district, charter school, non-public school, approved private day or residential school and collaborative school shall take to support vulnerable students and to provide all students with the skills, knowledge and strategies needed to prevent or respond to bullying or harassment. A school district, charter school, non-public school, approved private day or residential school or collaborative school may establish separate discrimination or harassment policies that include additional categories of students. Nothing in this section shall alter the obligations of a school district, charter school, non-public school, approved private day or residential school or collaborative school to remediate any discrimination or harassment based on a person's membership in a legally protected category under local, state or federal law.

(4) The plan for a school district, charter school, approved private day or residential school and collaborative school shall include a provision for ongoing professional development to build the skills of all staff members, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities and paraprofessionals, to prevent, identify and respond to bullying. The content of such professional development shall include, but not be limited to: (i) developmentally appropriate strategies to prevent bullying incidents; (ii) developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents; (iii) information regarding the complex interaction and power differential that can take place between and among a perpetrator, victim and witnesses to the bullying; (iv) research findings on bullying, including information about students who have been shown to be particularly at risk for bullying in the school environment; (v) information on the incidence and nature of cyber-bullying; and (vi) internet safety issues as they relate to cyber-bullying. The department shall identify and offer information on alternative methods for fulfilling the professional development requirements of this section, at least 1 of these alternative methods shall be available at no cost to school districts, charter schools, approved private day or residential schools and collaborative schools.

(5) The plan shall include provisions for informing parents and guardians about the bullying prevention curriculum of the school district or school and shall include, but not be limited to: (i) how parents and guardians can reinforce the curriculum at home and support the school district or school plan; (ii) the dynamics of bullying; and (iii) online safety and cyber-bullying.

(6) The department shall promulgate rules and regulations on the requirements related to a principal's duties under clause (viii) of the second paragraph of this subsection; provided, however, that school districts, charter schools, approved private day or residential schools and collaborative schools shall be subject to the regulations. A non-public school shall develop procedures for immediate notification by the principal or person who holds a comparable role to the local law enforcement agency when criminal charges may be pursued against the perpetrator.

(e)(1) Each school district, charter school, non-public school, approved private day or residential school and collaborative school shall provide to students and parents or guardians, in age-appropriate terms and in the languages which are most prevalent among the students, parents or guardians, annual written notice of the relevant student-related sections of the plan.

(2) Each school district, charter school, non-public school, approved private day or residential school and collaborative school shall provide to all school staff annual written notice of the plan. The faculty and staff at each school shall be trained annually on the plan applicable to the school. Relevant sections of the plan relating to the duties of faculty and staff shall be included in a school district or school employee handbook.

(3) The plan shall be posted on the website of each school district, charter school, non-public school, approved private day or residential school and collaborative school.

(f) Each school principal or the person who holds a comparable position shall be responsible for the implementation and oversight of the plan at his school.

(g) A member of a school staff, including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional, shall immediately report any instance of bullying or retaliation the staff member has witnessed or become aware of to the principal or to the school official identified in the plan as responsible for receiving such reports or both. Upon receipt of such a report, the school principal or a designee shall promptly conduct an investigation. If the school principal or a designee determines that bullying or retaliation has occurred, the school principal or designee shall (i) notify the local law enforcement agency if the school principal or designee believes that criminal charges may be pursued against a perpetrator; (ii) take appropriate disciplinary action; (iii) notify the parents or guardians of a perpetrator; (iv) notify the parents or guardians of the victim, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation; and (v) inform the parents or guardians of the victim about the department's problem resolution system and the process for seeking assistance or filing a claim through the problem resolution system.

(h) If an incident of bullying or retaliation involves students from more than one school district, charter school, non-public school, approved private day or residential school or collaborative school, the school district or school first informed of the bullying or retaliation shall, consistent with state and federal law, promptly notify the appropriate administrator of the other school district or school so that both may take appropriate action. If an incident of bullying or retaliation occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in a local school district, charter school, non-public school, approved private day or residential school or collaborative school, the school district or school informed of the bullying or retaliation shall contact law enforcement consistent with the provisions of clause (viii) of the second paragraph of subsection (d).

(i) Nothing in this section shall supersede or replace existing rights or remedies under any other general or special law, nor shall this section create a private right of action.

(j) The department, after consultation with the department of public health, the department of mental health, the attorney general, the Massachusetts District Attorneys Association and experts on bullying shall: (i) publish a model plan for school districts and schools to consider when creating their plans; and (ii) compile a list of bullying prevention and intervention resources, evidence-based curricula, best practices and academic-based research that shall be made available to schools. The model plan shall be consistent with the behavioral health and public schools framework developed by the department in accordance with section 19 of chapter 321 of the acts of 2008. The resources may include, but shall not be limited to, print, audio, video or digital media; subscription based online services; and on-site or technology-enabled professional development and training sessions. The department shall biennially update the model plan and the list of the resources, curricula, best practices and research and shall post them on its website.

(k) Each school district, charter school, approved private day or residential school and collaborative school shall annually report bullying incident data to the department. The data shall include, but not be limited to: (i) the number of reported allegations of bullying or retaliation; (ii) the number and nature of substantiated incidents of bullying or retaliation; (iii) the number of students disciplined for engaging in bullying or retaliation; and (iv) any other information required by the department. Said incident data shall be reported in the form and manner established by the department, in consultation with the attorney general; provided, that the department shall minimize the costs and resources needed to comply with said reporting requirements; and provided further, that the department may use existing data collection and reporting mechanisms to collect the information from school districts. The department shall analyze the bullying incident data and shall publish an annual report containing aggregate statewide information on the frequency and nature of bullying in schools. The department shall file the annual report with the attorney general and with the clerks of the senate and the house of representatives who shall forward the same to the chairs of the joint committee on education, the joint committee on the judiciary and the house and senate committees on ways and means.

(l) The department shall develop a student survey to assess school climate and the prevalence, nature and severity of bullying in schools. The survey shall be administered by each school district, charter school, approved private day or residential school and collaborative school at least once every 4 years. The survey shall be designed to protect student privacy and allow for anonymous participation by students.

The school official identified in the plan as responsible for receiving reports of bullying or retaliation shall verify the completion of the student surveys. All completed surveys shall be forwarded to the department. The department shall use the survey results to help assess the effectiveness of bullying prevention curricula and instruction developed and administered under subsection (c). The department shall collect and analyze the student survey data in order to: compare the survey results with the bullying incident data reported under subsection (k); identify long-term trends and areas of improvement; and monitor bullying prevention efforts in schools over time. The department shall make its findings available to the school official.

(m) Each school district, charter school, approved private day or residential school or collaborative school may adopt an anti-bullying seal to represent the district or school's commitment to bullying prevention and intervention.

(n) The department may investigate certain alleged incidents of bullying. If, upon completion of investigation by the department, a school district, charter school, approved private day or residential school or collaborative school is found to not have properly implemented its prevention plan as outlined in subsection (d), the department may require that school district, charter school,

approved private day or residential school or collaborative school to properly implement the plan or take other actions to address the findings of the investigation.

## **Substance Use Prevention and Education Policy**

### **I. Introduction**

The Helen Y. Davis Leadership Academy CPS, in accordance with Mass General Laws (c.71, s.96) and with recommendations and guidance from the Massachusetts Department of Public Health and the Department of Elementary and Secondary Education has developed and will implement a policy regarding substance use prevention and education for our students. The Helen Y. Davis Leadership Academy CPS will notify parents and guardians of all students in our school of the policy regarding substance use prevention and will post the policy on the school's' website.

The use and/or abuse of any substance including alcohol and illegal drugs (including steroids), as well as the inappropriate use and/or abuse of legal substances (inhalants, electric cigarettes, herbal supplements, prescription medications, dietary aids and over-the-counter medications) is strictly prohibited on school grounds. Any possession, use or sale of illegal drugs or drug paraphernalia, legal substances intended for misuse or alcoholic beverages on the school grounds, at school functions or on school buses is prohibited at all times.

### **II. Goals**

Implementation of an evidenced-based substance abuse curriculum for grades 6 - 8 that teaches self-management, social, legal, health consequences and refusal skills that will empower students to make healthy choices and avoid alcohol and substance use.

Provide parents, guardians and community members' ongoing educational opportunities and resources to prevent substance use.

### **III. Leadership**

Leadership at all levels will play a critical role in developing and implementing the substance use prevention and education policy. This is accomplished by utilizing a team approach involving school administrators, Board of Trustees, teachers, nurses, counselors, Boston Police Community Relations Officer, students, families and outside community agencies.

### **IV. Professional Development**

The Helen Y. Davis Leadership Academy CPS staff will be provided training opportunities to ensure they are aware of policies and procedures for alcohol and substance use prevention, education, identification, and intervention.

### **V. Access to Resources and Services**

School counseling personnel, nursing services and contracted community agencies will work closely in identifying and referring students with substance abuse issues. The Helen Y. Davis Leadership Academy CPS has an identified team of social-emotional support staff including the Coordinator of Student Support Services and the Dean of Student Affairs, School Nurse, and the outside vendor PEAR and Home for Little Wanderers. They are available for students in need of assessment, counseling and referral. Community based providers are available for referral and intervention as needed.

### **VI. Academic and Non-Academic Strategies**

In accordance with the Massachusetts Comprehensive Health Frameworks, the Helen Y. Davis Leadership Academy CPS will provide developmentally appropriate, evidence based alcohol, tobacco and drug education and prevention programs in grades 6-8. Students will be provided with informational handouts provided by the MIAA - Substance Abuse Prevention Facts for Teens and Parents. The Helen Y. Davis Leadership Academy CPS presently employs a Nurse who is responsible for various health and wellness initiatives dealing with behavioral health and substance abuse issues. Students in grades 8 will participate in state mandated SBIRT (Student Brief Intervention Referral and Treatment). This verbal screening tool will be used to help keep all students healthy and provide appropriate prevention, intervention and referral for possible substance abuse by a trained screener.

## **VII. Policies and Protocols**

The Helen Y. Davis Leadership Academy CPS has policies in place for: voluntary admission of drug or alcohol problem, appearing under the influence, distribution or possession of drugs and prohibiting substance or tobacco use, on school property or at any school sponsored or school related activity, function or program whether on or off school property. Any student charged with a violation of these policies may be expelled or suspended in accordance with the Helen Y. Davis Leadership Academy CPS Family and Student Handbook and M.G. L Discipline Code. School staff will discuss these policies annually with students, and policies will be posted on the school's web site and in the Helen Y. Davis Leadership Academy CPS Family and Student Handbook, which requires parents' signature to ensure they have received this handbook annually.

## **VIII. PROCEDURES**

The following steps will be taken in response to student use of substances:

1. If a student voluntarily confides a drug or alcohol problem to any staff member, staff will consult immediately with the school counselor, school nurse, or building administrator, who will then consult the Coordinator of Student Support Services and the Dean of Student Affairs to develop recommendations. In such instances, the school will work with the student and family to address the drug or alcohol problem. The student may be required to attend meetings of an approved alcohol or drug recovery program or other appropriate treatment.
2. If a school administrator has reasonable grounds to suspect, through direct observation, that a student is under the influence of drugs or alcohol, but no contraband is found, an assessment will be made. The student may be removed from class, and parental contact will occur immediately, along with a medical referral. The Boston Police School Unit will be informed of the incident.
3. When a student is determined to be under the influence of drugs or alcohol, but no contraband is found, the Coordinator of Student Support Services and the Dean of Student Affairs or designee will immediately notify parents and a conference will be held with the student and parents before the student returns to school. The student may be required to attend meetings of an approved alcohol or drug recovery program or other appropriate treatment. In addition, the student will be subject to a maximum of ten-day suspension from school.
4. If a student is found to be in possession of a drug or alcohol, the Coordinator of Student Support Services and the Dean of Student Affairs or designee will notify parents and a conference will be held with the student and parents. The substance will be sealed and labeled with the date and time of confiscation and noted in the incident report. If it is a

legal substance, it may be given to the parent or disposed of at the parent's request. If the substance is illegal, it will be turned over to the Boston Police Department. The student may be required to attend an approved alcohol or drug recovery program or other appropriate treatment and may be subject to expulsion under the Helen Y. Davis Leadership Academy CPS's code of discipline school.

5. If a student is found to be selling, distributing or in possession of a quantity sufficient to be charged with the intent to distribute drugs or alcohol, the Coordinator of Student Support Services and the Dean of Student Affairs or designee will immediately notify the parent and the police for mandatory removal of the student. There will be an Out of School Suspension and the student may be subject to expulsion pursuant to the school's code of discipline. The Boston Police will be notified regarding the sale of drugs in proximity to school buildings.

### **Community Liaisons**

The school will maintain liaisons with rehabilitation, treatment, judicial, law enforcement, and legislative agencies to help ensure that the total community capability is brought to bear on the elimination of substance abuse problems. Specific groups and organizations include:

- Boston Police Department
- Boston Police School Police Unit
- Area C Community Relations Officer
- Boston Police Drug Unit
- Suffolk District Attorney's Office
- PEAR (McLean Hospital/Harvard University Collaboration)
- Home for Little Wanderers
- Dorchester House

### **Collaboration with Families**

The Helen Y. Davis Leadership Academy CPS believes that families are essential partners in our efforts to prevent substance abuse. The School is committed to providing ongoing informational and educational parent programming during the school year.

### **Resources / Supports**

If you are concerned about a Helen Y. Davis Leadership Academy CPS student and the possible use of drugs or alcohol, we encourage you to contact our school nurse, one of our school counselors and/or the Coordinator of Student Support Services and the Dean of Student Affairs.

The National Registry of Evidence-based Programs and Practices (NREPP) is a searchable registry of more than 350 substance abuse and mental health interventions that have been reviewed by the U.S Substance Abuse and Mental Health Services

Parents and or guardians may find the following helpful:

- [Talking to Your Kids about Marijuana](#) -- Mass Public Health Blog
- [Parent Power](#)- Mass.gov Health & Human Services
- [Alcohol Use and Your Kids](#) - Mass Public Health
- [Prevention Tips for your Middle School Aged Child](#) - Mass.gov Health & Human Services
- <http://safesupportivelearning.ed.gov> - National Center on Safe Supportive Learning Environments
- <http://www.getsmartaboutdrugs.com/> - DEA
- [Office of Adolescent Health](#) - U.S. Dept. of Health and Human Services
- [Adolescent Substance Abuse Program](#)- Boston Children's Hospital

- [Peer Pressure](#) - American Academy of Child and Adolescent Psychiatry

### **Seeking Help for your Child**

If you are concerned about your child's use of alcohol, other drugs or misuse of prescriptions, the Department's Bureau of Substance Abuse Services can help.

For free and confidential information and referral services for youth and young adults (up to age 24) who are experiencing a problem with alcohol, or other drugs, contact [BSAS' Youth Central Intake & Care Coordination service](#):

## **XIV. School Community Complaint Policy**

If parents/guardian believe that their child's teacher has not adequately addressed their concern(s), any parent/guardian or other member of the school community may file a complaint with the Academy's Director of Teaching and Learning. Complaints concerning buses, behavior, suspensions, issues concerning teachers, academics, civil rights, etc. may be filed verbally in person or by phone (617-474-7950), or in writing by mail: Director of Teaching and Learning/Principal, Helen Y. Davis Leadership Academy, 23 Leonard Street, Dorchester, MA 02122 or by e-mail to [aforrest@dlacps.org](mailto:aforrest@dlacps.org).

The appropriate administrator will respond to the complaining party within 7 days of receipt of the complaint. If the person believes that their complaint has not been adequately addressed by the school administrator, they may submit the complaint in writing to the Acting Interim Executive Director, Mr. Coblyn by mail: 23 Leonard Street, Dorchester, MA or by e-mail to [ccoblyn@dlacps.org](mailto:ccoblyn@dlacps.org). If the person believes that their complaint has not been adequately addressed by the Executive Director, they may submit the complaint in writing to the Academy Board of Trustees (BOT): Chair of the Board of Trustees, Helen Y. Davis Leadership Academy, 23 Leonard Street, Dorchester, MA 02122.

The Board of Trustees shall investigate the complaint and the complaining party and all school staff shall cooperate fully in the investigation. The BOT shall provide written response to the complaining party no later than 30 days from the receipt of the written complaint.

Any parent/guardian, individual, or group who believe that the Academy has violated or is violating the laws and/or regulations that govern Charter Schools (M.G.L. c.71; s.89; 603 CMR 1.00) has the right to file a complaint **directly** with the Academy's Board of Trustees. Copies of M.G.L. c.71; s.89; 603 CMR 1.00 can be obtained from the Academy's Main Office. The BOT shall provide written response to the complaining party no later than 30 days from the receipt of the written complaint. The BOT shall, pursuant to a complaint received under 603 CMR 1.10, or on its own initiative, conduct an investigation and review to ensure compliance with M.G.L. c.71; s.89; 603 CMR 1.00 and the specific individuals involved shall cooperate fully in the investigation and review.

A complaining party that believes the Academy's Board of Trustees has not adequately addressed the complaint may submit the complaint in writing to the Commissioner of Education, who shall investigate such complaint and make a written response. In the event that the Academy is found in non-compliance with M.G.L. c.71; s.89; 603 CMR 1.00, as a result of a complaint or upon investigation, the Commissioner or the Board of Education 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 or the Officer of the Attorney General for appropriate legal action.

Any parent/guardian, individual, or group who believe that the Academy has violated or is violating any state or federal laws and/or regulations that govern special education has the right to file a complaint **directly** with the Department of Education.

## **XV. Title I Home-School Compact Policy**

### **Helen Y. Davis Leadership Academy CPS Home-School Compact**

We are a **Title I** school and we must have a **Home-School Compact**. This compact describes how the school and parents will build a partnership to help students succeed academically. It lays out how the school will meet the needs of its student, and the roles and responsibilities of parents and students. It serves as the basis for a written agreement between individual students, their parent(s)/guardian and the school. The parent(s)/guardian, the student, the student's teacher and the Head of School all sign this important agreement.

#### **Parent/Guardian Academy Compact**

Studies have shown that students do well in school when there are strong ties between the home and the school. Helen Y. Davis Leadership Academy CPS seeks to develop a relationship with families that positively and effectively support the learning and growth of every child attending the Academy.

#### **As a Teacher or Administrator of the Academy, I will strive to do the following:**

- Provide high quality, a rigorous curriculum, engaging and standards-based instruction, and leadership for all students.
- Attend and address the learning needs of each child attending the Academy.
- Provide a safe and positive academic environment for all children.
- Respect and value the uniqueness of each child and his or her family.
- Maintain an open line of communication between home and school.
- Encourage parent involvement at all times.

#### **Teachers responsibilities include the following:**

- Teachers will post grades in PowerSchool weekly and give students a homework reference sheet for each unit taught.
- The teacher will refer the students to the *Support Services Director* and the *Dean of Students* if students are not doing well in school. The Support Services Team will brainstorm with the Grade Level Team to help support the student. If teachers' interventions are not helping student, then the student will be referred for further evaluation and support.
- Teachers will provide monthly progress reports and report cards at the end of each quarter.
- Teachers will connect with parents/guardians to give them good news and to problem solve any issues students may be having at the Academy.

#### **As a Student, I will strive to do the following:**

- Work hard to do my best in class and to complete my homework assignments.
- Discuss with my parents/guardians what I am learning in school.
- Attend school regularly and on time each and every day.
- Show respect for myself, follow the core values and rules of my school, as well as my school community.
- Ask the teacher questions about my assignments during class, study hall and during after school hours.
- Take home materials to your parent/guardians and all information needed to complete assignments and school activities.
- Complete all homework in a way that is personally excellent, legible and timely.
- Follow school rules and live by the Academy mission and core values at all times.

**As a Parent/Guardian I will strive to:**

- Communicate with my child and the Helen Y. Davis Leadership Academy CPS staff; so, that I am informed of my child's progress and accomplishments.
- Attend parent meetings, events, and parent conferences for my child.
- Assist my child with homework assignments and encourage my child to read and engage in academic activities during their time at home.
- Monitor and limit social media and television time; in order to allow academic focus and activities to support growth physical and mental growth.
- Make personal and medical appointments during times that will not interfere with the school day and school instruction.
- Emphasize the Academy's school rules and reinforce the core values and the positive treatment and tolerance of everyone in the school community.
- Review assignments, quizzes, tests and contact child's teachers in regards to academic progress or lack of satisfactory grades.
- Provide and help maintain a quiet study place for school assignments, tests and quizzes for your child (*supply this area with a dictionary, pens, pencils, computers, papers, rulers, color pencils, highlighters, markers, glue, etc.*).
- Set a consistent study time for your child.
- Sign and return all required communications with the Academy's teachers and staff.
- Encourage your child to be positive about and towards the Academy, it is important to display a united "front".
- Require your child to be on time and to attend school every day.

*\*The **Home-School Compact** is located in the **DLA Community Handbook**. Parents/Guardians sign and date the acceptance of all agreements, rules and requirements in the handbook upon signature and dating of the handbook document.*

## Parent Handbook/Student Code of Conduct 2017-2018 Acceptance of Terms

I acknowledge that I have received and accept Academy's Parent Handbook/Student Code of Conduct 2017-2018 and **all** its policies. I understand that it is my responsibility to read this handbook completely and discuss with my child(ren) the expectations that the Academy has for their academic achievement and behavioral performance.

I also understand that I am expected to be actively involved in my child's education and to maintain open communication with the teachers and administrators of the Academy.

If I have any questions or comments regarding the Handbook, I will call the school's main telephone number (617) 474-7950 to speak to a school administrator.

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

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

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

Parent/Guardian Signature: \_\_\_\_\_

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

<p><b><i>*This form MUST be signed and returned to the student's teacher no later than <u>Friday, October 13, 2017.</u></i></b></p>
---