

Springfield International Charter School

Springfield, Massachusetts

Student/Parent Handbook

2022-2023

The purpose of the School Handbook is to provide students and families with information about the policies and procedures which govern academic and student life at the **Springfield International Charter School**. The policies and procedures set forth in the handbook are designed to promote a rigorous, safe and nurturing environment for students that enable the school community to focus on the learning process.

SICS reserves the right to make changes in the school handbook at any time and without notice.

If you wish to have this handbook translated in Spanish or Vietnamese or other language, please contact the school at 413-783-2600.

Si desea que este manual se traduzca en español o vietnamita, comuníquese con la escuela al 413-783-2600.

Nếu bạn muốn dịch cuốn sổ tay này sang tiếng Tây Ban Nha hoặc tiếng Việt hoặc ngôn ngữ khác, vui lòng liên hệ với trường theo số 413-783-2600.

SPRINGFIELD INTERNATIONAL CHARTER SCHOOL

Main Building

160 Joan Street
Springfield, MA 01129
Tel: (413) 783-2600
Fax: (413) 783-2555

Email: sicsma@sabis.net

Primary Building

160 Joan Street
Springfield, MA 01129
Tel: (413) 783-3434
Fax: (413) 783-2545

Email: sicsma@sabis.net

Student/Parent Handbook Acknowledgement

Student/Parent Handbook Acknowledgement

Dear Students and Parents:

Please sign below as acknowledgement that you have read and understand the policies and information stated in the 2022-2023 Student/Parent Handbook. **This form must be returned to the attention of the homeroom teacher.**

Sincerely,

Justin Baker

Director

We have read, discussed, and will abide by the Student/Parent Handbook.

Student Name: _____ Homeroom: _____

Parent Signature: _____

Student Signature: _____

Use of Internet Acknowledgement

****Parent and Student retain this copy****

I, _____, have read the school's Policy for Student Use of
Internet Student's Name/Please Print

Connection, accept it and agree to abide by all rules.

Student's Signature

Date

I, _____, the parent/guardian of the above, agree to
indemnify, Parent's Name/Please Print

protect and hold harmless the school, its employees and agents, and all other organizations related to the school's internet connection from any claim or liability whatsoever, whether in contract, or otherwise, that my result from my child's use of the internet and email. I agree that any computer equipment brought to school is done so entirely at my child's risk and that the school is not liable for damage, loss or theft of any student's personal computer equipment.

Parent's Signature

Date

**Springfield International Charter School (SICS)
Release of Student Directory Information &
Photo Release "Opt Out" Form
2022-2023**

This form will be kept on file
ONLY IF PARENTS CHOOSE AN OPT-OUT OPTION.

Student's Name: _____

Grade: _____

The Family Educational Rights and Privacy Act (FERPA) is a Federal law that protects the privacy of student education records. Parents and eligible students have a right to opt-out of the disclosure of directory information as well as from the release of student photos/images, and student work. If you wish to opt-out, you must check the box(es), below and return this form to the Director no later than September 30, 2022 or ten days following the student's enrollment in the District, whichever is later. This election is good for the remainder of the current school year.

If you are uncomfortable with your child's Directory Information, image and/or school work and/or image being released/disclosed for any of the purposes identified below, you can choose to opt-out. To opt out, please complete and return this form.

Parent, please check all that apply:

- ☐ PLEASE DO NOT INCLUDE MY STUDENT'S DIRECTORY INFORMATION THAT MAY BE RELEASED WITHOUT MY CONSENT INCLUDING, BUT NOT LIMITED TO:
- YEARBOOKS
 - NEWSLETTERS
 - BROCHURES
 - AWARDS
 - DISTRICT CALENDAR
- ☐ PLEASE DO NOT PUBLISH MY STUDENT'S PHOTO/IMAGE AND/OR STUDENT WORK*.

Parent/Guardian's Name (Please Print)

Date

Parent/Guardian's Signature

About Student Records

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. Massachusetts has similar regulations that protect student records 603 CMR 23.00 et seq.

Individual student records are developed and maintained for each student in the system in accordance with federal and state regulations, board policy and administrative procedures. These records provide the data needed to plan and implement legitimate and recognized educational goals for each student. The school principal or their designee is responsible for the privacy and security of all student records maintained in the school. A student's record consists of the transcript and the temporary record, according to 603 Code of Massachusetts Regulations, Chapter 23.00. It includes all information, regardless of form or characteristics, concerning a student that is organized on the basis of the student's name or in a way such student may be individually identified.

State and federal law give parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

Parents or eligible students have the right to inspect, review and have access to the student's education records maintained by the school.. Access shall be provided as soon as practicable and within ten days after the initial request, except in the case of non-custodial parents as provided in 603 CMR 23.07 (5). Upon request for access, the entire student record regardless of the physical location of its parts shall be made available. A reasonable fee, not to exceed the cost of reproduction, may be charged. However, a fee may not be charged if to do so would effectively prevent the parents or eligible student from exercising their right, under federal law, to inspect and review the records. Additionally, the parent or eligible student has the following rights:

- 1 Any student, regardless of age, shall have the right pursuant to M.G.L. c. 71, section 34A to receive a copy of his/her transcript.
- 2 The eligible student or the parent shall have the right upon request to meet with professionally qualified school personnel and to have any of the contents of the student record interpreted.
- 3 The eligible student or the parent may have the student record inspected or interpreted by a third party of their choice. Such third party shall present specific written consent of the eligible student or parent, prior to gaining access to the student record.

Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading in accordance with the applicable federal and state statutes and regulations.

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, state and federal law allows schools to disclose student Directory Information, without prior written consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest
- Other schools to which a student is transferring
- Accrediting organizations
- To comply with a judicial order or lawfully issued subpoena
- Appropriate officials in cases of health and safety emergencies

- Specified officials for audit or evaluation purposes
- Appropriate parties in connection with financial aid to a student
- Organizations conducting certain studies for or on behalf of the school
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

Upon a student's enrollment in any other elementary or secondary school, all records, excluding those in the limited access folder, will be transferred to that school upon written request for records from the school. The transfer of any additional data to other institutions or schools requires the written informed consent of the parent/guardian or eligible student. A record will be kept of all such requests and transfer of records.

Personally identifiable information may also be disclosed without written consent to those federal, state, and local authorities listed in Section 99.31 of the regulations of the Family Education Rights and Privacy Act.

Personally identifiable information may be disclosed to appropriate persons without parental/guardian consent in an emergency, if the knowledge of such information is necessary to protect the health and/or safety of the student or other persons.

Student Directory Information

Public Disclosure of Student Directory Information – (For ALL Students Grades K-12)

In accordance with federal and state laws, SICS may release student directory information for various purposes. Student directory information is defined by the school's Board of Trustees, and may include:

- Student name, address, and telephone number
- Date
- Major field of study
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Dates of attendance
- Honors, awards & degrees received
- Class Post high school plans

Public disclosure of student directory information may occur in many ways, such as:

- School yearbooks (including photos).
- Team rosters and class lists.
- Graduation, theater, athletic, and music programs.
- Video performances, school activities, and athletic events.
- Articles about school activities and athletic events.
- School honor roll, scholarships and other awards.
- Releases to media and other third parties.

The temporary record of each student shall be destroyed no later than seven (7) years after the student transfers, graduates, or withdraws from the school district. Written notice to the eligible student and their parent/guardian of the approximate date of destruction of the temporary record and their right to receive the information in whole or in part, shall be made at the time of such transfer, graduation, or withdrawal. During the time a student is enrolled in a school, the principal or their

designee shall periodically review and destroy misleading, outdated, or irrelevant information contained in the temporary record.

SICS hereby gives notice on an annual basis that temporary records are reviewed and destroyed at the end of each school year as deemed appropriate. Parents/guardians wanting an opportunity to receive the information or a copy prior to its destruction should contact the principal by June 1st of the school year.

Publication of Pictures, Videos & Student Art/Work

Springfield International Charter School celebrates the achievements of our students and staff. Throughout the year, SICS may take photographs of students and school activities. These photographs may appear in various school materials, including the school's website, school's social media (Facebook, Twitter, Instagram), yearbooks, brochures, district calendar, etc. We, at times, may also publicize student work.

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Springfield International Charter School Mission Statement

The Springfield International Charter School (SICS) is a college preparatory school that provides top-quality education on a non-selective basis to all students. It teaches these students to perform to the best of their ability, to achieve academic excellence in a global context, and prepares graduates to attend colleges and universities. The school develops and strengthens students' ethical, moral, and civic values, empowering them with the knowledge, skills, and social judgment they will need to face the challenges of the times. The school believes that students with a Springfield International Charter School education, especially in a multicultural setting, will be able to provide leadership throughout the world.

Springfield International Charter School Contact List

Main Building, Grades 6-12: 783-2600 Fax: 783-2555

Primary Building, Grades K-5: 783-3434 Fax: 783-2545

Director	Justin Baker
Deputy Director	Shirley Vazquez
Principals	Shirley Vazquez – Grades K-2 Rosara Pellicier – Grades 3-5 Christina Huff – Grades 6-8 Brendan Dwyer – Grades 9-12
Director of Special Education	Cynthia Miller – Grades K-12
Director of Operations	Derek Conway
Human Resources Director	Rafael Bones
Athletic Director	Ryan Gaebel
Nurse Leader	Kathleen Dupuis, R.N., Nurse Leader
Nursing Staff	Cindy Barry, M.A., Grades 6-12 Kristen Wrisley, R.N. – Grades K-5 Ali Bonner, R.N. – Grades K-5
Extended Day Program	Cindy Redmond
Student Records	Kirsten Drungo

For a copy of this Handbook in Spanish, please contact Home Liaison Briana Figueroa at 783-2600. **Springfield International Charter School**
WEBSITE ADDRESS: For more information, visit the www.springfieldinternationalcharterschool.org

Springfield International Charter School

Board of Trustees

Dr. Atu White – Chair

Wilfredo Lopez – Vice Chair

Anne-Marie Nicolai – Secretary

Tod Fairman – Treasurer

Luis Aponte

John Delaney

Chantal Ayotte

Daryl Johnson

Sonja Shaw

Features of Springfield International Charter School:

College Preparation for All Students

The School strives to prepare all its students to enter the colleges and universities that are of the best quality and “fit.” We believe that a college education is accessible to *all* students who are enrolled at Springfield Charter School. The record of college placement by SICS students’ bears this out.

SICS currently accepts students from kindergarten through 12th grade. In addition, the student should be prepared for assessment measures that are used for college admissions, such as the SAT and ACT, as well as the subject-content achievement tests (now called “SAT II”) and the appropriate Advanced Placement exams.

The School is highly academically oriented without being selective and requires only two things:

Students must have a minimum basic knowledge in English and mathematics (as determined by diagnostic tests); those lacking this knowledge must be willing to attain it through help and hard work.

Parents and students must want an excellent education, and students must be willing to make the effort required to achieve academic success.

Cultural Diversity:

SICS believes cultural diversity in its student body and staff. The diversity of the student body gives students the experience of interacting with children and adults from a variety of backgrounds, providing them with an opportunity to closely relate to people of different cultures, religions, and races. It fulfills one of the goals of the School’s philosophy, which is “to help students develop a true understanding of the differences as well as the similarities” of others.

Accountability:

We believe that high efficiency and good standards are achieved if people are held responsible for their actions and decisions. Hence, every individual at the School is accountable. Administrators bear the responsibility for setting, achieving, and maintaining high standards. The administration sets the syllabi for all classes and measures the attainment of objectives through independent testing. Teachers are held accountable for student achievement and for fostering a safe and supportive school climate.

Non-discrimination Policy:

SICS is committed to ensuring equal educational and extra-curricular opportunities for all students, on a space available basis, and does not discriminate on the basis of race, color national origin, creed, sex, ethnicity, sexual orientation, gender identity, pregnancy, mental or physical disability, age, ancestry, athletic performance, special need, or proficiency in the English language or a foreign language, and academic achievement. SICS may limit enrollment to specific grade levels and may structure curriculum around particular areas of focus such as mathematics, science or the arts. M.G.L. c. 76, § 5.

Springfield International Charter School Enrollment Policy

Springfield International Charter School (SICS), located in Springfield Massachusetts, is a public K-12 college preparatory school that provides top-quality education on a non-selective basis to all students, on a space available basis, and will not discriminate on the basis of race, color, national origin, creed or religion, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language or a foreign language, or prior academic achievement. The school will implement and follow their Student Recruitment and Retention Plan as submitted, as outlined in M.G.L Chapter 71, Section 89(f); CMR 603 1.05(f). Springfield International Charter School's application process is integrated with that of the school district, as outlined in 603 CMR 1.05(11). All applicants will be notified in writing of the rights of students with diverse learning needs to attend the SICS and to receive accommodations and support services, including students who may have disabilities, require special education, or are English language learners, as outlined in 603 CMR 1.05(4). The availability of services offered by the school will be posted on the school website, the SICS Student/Parent Handbook and in outreach materials available to the public. SICS does not charge an application fee for admission or use financial incentives to recruit students. Springfield International Charter School, upon request, will provide names and addresses of students to a third-party mail house for mailings, unless the parent or legal guardian requests that the school withhold their child's information. The "Opt Out" Form for release of student directory information is found in the Student/Parent Handbook found on the SICS website.

1.) Eligibility Criteria for Enrollment

- a) A student applying for enrollment must be a resident of Massachusetts at the time of application and at the time of his/her acceptance.

Proof of residency will be obtained as part of the enrollment process, except in the case of homeless students. Examples of residency proof will include:

1. A Utility Bill (not water or cell phone) dated within the past 60 days.

2. A Deed, Mortgage Payment dated within the past 60 days, or Property Tax Bill dated within the last year.
3. A current Lease, Section 8 Agreement, or Landlord Affidavit, dated within a year.
4. A W2 form dated within the year, or a Payroll Stub dated within the past 60 days.
5. A Bank or Credit Card Statement dated within the past 60 days
6. A Letter from an Approved Government Agency* dated within the past 60 days

*Approved government agencies: Departments of Revenue (DOR), Children and Family Services (DCF), Transitional Assistance (DTA), Youth Services (DYS), Social Security, any communications on Commonwealth of Massachusetts Letterhead.

- b) ; A child who is homeless is considered eligible to apply to the SICS lottery regardless of residency documentation, and the application of a homeless applicant will not be dependent on the submission of required documentation. Homeless applicants must provide reasonable proof (depending upon the circumstances or via an affidavit) of residency to receive an admission preference based on where they are currently or temporarily living. Homeless applicants will receive a residency preference based on their current or temporary residence within the City of Springfield; however, Springfield as a prior permanent residence does not provide a residence preference for admission. The school will work with applicants who may be considered homeless on a case-by-case basis to determine proof of current or temporary residence.
- c) Students entering kindergarten must be five years of age by September 1st to attend Kindergarten. Parents/guardians must complete an Application for Admission; present the student's birth certificate and proof of residency.
- d) SICS does not administer tests to potential applicants or predicate enrollment on results from any tests of ability or achievement (603 CMR 1.06(2)).
- e) SICS does not require potential students or their families to attend interviews or informational meetings as a condition of enrollment (603 CMR 1.05(3)). Informational meetings will be scheduled for parents/guardians who want to visit the school; attendance at these meetings will not influence the enrollment process.
- f) Enrollment shall not exceed the maximum cap allowed by the school's charter.

504.) Enrollment Process

- a. Springfield International Charter School will hold an annual enrollment period for students who are seeking enrollment at SICS. The enrollment period will be advertised widely throughout the sending district and will include public information sessions and school tours for interested families. Attending information sessions/ tours are not required as a condition of enrollment. Applications will be available at the school during the enrollment period. The

- date of the enrollment period and the date of the application deadline will be publicized at least one month in advance of the enrollment period. The annual enrollment period will last a minimum of one month. Applications submitted after the deadline for any enrollment period must be resubmitted in the next enrollment period.
- b. The enrollment process will take place every January for children who will be eligible to start Kindergarten the next school year. The enrollment period will be advertised widely throughout the sending district and will include the dates for public information sessions and school tours for interested families. Attending information sessions/ tours are not required as a condition of enrollment. The dates of the enrollment period and the date of the application deadline will be publicized at least one month in advance. For Kindergarten through Grade 12, enrollment parents/guardians will be required to fill out an Application for Admission, provide the school with the child's birth certificate and proof of residency.
 - c. SICS will enroll new students in grades K-12, following Certified Massachusetts Regulation (603 CMR 1.06(4) (d) requirements.
 - d. Any information that is requested on the application form, such as, language spoken, or race/ethnicity will not be used to discriminate and will not be used for selection purposes. This information will help us evaluate the effectiveness of our enrollment process.
 - e. Students who are offered enrollment will be contacted by phone and will then have three days to accept or decline the offer. Parents are encouraged to update their contact information by calling the school with any changes.
 - f. Applications will be accepted for any child meeting the school's age requirements and residing in Massachusetts. Applications will be available at the school during the enrollment periods.
 - g. Students must begin attending SICS within 10 days of their anticipated start date, e.g., the first day of school, in accordance with the school's attendance policy. Failure to attend will result in the school rescinding the student's offer of admission, being unenrolled, and their seat offered to the student at the top of the waitlist. The student must reapply for admission in a future application cycle if they to be considered again for enrollment.
 - h.

504.) Lottery Procedures

- a. All eligible applications received by the deadline will be entered into a public lottery. Applicants will be placed in the lottery by their grade as of the next school year.
- b. SICS will determine the number of seats available each year by grade level prior to the start of the new school year.
- c. The number of seats available for kindergarten, in the next school year, will be determined, prior to the kindergarten lottery. That number will be based on the number of siblings that register for kindergarten and the number of attending

- kindergarteners that may not be promoted to grade one and will repeat kindergarten.
- d. Notice of the lottery will be publicized at least one week prior to the lottery.
 - e. A lottery, for every grade, will be held at the end of each enrollment period if there are more applicants than seats available, or if there is a Waiting List at any grade level.
 - f. Students who have completed the enrollment process will be separated into one of the below groups:
 - **Siblings** (students who share a common parent, either biologically or legal adoption) of students who are already in attendance at SICS in the year of application, will be given preference for admission over non-sibling students. It is the responsibility of the parent/legal guardian to inform SICS of any sibling(s) currently on the Wait List.
 - **Residents** of Springfield will be given preference for admission over non-resident students.
 - **Non-residents** will be defined as students who live in Massachusetts but reside out of the City of Springfield.

All students who submitted an application prior to the application deadline will be included in a single lottery for each grade. The random lottery will be drawn by hand to establish the initial random rank order. After the initial random rank order has been created, preferences for admission will be applied in the following order:

- Siblings (students who share a common parent, either biologically or legal adoption) of students who are enrolled at the time an offer of admission is made (either during the lottery or off the waitlist) will be given preference for admission over non-sibling's students. It is the responsibility of the parent/legal guardian to inform SICS of any sibling(s) currently on the Wait List.
 - Residents of Springfield will be given preference for admission over non-resident students.
 - Non-residents will be defined as students who live in Massachusetts but reside out of the City of Springfield.
- g. Each Application for Admission will be assigned a random identification number for the lottery. The parent/guardian completing the Application will also be given a copy of the identification number for their child prior to the lottery. As each student number is drawn, he/she will be assigned the next available opening for his/her grade, or placement on the appropriate Waiting List. The lottery will establish a fair and random list of students by grade ranked in ascending numerical order according to their lottery draw.
 - h. An unbiased person will draw these numbers by grade at a publicized, public meeting at the school, 160 Joan Street, Springfield, MA 01129.
 - i. If the principal enrollment process fails to produce an adequate number of enrolled students, the lottery process may be repeated if a Waiting List does

not exist and the required lottery process is strictly followed, including public notification and deadlines (603 CMR 1.06(5)).

- j. Once a student is attending the school, they may remain at the school even if their town of residence, within Massachusetts, changes.
- k. In cases where offering admission to a student, who is not a sibling of another student who is currently attending the charter school, from the waitlist would exceed the district charter tuition cap, the student should be skipped but kept on the waitlist. In cases where the enrollment of a student who is a sibling of a student already attending a charter school would exceed the district charter school tuition cap, and the school has not admitted other students prior to admitting the sibling, the sibling may be admitted and the Commonwealth of Massachusetts will provide tuition for the sibling, subject to appropriation. G.L. c. 71, § 89(i); 603 CMR 1.05(10)(b).

4.) Waiting List Policy

- a. Students who are not selected for admission during the lottery will be placed on the waitlist in the order their names were drawn. SICS will also take into consideration sibling and residential preferences for admission, both of which may change over time, when creating and maintaining the waitlist.
- b. If a student stops attending SICS or declines admission, the next available student on the Waiting List for that grade will be offered admission until the vacant seat is filled.
- c. No student will be admitted ahead of other eligible students on the Waiting List unless said student is either a sibling of an enrolled student or a resident of Springfield.
- d. Students on the Waiting List will be contacted by phone with an offer of admission to the school. It is the parent/guardian's responsibility to notify the school with any change of contact information.
- e. Any student who is offered a seat at SICS and declines admittance, will need to reapply, and proceed with the lottery process.
- f. Any student who signs up for enrollment will be part of a lottery, if a seat is not available, to determine their placement on the Waiting List. Who are on the Waiting List as non siblings and become a sibling, due to the acceptance and attendance of their brother/sister, will be given sibling status. It is the parent's responsibility to notify the school if this occurs.
- g. SICS will keep accurate and secure electronic and paper records of their Waiting List. The Waiting List will contain the names, home addresses, telephone numbers, grade levels and sibling status of students who entered the lottery but did not gain admission.
- h. When a student stops attending the school for any reason, the school will attempt to fill vacant seats up to February 15th. SICS must replace any student who leaves the school in grade K-12 with a student in the same grade level, if the replacement takes place on or before February 15th. If a student in grade K-5 leaves the school after February 15th that vacancy will be filled the following school year with a new student in the subsequent (next) grade level. Parents/guardians who have a child on the

Waiting List are encouraged to contact SICS once a year to update their child's information and track their child's movement on the Waiting List.

504.) Application for Admission to SICS

- a. Attached is a copy of the Application for Admission.
- b. The application does not require dual parent/guardian signatures.

504. Academic Procedures

Homework

To reinforce concepts from class and to give students the opportunity to apply what they have learned, students are expected to complete homework, which will count towards a student's grade.

Homework is an important aspect of each student's educational experience and a major factor in their academic success. Homework is assigned to students as an outgrowth of classroom instruction. It is the responsibility of the student and should reflect their work. Incomplete or outstanding assignments represent a serious threat to learning.

Homework is designed to:

- Reinforce classroom instruction by providing practice, drill and application.
- Build student's self-reliance and sense of responsibility.
- Broaden the student's experiences for increased participation.
- Build time management skills and positive learning habits.

Students are expected to:

- Use student agendas daily and take home needed materials.
- Budget time to complete homework.
- Show thought, effort and neatness in their work.
- Return assignments on the due date.

What parents can do to help:

- Provide students with an appropriate place to do homework.
- Schedule student and family activities to allow for homework completion.
- Emphasize the importance of responsibility and the need for a thorough, careful approach to assignments.
- Encourage independent work while providing the student with appropriate support when necessary.

It is expected that all students will have some form of homework every night whether it is a math exercise, silent reading or studying in preparation for an upcoming exam. The amount of homework will increase as the student progresses through the grades. A general rule is to expect that a student will have a minimum of 10 minutes of homework per grade level. For example, a student who is in the 4th grade should have approximately 40 minutes of homework per night. These guidelines have been established and are subject to individual

student learning styles and abilities. Consequently, some students may require less or more time than the guidelines would indicate for each grade level.

Missing Projects

At each teacher's discretion, for each day that a project is late, points will be subtracted from the grade received on the project.

Parents may request homework or classroom assignments only if students are absent for three or more days or serving a short-term suspension from school. In all situations of absences of less than three days, students are responsible for requesting missing assignments from their teachers.

Academic Dishonesty / Cheating / Plagiarism

Academic dishonesty (such as cheating and plagiarism) will be handled with severe academic and disciplinary consequences, including but not limited to parent conferencing, zero grade, detention, In-House Alternative Program, and external suspension. Repeated offenses shall prompt full scrutiny of all student academic grades and may result in re-testing of previous examinations. Plagiarism: All English classes will begin the year with lessons on proper citations and plagiarism. Plagiarism is defined as the use of sources that are not the students own work without proper citation. Direct quotes must be cited at the ***immediate end*** of the quote. Work that is paraphrased must be cited ***minimally*** at the end of each paragraph. Students must use MLA format for all citations when completing research papers, projects, and web-based assignments. If ***any*** portion of a student's work is plagiarized, he or she will receive ***no*** academic credit for the assignment.

Parent-Teacher Conferences

Communication between the home and the School helps bind the student, parents, teachers, and administration into a team, working toward a common goal of development and growth for the student. Conferences allow the people most directly involved with the student to become involved in the process of his or her education. Parents are encouraged to meet with teachers to discuss their children's progress at school. Conferences with members of the administration may also be arranged. **Parents and guardians are encouraged to call the School whenever there is a question or concern. Parent visits to school without an appointment for impromptu conferences with staff are discouraged.**

- A parent who has been denied physical custody of his/her child ("non-custodial parent") is required to submit a written request to access his/her child's student record information before the parent will be allowed to participate in parent-teacher conferences or to access information regarding the child's attendance, performance or progress. M.G.L. c. 71, §34H.

Requests for observations as part of an Independent Educational Evaluation of a student with a disability must be coordinated through the Office of Special Education.

Student Classroom Placements

Classroom placements shall be at the sole discretion of the School administration.

Parental requests for specific faculty members for their children will not be honored.

Student Records

Student records are available to parents upon request. Requests for school records must be in written form and submitted at least ten days before the day they are needed. Copies of records requested will be made available within ten (10) calendar days.

Under Massachusetts law, a student transferring into a public school must provide the new school with a complete student record of the entering student. M.G.L. c. 71, §37L. Said records shall include, but not be limited to, documentation of any incidents involving suspension or violation of criminal acts.

For additional information regarding Student Records and the rights of parents and students under federal and state laws and regulations, see the Student Records section of this Handbook.

Report Cards

Report cards are mailed out (4) times a year at the end of each quarter. They include the student's numerical grades for each subject, and attendance records. Comments regarding attitude, behavior, and progress may also be included on the report card

Promotion/Retention and Placement of Students

Consistent with laws prohibiting discrimination based on race, sex, sexual orientation, gender identity, national origin, religion, or disability, the Principal, acting reasonably and in good faith with input from relevant educational staff, have the final decision regarding the promotion or retention of a student, and the placement of a student in a designated course at a specific level of academic sophistication and/or one that has specific pre-requisite requirements. At the discretion of the school administrators, diagnostic testing will be administered for any student to determine academic placement.

While Principals are encouraged to involve parents whenever feasible in significant decisions that affect their children, the ultimate authority concerning promotion, retention, and placement of students rests with the school officials.

Student Services

SICS student services include academic administrators, licensed school adjustment counselors and a guidance counselor who assist students with questions related to educational plans, study skills, personal problems, post-secondary educational plans, and any other individual concerns. The administrators and counselors assist students through conferences with individual pupils and/or with small groups.

The help offered includes, but is not limited to:

504. **Educational:** Principals offer appraisals of academic strengths and weaknesses, review study habits, assist in course selection, and plan for future education.
2. **Post-Secondary Education:** The College Guidance Counselor meets regularly with students to assist with assessment for college and university interests and pursuits.
3. **Personal:** The licensed social worker team assists with mental health and social/emotional counseling of the student population. Social workers provide for referral for outpatient mental health services, psycho-educational observations, preparation of behavioral intervention plans, mandated reporting of neglect and abuse situations, and crisis intervention assistance. When the counselor deems necessary, social workers provide for mediation of student related disputes.

In addition to the above services, SICS offers a continuum of services for eligible students with disabilities.

SfSS

The Systems for Student Success (SfSS) is defined as a whole school, data-driven, prevention-based framework for improving learning outcomes for EVERY student through a layered continuum of evidence-based practices and system.

Director of Special Education

Oversees all special education services at SICS, ensuring services are occurring as detailed in Individualized Education Programs. The Director of Special Education works with teachers, families, and students to ensure that all students have an opportunity to receive a free and appropriate public education and access to the general education curriculum, by ensuring compliance with applicable statutes and regulations pertaining to the identification, evaluation, services and placement of students with disabilities.

School Adjustment Counselor

This person works with students, teachers, families, and community agencies to develop plans and provide support in an effort to maximize student achievement and social development.

Psychologist

Students are referred when learning or social/emotional/behavioral challenges arise through a rigorous referral process, involving the Student Assistance Team. However, the Special Education Director will be the point person of communication with the psychologist, teacher, and parent/guardian. Special areas of difficulty are determined through diagnostics and diagnosis and further action is taken if necessary to benefit the individual child.

Speech Pathologist

The Speech Pathologist is provided to work with children who have communication and/or speech and language needs. . After referral and diagnosis, the therapist meets periodically to address the child's areas of difficulty as per each child's plan.

Section 504 Coordinators/Principals

The Section 504 Coordinator/Principals work in conjunction with the Director to oversee all 504 evaluations and plans.

English Language Learner Program

SICS provides an English Learner (EL) program for all students in need of services from grades Kindergarten through 12th grade. Currently in its seventh year of operation, the EL Program serves forty students in grades K through 7th grade. All SICS students are given a Home Language Survey (HLS) upon registration to the school. If a parent states on the HLS that another language other than English is spoken in the home, the student is assessed for English language proficiency using appropriate tools consistent with state regulation and guidance. Once services have been deemed necessary, students receive EL and Sheltered English Immersion instruction.

The EL program operates on both “pull-out” and “push-in” models. In the “pull-out” model, students receive instruction from licensed ESL teachers which is designed to meet the academic and language needs of students by providing them with systematic, explicit, and sustained English language development and meaningful participation in the district’s general educational program. . The ESL teachers also “push-in” to assist the students assimilate content using appropriate acquisition strategies.

EL students are evaluated using several different assessment tools. These include the state mandated MCAS and ACCESS tests. The results of these assessments combined with the student’s academic performance along with input of the ESL teacher are used for program determination of services for the student.

Graduation Requirements:

Core Courses

- ELA/Math 4-years Required- 1.3 credits.
- History/Science – 3 years Required- 1.0 credits.
- World Language- 3 years (starting class of ‘2024)- 1.0 credits.

College and Career Readiness

- 4-years Required: .5 credits.

PE (Grades 9-12)

- 4-year requirement .25

Music/Computers/Art (Grades

- .25 credit

Health

- .25 credit.

AP Human Geography (Grade 9)

- 1.0 Credit.

Senior Project (Grade 12).

- 1.0 Credit.

Grade 10-11 In-Year Elective Course (Grades 10-11)

- 1.0 Credit

Summer Enrichment/School-Year Enrichment Course

- .5 credit.

Required Courses to Graduate:

- 34.0

Extra-Curricular Activities

Participation in extra-curricular activities, including but not limited to athletics, athletic spectatorship, club memberships, field trips/outings, dances, proms, and graduation exercises while encouraged, is a privilege, not a right. Any student whose conduct in and out of school is inconsistent with the school mission and Code of Conduct may be denied the privilege of participating in extra-curricular activities. Additionally, SICS provides extra-curricular services and activities in such manner as is necessary to afford students with disabilities and equal opportunity for participation.

Academic Competition

The School is involved in a number of academically oriented competitions with area schools, such as:

- Model Congress at American International College
- Model UN at University of Massachusetts-Amherst
- As Schools Match Wits

Some of the club offerings may include, but are not limited to: Gospel Choir, Urban Dance, Drama Club, Nursing Club, Web Design, Business Club, Poetry Club, National Honor Society, Hackie Sack Club, Massachusetts Mutual Academic Achievers Club, Video Gamers Club, Peer Mediators, and GSA Club.

Athletics Program

The School fields interscholastic athletic teams for soccer, basketball, golf, wrestling, **softball, baseball, cross-country, volleyball, track and field, and tennis. The School also offers cooperative athletic opportunities in football and swimming.**

Additionally, the School also has a cheerleading squad. Students in grades 7-12 are eligible to try out for all athletic teams, freshman, junior varsity, and varsity levels may be provided as interest permits. Football is for grades 9-12. Registration and all related paperwork may be completed online at www.sics.org.

Eligibility for Extracurricular Activities

Extracurricular activities include, but are not limited to, sports teams, academic competitions, field trips, and school-sponsored activities. All students wishing to participate in any voluntary extracurricular and / or athletic programs must complete the required "Consent and Release Indemnification Form" before participating in any

voluntary extracurricular and / or athletic programs.

General Eligibility Requirements

For participation in sports, academic competitions, field trips, and other school-sponsored activities, all prerequisite paper work including, but not limited to, parental consent/indemnification, forms, and/or fee waiver forms must be completed before a student can participate in an extracurricular activity in any manner. Current physical examination forms must be completed before a student may participate in any interscholastic athletic activity.

Additionally:

- A student who is suspended from school, inclusive of a full day in-school suspension, loses all privileges of participation in or attendance at extracurricular activities during the term of suspension.
- A student who is absent from school may not participate in or attend any extracurricular activities held on the day of the absence (a Friday absence would nullify eligibility for participation in a Saturday contest or activity).
- A student must be in attendance for minimally six (6) academic periods of the School day to be eligible to participate in or attend extracurricular activities held on that day.
- Students who receive two or more disciplinary referrals within twenty (20) school days before the extracurricular activity may not be permitted to participate in the activity subject to the discretion of the Director/Designee.
- Students lose the privilege of participation in extracurricular activities if outstanding disciplinary consequences (detention or Saturday detention) have not been fulfilled.

Exceptions to this policy may be granted for court appearances, bereavement or medical appointments.

Restriction or loss of participation privileges in any extracurricular activity may be determined by the administration due to violations of the School's code of conduct (see "Code of Conduct" section).

Athletic Eligibility Policy 22-23

- 1) **Fall Sports:** Students' eligibility for fall sports will be determined by their 2020-2021 final report card. If students passed all subjects in 2020-2021, they are eligible to try out for and participate in fall sports. If students in High School in 2020-2021 failed any subjects, they must have attended and passed Summer School for that course in the summer of 2021 to be eligible; if not, they are ineligible. If students in Middle School in 2020-2021 failed Math or English, they

must have attended and passed these courses in Summer School to gain eligibility. If they did not, they are ineligible.

- 2) **Winter Sports:** Students' eligibility for winter sports will be determined by their 1st- quarter report card. Students who passed all courses in the first quarter are eligible to try out and participate. Students who failed one subject may try out and make a team, but if they make the team, they are on probation. They may practice but not participate. Students who failed two subjects (cumulative average) are ineligible to try out or participate in winter sports.

All students (both those active and on probation) will have their grades checked once the 2nd-quarter report cards are released. Students must have a passing cumulative average on their 2nd –quarter report card to be eligible for the remainder of the winter sports season.

- 3) **Spring Sports:** Students' eligibility for spring sports is based on their 2nd-quarter report card. Students who have a passing cumulative average at the end of the 2nd quarter are eligible to try out and participate. Those with one cumulative failing average may try out, but will be on probation if they make a team, which will mean they can practice but not play. Students who failed two subjects (cumulative average) are ineligible to try out or participate in winter sports.

All students (both those active and on probation) will have their grades checked once the 3rd-quarter report cards are released. Students must have a passing cumulative average on their 3rd –quarter report card to be eligible for the remainder of the winter sports season.

Academic Probation

Academic Probation begins on the day that grades are considered official. Students on academic probation are expected to participate in all tutorial opportunities offered by the school. During the period of academic probation, participation in any extracurricular activity *may* be limited to accommodate the tutoring schedule. *During the period of academic probation students may practice with their teams, however, they may not compete in any interscholastic competitions until they present evidence of their passing all five major subjects for the current academic marking period.* After eligibility is reinstated, the student must maintain a passing grade in all major academic subjects for the duration of the extracurricular activity or eligibility may be revoked.

PVIAC and MIAA Eligibility Standards

SICS is a member in good standing of both the Pioneer Valley Interscholastic Athletic Conference (PVIAC) and the Massachusetts Interscholastic Athletic Association (MIAA). In addition to the rules regarding eligibility outlined above, eligibility for students to be considered for competition in interscholastic athletic contests is governed by the rules of the PVIAC and the MIAA.

All PVIAC and MIAA eligibility requirements for participation in interscholastic athletic competitions are available in our athletic office. Any questions regarding the MIAA's rules and regulations should be directed to the Athletic Director.

School Policies for Athletes/School Clubs

Some of the reasons a participant may be dismissed from an athletic team, academic team, and/or school-based club are:

1. Failure to comply with eligibility requirements.
2. Excessive excused absences.
3. Unexcused absences from practices and/or games/events.
4. Inappropriate or unsportsmanlike conduct, including but not limited to use of profanity at practice or events, insulting, harassing, derogatory language to teammates, opponents, coaches, spectators, or officials, actions showing intent to do physical harm, hazing, displays/actions showing a lack of emotional stability.
5. Failure to comply with team, school, or M.I.A.A. rules.
6. Drug/Alcohol violations
7. Being charged with a felony or being the subject of a felony delinquency complaint
8. Violations of school rules as determined by the school administration.

Conduct at Athletic/Extra-curricular Events

SICS has an extensive athletic program allowing our students interscholastic experiences with many area schools.

When visiting teams play at SICS, the administration expects that our students and fans will treat these visiting teams and their fans with the utmost respect as would be expected with any guest in our school. Inappropriate or rude behavior from any student before, during, or after an athletic event will result in that person being removed from the event and also exclusion from future events, as well as possible disciplinary actions. Students who are suspended or who are absent from school on the day of the event are not permitted to attend athletic events at any venue. These behavior guidelines and consequences pertain to all home and away contests/events.

Field Trips

Field trips are held to help support the School's curriculum. They are academic in nature and involve pre and post-activities. Some field trips require a fee for participation. Field trip fees are non-refundable. Any family that experiences financial need should contact the Director or designee for a fee waiver. *Students who receive two or more academic, disciplinary or bus behavior referrals within 20 school days before the field trip may not be permitted to attend.* However, student attendance on field trips remains subject to the discretion of the Director/Designee. Students are required to be in school uniforms for all field trips unless otherwise noted.

CORI Requirements / Field Trip / Activity Chaperones

Pursuant to Chapter 71, section 38R of the Massachusetts General Laws, **all current and prospective employees, volunteers, chaperones, school transportation providers, and others who may have direct and unmonitored contact with children must submit to a search of Criminal Offender Record Information with the Massachusetts Criminal History Systems Board.** Chaperone service shall be at the discretion of the school administration and remains subject to criminal record information review. CORI information is not subject to the public records laws and shall be kept in a secure administrative office for not more than three (3) years. Access to this information is restricted to an administrator certified to receive such information. SICS must obtain this information at least every three (3) years during an individual's term of employment.

For further information regarding this CORI policy and procedure, please contact JoAnn Laflamme, H.R. at 783-2600.

2. Academic Support

The School sponsors a variety of in-school and after-school programs which will be open to students. The amount of offerings and/or fees may vary from term to term. A memo regarding the term offerings will be sent home each term.

Tutoring Program

- Peer Tutoring - The Student Leadership Organization has set up a system to match students needing help in specific subject areas with other students who volunteer to be tutors. The peer-tutoring program offers satisfaction to the students offering the help, and provides academic support to those students who can benefit from coaching by a student with a firm grasp of the subject. Peer tutoring occurs during Student Leadership periods.
- Faculty Tutoring - A faculty tutoring program assigns teachers to tutor students who need more intensive help, but who are not sufficiently behind their classmates to need the support of an Intensive Program class.

Special Education Services

- Special education services are provided to eligible students in accordance with the Individuals with Disabilities Education Act and M.G.L. c. 71B. To be eligible for special education services, a student must have one of the following disabilities: autism, developmental delay, specific learning disability or an intellectual, sensory, neurological, emotional, communication, physical, or health impairment. The Student must also be found to be failing to make effective educational progress as a result of a disability and to require specially designed instruction or related services in order to access general education.
- Upon completion of an initial evaluation and found eligible, the Team develops an individualized educational program (IEP) that highlights, among other things, the student's strengths, areas of concern, strategies for accommodating for the student's disability, modifications to the curriculum, services that the student will receive, and important goals and objectives developed to ensure student progress. Parent involvement during the evaluation and IEP development process is an integral part of the process. Copies of the *Parent's Notice of Procedural Safeguards Rights Brochure* may be obtained from the Director of Special Education and will be provided annually. For students found eligible for special education prior to their enrollment, SICS will implement the student's current IEP in accordance with the requirements of 603 CMR 28.00.
- For additional information regarding evaluations of eligibility for special education and the availability of special education services, please contact the Director of Special Education.

Section 504 of the Rehabilitation Act of 1973

- Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is a federal law designed to protect the rights of individuals with disabilities in programs and activities that receive federal financial assistance from the U.S. Department of Education. Section 504 provides: “No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance”
- The Section 504 regulations require public schools to provide a “free appropriate public education” (FAPE) to each qualified student regardless of the nature or severity of the disability. Under Section 504, a FAPE consists of the provision of regular or special education and related aids and services designed to meet the student’s individual educational needs as adequately as the needs of nondisabled students are met.
- Springfield International Charter School recognizes its responsibility to avoid discrimination in policies and practices involving both students and staff. No discrimination against anyone who falls under the provisions of Section 504 will knowingly be permitted in any program or practice at SICS. Any student, parent or legal guardian who believes that he or she has been discriminated against on the basis of a disability may file a written complaint with the Principal or the Director.
- No student, parent or guardian who has filed such a complaint will be subject to coercion, intimidation, interference or retaliation for registering a complaint or assisting in the investigation of the complaint. Interference with, intimidation of, and/or retaliation against any individual, including a student, parent, or guardian, for filing a complaint, filing a grievance, or opposing discrimination is strictly prohibited and shall be treated as an actionable, wrongful act in and of itself.
- For additional information regarding the Section 504 evaluation process or disability-related accommodations or services, please contact the Director of Special Education.

Books

Several books are assigned to students during the year. It is expected that students will treat all books with respect and keep them in good condition for return at the end of the year. Students should not write in books unless explicitly instructed to do so by a teacher. **If student loses or damages a book, parents/guardians are responsible for the cost of the replacement book.** The School office will provide information about costs for a book should a problem arise. **Students with outstanding bills for books will not be permitted to participate in extracurricular activities, athletics, and end-of-year**

activities. The School will provide students with certain academic supplies. They will be responsible to replace them if they are lost or destroyed.

3. The Student Leadership Organization

An Overview of the Organization

The Student Leadership Organization is an organization that is run by the students for our school community. The Student Leadership Organization involves all students to assist with the running of their school to achieve the following goals:

- Help every student achieve the highest levels of academic and behavioral excellence set out by SICS.
- Promote a positive attitude.
- See the value of student success through involvement in their own education.
- Raise, encourage and uphold the highest standards of ethical and moral values.
- Hold students accountable through real-life experience and responsibility.
- Create a positive school culture.

Leaders have assigned duties within the organization and contribute to the efficiency of the school. The hierarchy includes a Head Leader who leads the entire Student Leadership Organization, Branch Leaders who lead of the nine departments (Academic, Expectations, Operations, Sports, Health, Events, Community Support, Primary and Community Outreach), and Leaders who assist with the daily operations of each branch.

The hierarchy of responsibility within the SICS Student Leadership Organization, it is important that students realize that every role is valuable allowing annual goals to be achieved. All students are expected to be responsible and productive members of the school, abiding by school rules and supporting the School philosophy.

Academic Branch: Support is offered by teachers and students at SICS. Students are given the opportunity to be peer tutors, helping those in need while organizing academic events and promoting academic excellence.

Expectation Branch: Leaders oversee school behavior standards and support the disciplinarians at SICS. Always promoting a safe place for students to learn together in a caring and nurturing environment.

Operations Branch: This branch provides support for all other branches and ensures that they can function effectively and smoothly by providing them with computer and communication support. Leaders of this department will create flyers and morning announcements to our community.

Athletic Branch: Supports the school's athletic teams and also promotes healthy lifestyle choices. It helps promote healthy living as well as teach sportsmanship and friendly competition. It teaches prefects and students to be accountable for equipment as well as try to improve and excel in the sports that they enjoy practicing. – Still thinking about what to add here!!

Health Branch: Promotes a healthy lifestyle and living.

Events Branch: Sets up initiatives that promotes positive school culture during the “Opportunity” period through extracurricular activities as well as daily clubs.

Community Support Branch: New students and staff members at SICS are welcomed by Student Leaders who help them settle in. It also organizes spirit weeks and theme days.

Primary Branch: The Primary Branch is an introductory to Student Leadership Organization involving younger students who are eager to get involved. This branch will promote social/cooperative play, interactions and to teach them about values and proper behavior. Mentoring is part of the Student Leadership Organization.

Community Outreach Branch:

Community service is an important component at SICS. Students are involved in several initiatives to give back to their local and global community.

The National Junior Honor Society

The NJHS is a co-curricular activity that supports the mission of the school and upholds the NJHS Constitution. The five obligations of NJHS members are paying annual dues, maintaining the standards by which they were selected, attending meetings when called, and participating in individual and Chapter service projects. The community service requirement involves fundraising to financially support a local charity chosen by the rank and file members.

Membership in the National Junior Honor Society (NJHS) is a privilege granted to students by the Middle School Faculty Council. The SICS Chapter of the National Junior Honor Society promotes the recognition of students who reflect outstanding accomplishments in the areas of academics, character, leadership and service.

Criterion for membership in NJHS includes an overall grade point average of at least 87% or more and an evaluation of the prospective member's leadership ability and willingness to serve others. In addition, the ethics and standards of all prospective members are surveyed through their teachers and then evaluated by the faculty council. Prospective members are interviewed by the faculty council, and, after deliberation, selection and non-selection letters are sent to the student's homes via U.S. Mail. A formal induction ceremony takes place each year to welcome new members into the SICS Chapter of the NJHS.

4. Student Success and Motivation

Every person at SICS is expected to treat every other person with dignity and respect. Staff and students will work together to help every person in the School reach his or her full potential. Any behavior or action which helps someone grow and mature will be encouraged. Any behavior or actions that interferes with another person's growth or the student's own growth will prompt immediate disciplinary consequences. Students will be encouraged to remember to:

Strive for excellence and help others achieve this goal.

Respect

All students are members of the SICS community. To help the School and its "members" excel and enjoy being with each other, all members must take responsibility for their actions. Each student's relationship with all other students (from kindergartners to the oldest students) and all staff (teachers, administrators, custodians, assistants, etc.) must be based on respect and caring.

All members of The School community must:

- Be respectful of others at all times,
- Use appropriate language at all times,
- Be courteous to others.

Responsibility

"Responsibility is an extension of respect. If we respect other people, we value them. If we value them, we feel a measure of responsibility for their welfare." (Thomas Lickona, Educating for Character.)

The biggest responsibility of a student is to learn.

Students are responsible for completing assignments, coming to class prepared, paying attention in class, and managing their behavior to support learning both inside and outside of the classroom.

Any community must have rules and basic guidelines to function effectively. The SICS is no exception. This Handbook contains many rules with sentences that have the word "not" and other admonitions that may be viewed by some as "negative."

Every staff person is an equal and contributing part of the discipline policies and procedure. Students should treat all adults, as well as each other, with respect. All adults have the obligation of reporting any inappropriate behavior to the administration.

5. General School Rules

Civility Policy

Civility/Conduct of Parents, Visitors, and School Employees

It is the intent of the SICS to promote respect, civility, and orderly conduct among students, school employees, parents, and the public. It is not the school's intent to deprive any person of his or her right to freedom of speech or expression. The intent of this policy is to maintain, to the greatest extent reasonably possible, a safe, harassment-free workplace for teachers, students, administrators, staff, parents, and other member of the community. The School encourages positive communication and discourages volatile, hostile, or aggressive communications or actions.

1. Expected Level of Behavior:

- School personnel will treat parents and other members of the public with courtesy and respect.
- Parents and other visitors will treat teachers, administrators, and other school employees with courtesy and respect.
- School personnel and visitors shall follow all traffic laws on public and private ways while travelling to and from campus.

2. Unacceptable and Disruptive Behavior:

- Using loud or offensive language, swearing, cursing, or displays of temper.
- Threatening to do physical harm to a teacher, school administrator, school employee, or student.
- Any other behavior that disrupts the orderly operation of a school, classroom, administrative functions and a safe campus environment.
- Any conduct that creates a hostile environment.
- Abusive, threatening, or obscene letters, e-mail, or voice mail messages.
- Violations of traffic laws/directives on public, private and campus ways.

3. Parent Recourse:

- Any parent or student who believes he or she was subject to unacceptable or disruptive behavior on the part of any staff member should bring such behavior to the attention of the staff member's immediate supervisor, appropriate administrator, and/or the Director.

4. Authority of School Personnel:

Any individual who acts as follows may be directed to leave the school premises by any school administrator, including the Director, and school security personnel. If the person refuses to leave the premises as directed, the administrator or other authorized personnel shall seek the assistance of law enforcement personnel to take such action as is deemed necessary:

- Disrupts or threatens to disrupt school operations;
- Threatens or attempts to do or does physical harm to school personnel, students or others lawfully on school premises;
- Threatens the health or safety of students, school personnel, or others lawfully on school premises;
- Fails to follow campus / public / private way traffic and safety directives;
- Intentionally causes damage to school property or the property of others lawfully on school premises;
- Uses loud or offensive language;
- Comes onto school premises without authorization; or
- Engages in unauthorized audio/videotaping or still photography.

In the event that there is a threat of harm to student(s) or school personnel, the school may issue an Order of No Trespass prohibiting the individual making said threat from entering on school property.

Authority to Deal with Persons who are Verbally Abusive:

- If any member of the public uses obscenities or speaks in a loud demanding, insulting and/or demeaning manner, the employee to whom the remarks are addressed shall calmly and politely warn the speaker to communicate civilly.
- If the verbal abuse continues, the employee may, after giving appropriate notice to the speaker, terminate the meeting, conference, or telephone conversation.
- If the meeting or conference is on school premises, any employee may request that an administrator or other authorized person direct the speaker to promptly leave the premises.
- If the person refuses to leave, the administrator or other authorized personnel shall seek the assistance of law enforcement personnel to take such action as is deemed necessary. If the employee is threatened with personal harm, he or she may contact law enforcement.

Should an individual persist in violating the terms of this policy, the school may limit and restrict the methods of communication that may be used by said individual.

Safe and Secure Building Policy

In order to maintain safe and secure school buildings and grounds, SICS requires that all visitors report to the Security Officers or receptionist in the respective lobby to secure guest identification badges. All visitors must properly wear to display guest credentials for all school appointments/visits. All visitors are required to legibly print their names, their arrival time, their departure time and their destination when signing into the building. Visitors must be announced before receiving directions to their destinations.

- All District employees, students, parents, and visitors by entering onto SICS property impliedly consent to videotaping for safety and security purposes.
- Impromptu parent visits for faculty conferencing are discouraged.
- Any or all audio/videotaping or still photography must be pre-approved by administration.
- Cafeteria visits by parents with food from outside vendors for their children are also discouraged.
- All parents/guardians are directed to drop off all students in respective school lobby areas, and refrain from walking students to their rooms or cafeterias.
- All service animals must be appropriately secured with a leash.

Visitation privileges may be limited or revoked for any reason at the discretion of the School Director or designee. Persons trespassing upon school properties will be reported to the Springfield Police Department.

Video Surveillance

It is the policy of SICS to utilize video surveillance on school property to promote the health, safety, and welfare of students, staff and lawful visitors, to deter theft, vandalism, and other negative behavior, to safeguard school buildings, grounds, and equipment, and to monitor unauthorized individuals on school property.

All students, parents, and visitors by entering onto SICS property impliedly consent to videotaping for safety and security purposes.

Requests by parent(s) and/or students to view a video recording must be in writing to the Director. The Director's decision to honor or deny the request is not appealable.

Personal Belongings

The School will attempt to create an environment, which will prevent personal items from being lost or stolen. However, **SICS cannot be responsible for lost or stolen property. Students bring personal belongings at their own risk.** The best protection against loss or theft is to clearly mark all clothing and equipment with the student's name. There is a "Lost and Found" box located in the Student Leaders Organization room and in the Primary building lobby.

Large/loose jewelry, large/loose key / wallet chains, spike bracelets or collars, sunglasses, bandanas, nylon caps, or any other accessories that may be dangerous or distracting are prohibited.

The following items **may not be brought** to school:

- Cameras, recording devices, CD players, I Pods, MP3 players or electronic games
- Playing /trading cards
- Laser pointers
- Toys
- Skateboards
- Athletic equipment other than for school athletic teams
- Wallet chains
- Tobacco products
- Electronic cigarettes/ Vaporizers or related paraphernalia
- Powdered caffeine
- Hover Boards
- Knives and other dangerous weapons or materials

- Alcohol / Controlled Substances

Prohibited articles / property will be confiscated by school administrators and will require parental pickup for the first offense. Subsequent offenses may result in the school keeping prohibited item for an extended period of time. After a reasonable period of time, unclaimed property will be disposed of or donated to charity.

Students found in possession of prohibited items may be subject to discipline including, but not limited to, suspension or expulsion.

Telephone Use/Student Messages

Telephone messages will only be delivered through the respective administrative offices from a parent to a student on an emergency basis. Please remember that SICS grade level offices serve in excess of 1500 students, and students should make certain that they have all necessary instructions before leaving for school. Parents should only telephone with messages for students on an emergency basis.

With administrative permission, students may use the security desk telephones to make a telephone call during school hours. If a student has an emergency, he or she may report to the front office where a staff person will assist the student.

Cell Phone Policy Grades K-5

Cell phones, smart watches, and Bluetooth devices may not be used during classes. If a student must have a cell phone, it must remain in their backpack or locker – not in clothing pockets – TURNED OFF while in class. Texting and videotaping are not permitted anytime during the school day. Failure to follow these guidelines will result in confiscation of the phone. The cell phone may be retrieved by the student at the end of the academic day for the first violation. The parent must retrieve the phone for a second or subsequent violation of this policy.

This policy is in effect throughout the entire academic day. Communication devices may be used at the conclusion of the academic day to coordinate transportation and may be used during interscholastic athletic activities as directed by the coach or activity supervisor. The use of any of these devices for videotaping or recording is strictly forbidden at all times and violation of this may be grounds for legal action.

Emergency requests to use a phone or cell phone during the academic day will be screened and the conversation monitored.

Cell-Phone Policy Grades 6-12

- Springfield International Charter School (SICS) recognizes the need for students and families to have access to reliable communication to ensure their safety during the transportation to and from school each day.
- To encourage maximum time on learning and academic engagement, pouches will be provided in each classroom for students to place their cellular phones in secure locations during instruction.
- These phones will be retrieved by the student at the end of each academic class.
- Academically, daily adherence with the cellular-phone collection process will be a portion of each student's participation grade in each academic class as covered by each course syllabus.
- Students may have their cellular phones at the following times:
 - 1) Entry into school through the beginning of their first academic class.

- 2) During Lunch and Recess.
- 3) During the Dismissal process from school.
- Irresponsible cellular phone usage such as but not limited to- filming or taking pictures of students or staff, sharing videos or photographs of students or staff, or recording students or staff- is prohibited and may result in legal consequences. These actions may also result in school consequences including external suspensions.
- Consequences for cellular-phone usage during the prohibited times during the school day are listed below
 - First Infraction: Phone taken, returned at the end of the day. After-School Detention owed within 48 hours.
 - Second Infraction: Phone taken, returned at the end of the day. Saturday Academy owed (upcoming Saturday).
 - Third Infraction/Each Subsequent Infraction: Parent/Guardian pick up of phone.
 - Participation in school-sponsored athletic and extracurricular activities is contingent upon all disciplinary consequences being served.

School administrators may conduct a search of cell phones or electronic/digital devices for pictures, text messages, video, audio, uploaded and downloaded online materials if they have reasonable suspicion that a violation of the Springfield International Charter School's **CODE OF CONDUCT** or applicable state or federal laws has occurred, and that the electronic device contains evidence relating to said violation(s).

If a search of an electronic device is found to contain evidence pertinent to a school-based investigation, the school administration has the sole discretion to hold on to the device, download the evidence, notify the police, and/or give the device to law enforcement officials.

Bathroom Policy

Except in cases of emergency, students may not use the bathroom during the first twenty (20) minutes of class or during the two (2) or three (3) minute transition between classes. Only one student per class may visit the bathroom at the same time. **All students in the upper and lower schools must sign in and out of their classrooms.**

In accordance with M.G.L. c. 76, §5, all students will be provided with access to bathroom facilities consistent with the student's gender identity.

Attendance Policy

Massachusetts General Laws and SICS require children to attend school regularly from the ages of six to sixteen. The law provides various penalties for persons who obstruct or prevent children from attending school. Parents are subject to court action and a fine should their child be absent in excess of seven day sessions or fourteen half day sessions within a six month period. Parents and guardians are essential to good attendance and are responsible for ensuring that children attend school regularly and on time. SICS expects students to attend school daily in order to receive the maximum benefits of instruction. Students who regularly miss school may be at risk for other problems.

SICS does not follow an open campus policy. Therefore, all students are expected to remain on campus for their entire school day.

Definitions:

School absence: To be considered present in school, a student must be in attendance for a minimum of four (4) academic periods in a given school day.

Class absence: To be considered present in class, a student must be in attendance for more than twenty-five (25) minutes in a given class period.

All absences will be counted and considered accruing toward SICS academic consequences and truancy as defined in the Massachusetts statutes.

It is the responsibility of parent(s)/legal guardian(s) and students, whenever possible, to make personal appointments that do not conflict with regularly scheduled classes or school activities.

SICS will not tolerate “skip days.” Absence from school “with parent permission” is not an acceptable excuse and disciplinary action will occur. Parents can help their children by refusing to allow them to miss school needlessly.

Attendance Procedures

Attendance will be taken in each homeroom pursuant to the respective bell schedules. Students **MUST** report to homeroom to be recorded as present in school and to avoid absence recordings. Students arriving late must be recorded as tardy by office administration. Before reporting to their respective classrooms, all tardy students must also register their arrival time in the logbook. Any student leaving the building for early dismissal must also register their departure time in the front office logbook.

At the start of each class, teachers will take classroom attendance.

Records of missed classes, due to absences, late arrivals, early dismissals or disciplinary referrals, will be referenced for course failure deliberations and/or disciplinary consequences.

Attendance Intervention Measures and Consequences

Children Requiring Assistance (CRA) report to the Trial Court and/or a 51A report of Educational Neglect to the Department of Children and Families may be filed for students who are chronically absent and/or tardy and whose parents have failed to fulfill their responsibility to ensure their child’s attendance in school.

Students 16 years of age or older who are absent from school without authorization for ten (10) consecutive school days or more are subject to disenrollment. If a student is absent without excuse for ten (10) consecutive school days, a notice will be sent to the parents and student within five (5) school days of the student’s 10th consecutive unexcused absence offering at least two (2) dates and times for an exit interview between the Director, or a designee, the student and the parent or guardian of the student to occur prior to the student permanently leaving or being administratively unenrolled from the School. The notice shall indicate that the parties shall agree upon a date and time for the exit interview, and that interview shall occur within ten (10) days after the sending of the notice. The time for the exit interview may be extended at the request of the parent or guardian and no extension shall be for longer than fourteen (14) days. The Director, or a designee, may proceed with any such interview without a parent or guardian if the Director/designee makes a good faith effort to include the parent or guardian. During the exit interview, the student and parents will be given information about the detrimental effects

of early withdrawal from school, the benefits of earning a high school diploma and the alternative education programs and services available to the student. M.G.L. c. 76, §18.

Excessive Absenteeism-Term Failure/Appeal Procedure K-8

A student who accumulates (6) or more unexcused absences in a given semester may fail any course/courses.

Parents will be informed of the student's course failure due to absenteeism and will be given the opportunity to appeal the determination of the School.

The appeal shall be made in writing to the School Director or designee within five (5) school days of receipt of the parental notice. Upon receipt of the written appeal and documentation, a meeting shall be promptly held with parents, appropriate school administrators, counselors, and faculty. A final decision on an appeal with the reasons will be given to the student and parent/guardian.

The following reasons for absences, tardiness, and early dismissals may be excusable and considered as part of the appeal process:

- A doctor, school nurse, or independent medical practitioner-verified illness, injury or disability that prevents the student from attending school.
- A death in the immediate family.
- Court appearances, DYS confinement.
- Religious Observance.
- Displacement by natural disasters.
- School sponsored/approved activities (including field trips, athletic contests, etc.).
- Suspension from school.

Family vacations are not considered to be excused absences. Although appreciated, a parent note, phone call or email to notify an absence are not considered an excused absence.

Dismissal Policy Procedures

For safety and security purposes, **SICS requires that parents/legal guardians make all requests for early dismissal of students in writing on the day of such request.** Parents/guardians are discouraged from picking up their children for early dismissal without prior written notice. Phone calls to dismiss students early will not be honored except for an emergency.

All parental requests for early dismissal of Lower School students must be given to the homeroom teacher for administrative review and processing. **Lower School students will receive an approved dismissal request from their homeroom teacher. Upper School students must bring parental notes, when they arrive at school, to the main office for processing. A contact number should be provided on all notes for verification.**

All early dismissal students must record their dismissal time in the main administrative office logbook.

SICS **requires** that parents/ guardians provide written notice if other individuals are providing for their child's early dismissal and transportation. Those individuals will be required to show identification.

Walkers and students are to be picked up by parents outside the main building at respective dismissal times for the Upper and the Lower Schools.

We will not disturb any class for early dismissal requests during examination and testing times. These testing periods include but are not limited to MCAS testing and final exams.

Excessive tardies and early dismissals may result in disciplinary consequences and academic failure.

High School Attendance Policy

- In High School (Grades 9-12), students earn course credits toward Graduation based on both attendance and grades. A High School student may fail to earn course credit if they do not meet expectations in either category.
- In each individual Academic Marking Period (One through Four) a High School student will need to schedule an Appeal Hearing once they have missed either 4 full days of school or 4 individual classes. At this point, they have lost academic credit each for the Marking Period (all classes) or an individual academic course.
- The outcome of the hearing will determine next steps which may include- reinstatement of academic credit for the missed days and times after the successful completion of Credit Recovery and/or make up of time lost on learning, loss of academic credit for the Marking Period in question, and/or a plan, contract, or agreement to address the issues causing the attendance concern.

Tardy to School and Class

- High School students will be assigned a one-hour After-School Detention every third tardy infraction either in reporting to school/Homeroom each morning, or to each individual class throughout the day. Tardy infractions reset at the beginning of each academic marking period.
- Students will have 48-hours from notice of the consequence to serve this. Failure to serve in a timely fashion will result in the assignment of a Saturday Academy.
- Students cannot participate in extracurricular activities including athletics if they have not served this consequence.

Transportation Policies

Campus / Neighborhood Traffic Control:

In order to control vehicular traffic and to provide for student and neighborhood safety, visitors must follow posted speed limits and park in the designated campus parking areas. Violators of neighborhood/campus traffic control or parking directives will be reported to the Springfield Police Department.

For the safety and welfare of our students and staff, parents are reminded that Massachusetts law prohibits the idling of motor vehicles on school grounds in excess of five (5) minutes. M.G.L. c.90, §16B. Violators will be subject to a fine.

Bus Transportation

Bus transportation is provided by the Springfield Public Schools Transportation Department, directed by Debra Duncan at 413-787-7150. The company contracted to provide all transportation services is First Student at 413-736-6781.

Due to transportation budget issues and bus safety concerns, all SICS school transportation service will be TO and FROM the DESIGNATED A.M / P.M. bus stop which is closest to the student's permanent residence.

NO BUS CHANGE REQUESTS WILL BE PERMITTED AT ANY TIME FOR ANY PURPOSE.

A change of bus assignment will occur only if a family changes its residence.

NO STUDENTS ARE TO BOARD ANOTHER SCHOOL BUS FOR ANY ALTERNATIVE TRANSPORTATION PURPOSE. VIOLATIONS OF THIS POLICY MAY RESULT IN THE LOSS OF BUS TRANSPORTATION PRIVILEGES.

Students may get off only at their scheduled afternoon bus stop or at an established afternoon daycare facility on a designated bus route. Parents with work commitments should contact the SICS Extended Day Program if they require afternoon daycare services. **Upper School students staying after school for any reason are not permitted to ride the Lower School buses.**

An adult must meet all kindergarten students at designated afternoon bus stops. If an adult is not present to meet the kindergarten student, the child will be returned to **Rebecca M. Johnson School at 55 Catherine Street** after completion of the full bus route. All returning students will be supervised at this location. Identification credentials must be presented at this location for student pick-up. Students must be secured before 6:00 PM or the Springfield Police and Department of Children and Families will be contacted. **Information** about such students at **Rebecca Johnson School** can be secured by telephoning **413-787-6859**.

Riding the bus is a privilege and demands HIGH STANDARDS OF BEHAVIOR. If bus rules are broken, students may be removed from the bus and progressive disciplinary consequences will occur.

In all bus suspensions, parents are responsible for their child's morning and afternoon transportation to and from school. Chronic disregard for bus rules will prompt indefinite suspension from bus privileges.

Lower School students removed from the bus will be placed in the Extended Day Program. Parents will be charged the appropriate fee for supervision. A parent/guardian must pick up these students before 6PM or the Department of Children and Families and the Springfield Police Department will be notified.

- Students must fully cooperate with bus drivers/monitors and follow all adult instructions.
- Students must comply with all school rules while on the school bus and at school bus stops.
- Stand back until the bus door opens, then board single file.
- Take your seat promptly and REMAIN seated.
- Do not expose any parts of your body outside the windows.
- Do not throw objects from or at the bus.
- Do not smoke, use alcohol, or use drugs on the bus.
- No eating or drinking is allowed on the bus.
- Do not push, fight, harass, or engage in "horseplay."
- Cell phones, CD/iPod players, sporting equipment (i.e. footballs, basketballs), laser pointers, or electronic game articles will not be permitted on the bus.
- Vandalism to bus property will result in suspension of privileges and financial restitution.
- Before leaving your seat to exit the bus, the bus must come to a complete stop.
- After exiting bus, exercise caution when crossing the street.

Student Parking Policy

The school parking lot is a private lot open to the public. Consequently, the school is not responsible for damage done to personal property and/or vehicles when parked in the lot. Parking permits are a privilege, not a right. Parking privileges will be honored only to those students that are academically and behaviorally accepted. Parking permits may be revoked at any time at the discretion of our Director of Operations. SICS students in grades eleven and twelve have the privilege to park on a permit basis only. The number of permits is based upon the number of available student parking spaces and are distributed on a space available basis, with seniors first followed by the juniors. An assembly will be held the first week of school with grades eleven and twelve and applications will be distributed at this time. Any car found parked on school property during the school day that is not registered will be towed at the owner's expense.

Driving Privileges

- Only Juniors and Seniors with valid, school-issued parking passes may park on campus.
- These students must park in assigned locations only and visibly display their parking pass at all times.
- To maintain this privilege, student drivers must be to school on time.
- Upon the 3rd Tardy to School infraction, a student driver loses their parking privilege for 2 weeks.
- Upon the second infraction of a 3rd Tardy to School infraction, a student driver loses their parking privilege for a month.
- Any subsequent Tardy to School Infractions will result in a student's parking privileges being revoked for the remainder of the school year.
- Any student suspended for a drug or alcohol-related offense will have their parking privileges revoked for the remainder of the school year.
- Any student parking on campus without a valid and current parking pass will risk having their vehicle towed at the owners' expense.
- Irresponsible and unsafe driving on campus will result in loss of parking privileges and may result in suspension.

Students are permitted to drive and park under the following conditions:

- A student parking application must be obtained, completed with a copy of proof of insurance and returned to the main office.
- Students must present their student I.D., car registration, and a valid driver's license, to receive a parking application prior to a parking permit being submitted. During the course of the year, any vehicle change must be reported to the main office. The parking permit must be displayed at all times. There are no exceptions.
- Students may not sell, loan, duplicate, or give their permit to any other student.
- Any student driving in a careless or negligent manner likely to endanger any person or property will be subject to criminal prosecution and/or loss of parking privilege.
- All vehicle accidents should be reported immediately to the Springfield Police Department, Traffic Division.
- SICS assumes no responsibility for the student's vehicle; including but not limited to, damages, theft, injuries, and vandalism.

Upon arrival, students must enter the building immediately. Loitering or gathering in the parking lot will not be permitted. Students cannot return to their vehicles until dismissed from school for the day or have permission from the Director of Operations Office. Automobiles not registered, without a permit properly displayed, or parked in an improper area shall be towed at the owner's expense. Subsequent violations may result in loss of parking privileges.

11th and 12th grade students in good academic and behavioral standing will be eligible to apply for parking privileges on campus at the start of each academic year.

Students who are tardy to school for unexcused reasons more than 3 times per term will lose their parking permit for the remainder of the term. They will be eligible to reapply for parking privileges at the beginning of the next term.

Due to neighborhood and public safety concerns, the parking of any student motor vehicle on adjacent public or private ways is prohibited. Student motor vehicles are not allowed in the faculty/staff visitor parking lot.

Excessive speed or disregard of traffic signs in our neighborhood or on our campus will prompt the revocation of parking privileges. It is mandatory that student drivers strictly adhere to all city, neighborhood, and campus traffic and speed limit signs.

Uniform/Dress Code Requirements

General Uniform Policy: Students are required to meet and follow SICS uniform policy. Ultimately, it is the parent/guardian's responsibility to carefully plan and monitor his/her child's attire prior to his/her arrival at school each morning. Should your child fail to meet any of the uniform standards below, a phone call shall be made home to review the uniform policy and to make arrangements for the appropriate uniform item(s) to be delivered to school. Students who fail to meet the uniform policy shall be subjected to disciplinary action.

The School has a uniform/dress code policy which requires students to arrive at school in uniform at all times. The most important element of the uniform/dress code policy is student compliance and parental support.

Shirts-Grades K-12

- ☐ Long or short sleeved solid white, gray, black or maroon collared shirts without logo/lettering (school branding permitted).
- ☐ Visible undergarments/tee shirts must be white without lettering.

Sweaters/Sweatshirts-Grades K-12

- ☐ Solid white, gray, black or maroon sweaters/sweatshirts without a hood and without logo/lettering (school branding permitted)
- ☐ Solid white, gray or maroon collared shirt, **MUST** be worn under a sweater or sweatshirt.

Pants/Shorts-Grades K-12

- ☐ Khaki / Tan or black colored, no jean material.
- ☐ Knee length shorts
- ☐ Leggings, pajama pants, athletic pants and jeans are not permitted

Jumpers/Dresses/Skirts-Grades K-12

- ☐ Knee length, khaki (tan) maroon or black colored only.

Legwear 6-12

- ☐ Solid maroon, gray, black or white tights/socks/nylons may only be worn under jumpers,

dressess skirts or shorts.

Footwear K-12

- ☐ Closed toed/closed-heel shoes only (no sandals, flip-flops, slides, slippers, moccasins).
- ☐ Crocs are permitted
- ☐ No high heels are allowed.

******Grades K-5 ONLY******

- ☐ Gym Day-solid gray sweatpants may be worn.

******Middle School/High School athletes ONLY******

- ☐ Sport issued collared polo shirts, jackets & senior Booster Club jackets (white, gray & maroon with team/school logo only)
- ☐ White, gray, black or maroon shirt MUST be worn under the team issued jacket
- ☐ Visible undergarments/tee shirts must be white without lettering
- ☐ No hooded sweatshirts

******School academic and club sanctioned shirts******

- ☐ School issued white, gray, black or maroon polo shirt with club/school logo only
- ☐ Visible undergarments/tee shirts must be white without lettering

PERSONAL DRESS AND APPEARANCE WHICH violates reasonable standards of health, safety and cleanliness or **IS VULGAR, TATTERED, RIPPED OR PLAINLY OFFENSIVE IS PROHIBITED.**

Important Note:

If your student does not come to school wearing the proper uniform, student will be requested to remedy the noncompliance immediately. Parents/guardians will also be contacted to bring proper uniform clothing to the school.

Students awaiting proper uniform clothing will remain in the In-House Alternative Room and will be subject to Attendance Policies/Consequences.

ADDITIONAL REQUIREMENTS:

- ☐ Uniform must cover a student's chest, mid-section and buttocks.
- ☐ Outerwear (vests, jackets, coats) are not to be worn in the classroom. All exterior wear clothing is to be secured in student lockers.
- ☐ All headwear articles including, but not limited to scarves, headbands, bandanas, hats or visors of any kind are NOT allowed inside the building other than for religious or medical purposes.
- ☐ Tattoos or body markings which are deemed offensive, vulgar, gang-related or which disrupt or interfere with the educational process are prohibited and must be covered while at school.
- ☐ Personal accessories (e.g. jewelry, hair tinting, styling, or body piercing) which are offensive, vulgar, proves to be disruptive to the academic environment, or which may endanger the child's safety are prohibited.

Violations of the uniform/dress code policy may result in disciplinary action and consequences.

- ☐ **If your student does not come to school wearing the proper uniform, student will be requested to remedy the noncompliance immediately. A loan of uniform clothing may be offered from the limited supply of clean, surplus uniform items.** The loaned clothing should be laundered, and returned to the School the following day.

- ☐ If properly sized clothing is refused or unavailable for loan to students, then parents/guardians will be contacted to bring proper uniform clothing to the School.
 - ☐ Students awaiting proper uniform clothing will remain in the In House Alternative Room and will be subject to Attendance policies/consequences.
- Chronic disregard for the uniform/dress code policy will result in progressive disciplinary consequences.

THE FINAL DECISION ON ANY SPECIFIC ARTICLE OF CLOTHING WILL BE MADE BY THE PRINCIPALS.

On designated Theme Days, students have the option of wearing clothing designated to the theme or the school uniform.

The following clothing and personal accessories are not allowed on Theme Days:

- ☐ Tank tops
- ☐ Skirts or shorts shorter than 3 inches above the knee or with slits 3 inches above the knee.
- ☐ Bandanas, visors.
- ☐ Slippers, or pajama-style pants.
- ☐ Flip flops and shower sandals

Bicycle Policy

Students under the age of 18 years must submit a written permission document from a parent/guardian to ride a bicycle to school. These permission slips must be submitted to the School office.

A student must be in grade 4 or above to ride a bicycle to school. Bicycles must be stored in the bicycle rack at the School and secured to the rack with a lock. Students ride their bicycles to SICS at their own risk. The School is not responsible for any injuries incurred or any damage to or theft of bicycles while on the School property.

If a student fails to observe responsible bicycle riding standards, he/she may face the loss of this privilege to ride a bicycle to school. Since the Commonwealth of Massachusetts adopted a mandatory bicycle helmet law in May 1994, all students are required to wear a helmet on rides to and from school.

Student Employment

Employment of students under the age of 18 is restricted to before and after school and days when school is not in session. Students between the ages of 12 and 16 may sell or distribute newspapers. Students ages 14 and 15 with working permits may engage in certain non-hazardous work but may not work before 6:30AM or after 6PM. Students 16 and 17 years of age may engage in certain specified non-hazardous work, but they may not work before 6AM or after 10PM except if employed in restaurants until, but not after, 12:00 in the evening on Fridays and Saturdays and during school vacation periods.

Work permits may be obtained through the guidance office. Whenever possible, SICS will offer a limited number of students the opportunity for employment in their educational setting.

Student Speech

Students have a right to express their thoughts and opinions at reasonable times and places. The SICS expressly reserves the right to exercise pre-publication review of both school sponsored publications and speech, and non-school sponsored publications and speech when such publication or speech is

disseminated in or through our school district. SICS also reserves the right to impose reasonable restrictions on the time, place, and manner of dissemination of any type of publication or speech which is disseminated through the school district.

School sponsored publications include but are not limited to student newspapers, periodicals, yearbooks, or theatrical productions, which the school lends its resources or name or publication or speech which is included as part of the curriculum or other activities which the public might perceive to bear the imprimatur of SICS.

With regard to non-school sponsored publications or speech which is sought to be disseminated through the SICS, approval of the administration must be obtained prior to dissemination.

If the student is dissatisfied with the decision of the administration of a non-school sponsored publication, the student may appeal the decision to the Board of Trustees within five (5) school days after the date of the administrative decision. The student shall have the right to appeal and to present the student's case, supported by relevant witnesses and material, as to why the distribution of the publication is appropriate.

Students, parents, or legal guardians should immediately report to administrators any incident of improper fraternization or inappropriate postings, texts or e-contacts by staff members to students or students towards staff.

Privacy Rights, Searches, and School Property

Students and Student Property

Students are subject to searches of their person and personal property, including vehicles parked on school grounds, when there is reasonable suspicion to believe that the search will reveal evidence of the Student's violation of school rules and/or applicable laws.

If there are reasonable grounds for suspecting that a search of a student's cell phone or electronic devices will lead to evidence that a student has violated the law or code of conduct, administrators may search the contents of said device(s).

If a search of an electronic device is found to contain evidence pertinent to a school-based investigation, the school administration has the sole discretion to hold on to the device, download the evidence, notify the police, and/or give the device to law enforcement officials.

School Property

Student lockers, desks, computers, etc. are for the use of students but remain the property of SICS. The School exercises exclusive control over school property, and a student should not have an expectation of privacy regarding items placed in school property. School property shall remain under the control of school officials and shall be subject to a search for any reason at all times.

SICS ADVISES ALL STUDENTS THAT SCHOOL ADMINISTRATORS INTEND TO CONDUCT PERIODIC, UNANNOUNCED LOCKER, BACKPACK, AND DESK INSPECTIONS TO INSURE CLEANLINESS, SAFETY, ADHERENCE TO FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS, AND ADHERENCE TO SCHOOL RULES.

Use of Student Photographs

Children's photographs may be taken, reproduced, and used for various purposes, including but not limited to temporary student records, school publications, yearbooks, classroom pictures, television news, newspapers, periodicals, and school functions, etc. **With the exception of photographs for individual student records, if a parent/guardian does not want their child's photograph and/or picture used in any manner the School must be notified in writing within the first twenty (20) days of the school year.**

Student Conduct

The following matters are taken very seriously. Rules apply anywhere on school grounds, on school transportation, at any off-site school-sponsored functions, and while students are participating in remote (online) instruction. Consequences for violating rules are outlined in the next chapter, "Code of Conduct."

Classroom Expectations:

1. Students are expected to be respectful of teachers, classmates, and themselves at all times. Following the classroom rules will help create an environment intended to maximize learning. Each teacher will discuss classroom policies and expectations.
2. No violence or threats of violence will be tolerated at the School. Violent or destructive acts, or threats to commit such acts, may result in severe consequences as determined by the Administration.
3. Discriminatory slurs, harassment, verbally abusive language, or bullying will not be tolerated.
4. Dishonesty (such as cheating, plagiarism, and stealing) will be handled with severe consequences.

Plagiarism—taking ideas or writings from another person and offering them as original ideas, will not be tolerated. Repeated offenses of academic dishonesty shall prompt full scrutiny of all student grades and may result in re-testing of previous examinations.

5. Students are expected to be in homeroom and in class on time. Repeated tardiness will prompt disciplinary consequences.
6. Students must be fully prepared for all classes. Repeated instances of unpreparedness will prompt disciplinary consequences.
7. All lockers should remain tidy, and able to be closed for proper storage of school materials, and personal belongings. **Only unframed, collapsible book bags will be permitted.**
8. Littering of any kind is not allowed.
9. Food and beverages are restricted to the cafeteria.
10. Older students are expected to model good behavior for younger students.
No tobacco products or paraphernalia are allowed on school property. Alcohol and chemical substances are strictly forbidden. Students in possession of illegal items will be subject to suspension and possible expulsion from school. Students found under the influence of alcohol or chemical substances while at school must be picked up by parents or guardians and will be subject to suspension and/or possible expulsion. Law enforcement officials may also be notified of such conduct.

Hallway Expectations

As in every part of the SICS, students are expected to behave in the halls. Everyone in the School should make an effort to control noise. Students should not shout or slam lockers. When classes are in session, students, teachers, and parents passing in the hallway are expected to keep their voices low.

Running in the hallway is prohibited. Safety for all students is important at school. Students are asked to *stay to the right* when traveling through the hallways or on the stairs.

Student Locker Policy

Students will be issued assigned lockers, with or without school issue combination locks, at the opening of the School. **No sharing or swapping of assigned lockers is permitted.** All student lockers must remain tidy and be able to be closed for proper storage of materials and belongings. **For safety issues, only unframed, collapsible book bags will be permitted to be stored in school lockers.**

For security purposes, no outside locks will be permitted at any time.

The Student Success Coordinator and Principal will assign school issue combination locks to students in grades 6-12 for their lockers. Lost locks can be replaced for a \$5.00 fee. At all times, student locks must remain affixed to school lockers.

Disciplinary Procedures

Safe and Secure Environment Policy

In order to maintain a safe and secure environment, SICS reserves the right to immediately remove a student from the School property on an emergency/immediate basis when the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school. All such emergency removals shall be implemented in accordance with applicable statutes and regulations including, but not limited to, 603 CMR 53.07.

Office referrals

An “office referral” is the consequence for inappropriate behavior. Office referrals document behavior that is a violation of school rules and provide information after the matter has been referred to the Student Success Coordinator (SSC) and Principal. If a student is disrupting a class, teachers may provide one warning before issuing an office referral. If the student continues to misbehave, he or she will be given an office referral and is sent to the SSC and Principal’s office for a review of the referral with the student. Parental contact and notice of appropriate disciplinary action is then taken. If a student commits a serious offense (e.g., physical violence), office referrals can be issued immediately without going through the warning process.

Students who receive two (2) or more academic, disciplinary or bus behavior referrals within twenty (20) school days before the field trip may not be permitted to attend. (i.e., field day, talent show, dance, High Meadows may not be permitted to attend.) In the case of an educationally-based field trip, a child may be permitted to attend if the parent assumes full transportation and personal chaperone responsibilities for their child. Siblings of school children will not be permitted to accompany as chaperones on school field trips.

After-school Detention

After-school detention is given to students in grades 1 – 12 for a variety of disciplinary reasons. When a student receives after-school detention, the SSC and Principal contacts the student’s parent/guardian to inform them of the detention. Once the student receives notification of a detention, attendance at school events or participation in extracurricular activities is prohibited until the detention is served.

Detention for Grades 1–5 is from 4:00 to 5:00 P.M. and Grades 6-12 is from 2:30 to 3:30 P.M.

Failure to attend after school detention assignments will result in an automatic Saturday detention.

Consistent failure to attend detention assignments may result in external suspension from school.

It is the sole responsibility of the parent/guardian to pick up their child immediately following the detention. Students with detention may not take a later bus departing from the School, or remain unsupervised in the School or on the campus property.

Saturday Detention

Saturday detention is held each Saturday from 9 a.m. to noon. **Students are to report promptly and dressed in the School uniform. Students are also expected to possess academic materials for their study period.**

Parents/Guardians are responsible for student transportation to and from Saturday detention. If parents cannot arrange transportation, PVRTA transportation is available. Tardiness will result in additional school detention. Those students who are later than 30 minutes will receive an additional Saturday Academy assignment. If students are ill, or if an emergency arises, students may reschedule. The student should bring a note from the parent or guardian explaining the circumstances when he or she returns to school.

Failure to attend Saturday detention will result in an automatic assignment of 2 consecutive Saturday detentions.

Students with unfulfilled detention and/or Saturday detention assignments may not attend school events or participate in extracurricular activity. Parents/Guardians and students who fail to acknowledge detention obligations shall be reported to the School Director or designee for administrative and parental conferencing. **Students with outstanding detentions will not participate in end-of-year activities.** Consistent failure to attend detention assignments may result in external suspension from school.

6. Code of Conduct

SICS expects all students to conduct themselves in a responsible manner. Disciplinary measures are used to maintain a safe and stable school environment. We incorporate all provisions of the Mass. General Laws, Chapter 71, Section 37H, 37H^{1/2}, and 37H^{3/4} in our Code of Conduct. All rules and expectations relative to student conduct and behavior set forth in the Handbook shall be in effect while students are on school grounds during all school sponsored events conducted on or off school grounds, on all school buses and at school bus stops. All rules relative to student conduct and behavior set forth in this Handbook shall also be in effect while students are participating in remote learning services provided by or through the school.

Disciplinary actions affecting a student with a disability comply with the prescribed procedures under state and federal law. SICS incorporates all of the provisions of 20 U.S.C. 1415(k) (disciplining students with disabilities), as well as 603 CMR 28.08 (dispute resolution before the Bureau of Special Education Appeals), in the Student/Parent Handbook.

All rules and expectations relative to student conduct and behavior set forth in this Handbook shall be in effect while students are on school grounds, during all school sponsored events conducted on or off of school grounds, on all school buses and at school bus stops. All rules relative to student conduct and behavior set forth in this Handbook shall also be in effect while students are participating in remote or hybrid learning services provided by or through the School.

Options and Procedures

Each discipline case will be decided according to the facts accompanying the case and discretion will be used with a goal of finding alternatives to out-of-school suspension. Effort will be made to discipline students while maintaining them in regular school programs. Parents are encouraged to become actively involved in the disciplinary process. In many cases, however, the following discipline procedures may take place:

1. Students may be given detention or one of several other disciplinary options, including a warning. If after school detention is given, parents/guardians must make arrangements for safe student transport home. (Scheduling arrangements for detention can be requested for a parent to provide transportation.)
2. Bus privileges may be revoked for acts of misbehavior.
3. Students may have campus-driving privileges revoked. Students may be excluded from extra-curricular activities. Students may be placed in the In-House Alternative Program. Students who do not abide by the rules of the In-House Alternative Program or who do not modify their behavior will be referred to the administration for external suspension.
4. Students may be required to perform school-based community service.
5. Students may be required to pay restitution, write letters of apology, or be assigned special projects.
6. Students may be referred for counseling, risk assessments or psycho-educational evaluations.
9. SICS may order a change in placement to an interim alternative educational setting for up to forty-five (45) school days in accordance with the Individuals with Disabilities Education Act.10. Students may be suspended in-school, out-of-school and/or expelled (as provided under M.G.L. c. 71, §37H, 37H1/2 and/or 37H3/4).

Students who do not abide by the rules of the In-House Alternative Program or who do not modify their behavior will be referred to the administration for a hearing to determine whether the student will be subject to out-of-school suspension.

If suspended from school or expelled, a student may not appear on school property or at school-related activities or events either as a spectator or participant. A violation of this policy will be considered a trespass resulting in immediate notification of the Springfield Police Department.

IN-SCHOOL SUSPENSION AND SHORT-TERM SUSPENSION:

In-school Suspension: The removal of a student from regular classroom activities, but not from the school premises, for no more than ten (10) consecutive school days, or no more than ten (10) 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.

Short-term Suspension means the removal of a student from the school premises and regular classroom activities for ten (10) consecutive or cumulative school days or less within the school year. A SSC and 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.

GROUNDINGS FOR IN-SCHOOL AND/OR SHORT-TERM SUSPENSION:

- Leaving school during school hours without permission.
- Unauthorized absence(s) from school (truancy) or from class.
- Repeated unexcused tardiness to school, class, and homeroom.
- Unexcused absence from detention assignments or Saturday detention.
- Gambling in any form.
- Use of or possession of contraband items such as matches, lighters, non-prescribed hypodermic needles, pipes, vaporizers, roach clips, rolling papers, fireworks, stink bombs, laser pens or pointers.
- Use of or possession of beepers or cellular phones.
- Smoking/vaping on school property, in a school bus, or at school functions.
- Exhibitionism, lewd, wanton, and lascivious behavior, sexual contact, disorderly conduct including, but not limited to excessive, distracting and/or inappropriate public displays of affection between students. (M.G.L.A. Ch.272, s.16 & s.53.)
- The possession, dissemination, or use of obscene materials.
- Threatening the health and safety of self and/or others on school property, at school sponsored or related events, and to and from school. If warranted, a determination as to referral to law enforcement may be recommended.
- Lack of respect for faculty, staff, and visitors, including, but not limited to, insubordination, disobedience, use of insulting and/or profane language or gestures, the willful disregard of express or implied directions from a teacher, administrator, or staff member, including but not limited to, the refusal to follow the directions of mandated tests, assessments, or exams, academic dishonesty/cheating, and/or the refusal to follow a mandated program.
- Theft or vandalism to school property or the property of others in the school setting, whether during or after school hours or at any school activity. Reasonable proof of the offender is necessary. Restitution by the offender is required. If warranted, a determination as to referral to law enforcement may be recommended. (M.G.L.A. Ch. 266, s. 30, 98,100,127A, etc.)

- Chronic school offender: The student who repeatedly disturbs or interrupts the educational process, refuses to work, who falsifies signatures on reports, who refuses to return signed papers to teachers or administrators, who refuses to report to appropriate school personnel, who exhibits offensive behavior on an ongoing basis, and/or who repeatedly violates the code of conduct. Organizing or participating in hazing, Bullying/Cyberbullying.
- Any school related act, on or off school property, which interferes with or restricts another student's ability to enjoy the educational benefits afforded or offered within, and outside of, the School setting. Such acts include, but are not limited to incidents that interfere with or threaten the well-being or order of the School or its staff, students, or the general public. Any conduct which creates a hostile environment for others at school.

In assigning in-school or short-term suspensions, administrators are: 1) aiming to improve a student's behavior; 2) maintaining a safe and orderly school environment; and 3) providing for necessary communication between the parent/ guardian and the School personnel.

Students under suspension remain responsible for completion of all schoolwork and will receive credit accordingly. Students suspended will have the opportunity to have access to classwork and assignments, to take tests and exams given during the suspension period during after school hours or upon their return to school to ensure the student's continued academic progress.

The school administration reserves its right and authority to impose a long-term suspension for serious/egregious violations of any school rules or applicable laws including, but not limited to, those offenses listed above.

LONG-TERM SUSPENSION / EXPULSION

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

Expulsion: 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.

GROUND FOR LONG-TERM SUSPENSION/EXPULSION UNDER M.G.L. c. 71, §§ 37H, 37H½:

- A. Possession of a dangerous weapon (as determined by the school administration) on school premises, at school-sponsored or school-related events
- B. Assault/ assault and battery upon an administrator, teacher, teacher aide, or other school staff member.
- C. Possession, use and/or distribution of an illegal drug or controlled substance as defined in M.G.L.A. Ch. 94C, including, but not limited to, marijuana, cocaine, crack and heroin on school premises, at school- sponsored or school-related events, including field trips and athletic games, and to and from school.
- D. Use or possession of a bomb or any other explosive or incendiary device;

- E. Being charged with a felony or the subject of a felony delinquency complaint provided that the Director determines, after hearing, that the student's continued presence would have a substantial detrimental effect on the general welfare of the School.

GROUND FOR LONG-TERM SUSPENSION UNDER SECTION 37³/₄

- Assault of a student on school premises, at school-sponsored or school-related events, including field trips and athletic games, and to and from school.
- Possession or misuse of inhalants, glue, synthetic drugs, or any other substance, on school premises, at school-sponsored or school-related events, including field trips and athletic events, and to and from school;
- Academic dishonesty/ theft/ cheating;
- Making a bomb threat by any means, including, but not limited to, verbally, electronically, or in writing;
- Possession, use and/or distribution of alcohol on school premises, at school-sponsored or school-related events, including field trips and athletic games, and to and from school;
- Serious or repeated offenses as defined in Grounds for Short-term Suspension
- Bullying, hazing, harassment, hate crimes; or other civil rights violations
- Use or possession of an object that appears to be a firearm, bomb, or dangerous weapon.

DUE PROCESS PROCEDURES FOR SUSPENSION/EXPULSION

DEFINITIONS

Non-statutory Disciplinary Offense

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 the SSC and 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 G.L. c.71, §§37H or 37H¹/₂. A disciplinary offense, as defined, is subject to the provisions of G.L. c.71, §37H³/₄ and 603 CMR 53.00..

Statutory Disciplinary Offense

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 the SSC and 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 G.L. c.71, §§37H or 37H¹/₂.

Expulsion

The removal of a student from the school premises, regular classroom activities, and school activities for more than ninety (90) school days, indefinitely, or permanently, as permitted under G.L. c.71, §§ 37H or 37H¹/₂ for: a) possession of a dangerous weapon; b) possession of a controlled substance; c) assault on a member of the educational staff; or d) upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, if the SSC and 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 G.L. c.71, §§37H or 37H 1/2.

In-School Suspension

Removal of a student from regular classroom activities, but not from the school premises, for no more than ten (10) consecutive school days, or no more than ten (10) 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 constitute an in-school suspension nor be subject to the due process requirements set forth in 603 CMR 53.00. In addition, the removal of a student from regular classroom activities for less than 1/2 of the time in which school is in session on a given school day, shall not constitute an in-school suspension.

In-school suspension for ten (10) school days or less, consecutively or cumulatively during a school year, shall not be considered a short-term suspension for due process, appeal, and reporting purposes. If a student is placed in in-school suspension for more than ten (10) school 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

The removal of a student from the school premises and/or regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year. The SSC and Principal may, in his or her discretion, allow a student to serve a long-term suspension in school. Except for students who are charged with a disciplinary offense set forth in subsections (a) or (b) of §37H, or in section 37H1/2 of G.L. c.71, no student may be placed on long-term suspension for one (1) or more disciplinary offenses for more than ninety (90) school days in a school year nor be suspended beyond the end of the school year in which the offense was committed.

Parent

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.

School-Wide Education Services Plan

The document developed, in accordance with 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 (10) consecutive school days.

Short-Term Suspension

The removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less. The SSC and 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 constitute a short-term suspension for purposes of School policies or applicable regulations.

Director

The chief executive officer employed by the board of trustees to administer the charter school. The Director shall serve as the Superintendent for purposes of any disciplinary notifications or appeals

requiring notification to, or the participation of, the Superintendent under applicable statutes and regulations.

Principal

For purposes of disciplinary proceedings conducted in accordance with School policies and/or applicable laws and regulations, the SSC or the SSC's designee, shall serve as "the Principal."

Investigation of Disciplinary Incidents

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

Alternatives to Suspension Under Section 37H^{3/4}

In every case of a student misconduct for which suspension may be imposed, the SSC and Principal shall exercise discretion in deciding the consequence for the office and consider ways to re-engage the student in learning.

Notice of Suspension and Hearing Under Section 37H^{3/4} ("Non-Statutory Offenses")

The SSC and Principal may not impose an out-of-school 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/guardian an opportunity to participate in such hearing.

The SSC and 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 SSC and 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;

If the Student may be subject to long-term suspension following the hearing, the notice shall also include notice of:

1. the opportunity to review the student's record and the documents upon which the SSC and 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 SSC and Principal and to receive a copy of the audio recording provided to the student or parent upon request.

The SSC and Principal shall make reasonable efforts to notify the parent/guardian orally of the opportunity to attend the hearing and shall also provide the parent/guardian with written notice of the hearing. To conduct a short-term or long-term suspension hearing without the parent present, the SSC and Principal must be able to document reasonable efforts to include the parent/guardian. The SSC and Principal is presumed to have made reasonable efforts if the SSC and Principal has sent written notice and has documented at least two (2) attempts to contact the parent/guardian in the manner specified by the parent/guardian for emergency notification. Written notice to the parent may be made by hand delivery, first-class mail, certified mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the SSC, Principal and parent/guardian.

Emergency Removal

The SSC and Principal may remove a student from school temporarily and prior to a disciplinary hearing when a student is charged with a disciplinary offense within the scope of M.G.L. c. 71, §37H3/4 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 SSC and Principal's judgment, there is no alternative available to alleviate the danger or disruption. The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the SSC and Principal shall:

- a) make immediate and reasonable efforts to orally notify the Director, the student and the student's parent/guardian 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/guardian as provided in 603 CMR 53.06(2);
- c) provide the student an opportunity for a hearing with the SSC and Principal that complies with 603 CMR 53.08(2) or 53.08(3) and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days following the date of Emergency Removal, unless an extension of time for hearing is otherwise agreed to by the SSC, Principal, student, and parent/guardian;
- 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.

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

Hearing – Short-Term Suspension:

- a) The purpose of the hearing with the SSC and 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 SSC and 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 SSC and Principal should consider in determining whether other remedies and consequences may be appropriate as set forth in 603 CMR 53.05. The SMC or designee shall provide the parent, if present/guardian, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the SSC and Principal should consider in determining whether the student committed the alleged violation and the consequences.

- b) Based on the preponderance of the available information, including mitigating circumstances, the SSC and Principal shall determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.
- c) The SSC and 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 schoolwork as needed to make academic progress during the period of removal. 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 grades K through 3, the SSC and Principal shall send a copy of the written determination to the Director and explain the reasons for imposing an out-of-school suspension, before the short-term suspension takes effect.

Hearing – Long-Term Suspension:

- a) The purpose of the hearing is the same as the purpose of a short-term suspension hearing.
- b) 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 SSC and Principal may rely in making a determination to suspend the student or not;
 - 2. the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense;
 - 3. the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so;
 - 4. the right to cross-examine witnesses presented by the School;
 - 5. the right to request that the hearing be recorded by the SSC and Principal and to receive a copy of the audio recording upon request. If the student or parent requests an audio recording, the SSC and 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 SSC and Principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the SSC and Principal should consider in determining whether the student committed the alleged violation and the consequences therefor.
- d) Based on the evidence, the SSC and Principal shall determine, based upon the preponderance of the evidence, whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension, what remedy or consequence will be imposed, in place of or in

addition to a long-term suspension. The SSC and 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/guardian for school communications, or any other method of delivery agreed to by the SSC and Principal and the parent. If the SSC and 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 Assistant Director and/or designee;
3. identify the length and effective date of the suspension, as well as a date of return to school;
4. include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school;
5. inform the student of the right to appeal the Assistant Director and/or designee's decision to the Director or his/her designee, but only if the Assistant Director and/or designee has imposed a long-term suspension:
 - a) the student or parent must file a written notice of appeal with the Director within five (5) calendar days of the effective date of the long-term suspension; provided that within five (5) calendar days, the student or parent may request and receive from the Director an extension of time for filing the written notice for up to seven (7) additional calendar days; and that
 - b) the long-term suspension will remain in effect unless and until the Director decides to reverse or modify the SSC and Principal determination on appeal.

e) if the student is in grades K through 3, the SSC and Principal shall send a copy of the written determination to the Director and explain the reasons for imposing an out-of-school suspension, whether short-term or long-term, before the suspension takes effect.

Director's Hearing Under Section 37H^{3/4}

A student who is placed on long-term suspension following a hearing with the SSC and Principal shall have the right to appeal to the Director.

The student or parent/guardian shall file a notice of appeal with the Director within the time period set forth. If the appeal is not timely filed, the Director may deny the appeal, or may allow the appeal at his or her discretion, for good cause.

The Director shall hold the hearing within three (3) school days of the student's request, unless the student or parent requests an extension of up to seven (7) additional calendar days, in which case the Director shall grant the extension.

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

The Director shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The Director shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent/guardian upon request. The Director shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent/guardian upon request.

The student shall have all the rights afforded the student at the hearing for long-term suspension.

The Director shall issue a written decision within five (5) calendar days of the hearing. If the Director determines that the student committed the disciplinary offense, the Director may impose the same or a lesser consequence than the SSC and Principal, but shall not impose a suspension greater than that imposed by the SSC and Principal's decision.

The decision of the Director shall be the final decision of the school district or charter school.

In-School Suspension Under Section 37H^{3/4}

The SSC and Principal may use in-school suspension as an alternative to short-term suspension for disciplinary offenses. The SSC and Principal may impose an in-school suspension for a disciplinary offense under this provision.

The SSC and Principal shall inform the student of the disciplinary offense charged, 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 SSC and Principal determines that the student committed the disciplinary offense, the SSC and Principal shall inform the student of the length of the student's in-school suspension, which shall not exceed ten (10) school days, cumulatively or consecutively, in a school year.

On the same day as the in-school suspension decision, the SSC and Principal shall make reasonable efforts to notify the parent/guardian orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The SSC and 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 SSC and Principal is unable to reach the parent after making and documenting at least two (2) attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent the in-school suspension.

The SSC and Principal shall send written notice to the student and parent/guardian 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 SSC and Principal for the purpose set forth, if such meeting has not already occurred. The SSC and Principal shall deliver such notice on the day of the suspension by hand- delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or by other method of delivery agreed to by the SSC and Principal and the parent.

Exclusion from Extra-Curricular Activities

The SSC and 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 due process requirements of M.G.L. c.71, §37h^{3/4} and/or 603 CMR 53.00.

Disciplinary Offenses Under M.G.L. c. 71, Sections 37H or 37H^{1/2} ("Statutory Offenses")

The SSC and Principal may remove a student who has committed a disciplinary offense under M.G.L. c. 71, §§37H or 37H^{1/2} from school for more than ninety (90) school days in a school year.

For disciplinary offenses involving 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, the student will be given oral notice of the violation with which the student is charged and an opportunity to respond thereto, prior to the SSC and Principal's imposition, where the student's immediate removal is warranted due to safety concerns or disruption of the school environment, of an interim suspension of ten (10) consecutive school days or less pending formal proceedings. Upon imposition of an interim suspension of ten (10) consecutive school days or less pending further disciplinary proceedings, the student and the parents/guardians will be provided with written notice of the suspension and the date and time of any formal disciplinary proceedings to consider the student's long term suspension or expulsion.

At any hearing to consider a student's long term suspension or expulsion for offenses involving 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, the student and the parents/guardians shall have the right to be represented by an attorney (at private expense) and to present oral testimony and documents in the student's defense. A long term suspension or expulsion imposed by the SSC and Principal following any such hearing may be appealed to the Superintendent.

Appeals of Suspensions and Expulsions imposed pursuant to M.G.L. c. 71, Sections 37H or 37H^{1/2} ("Statutory Offenses")

For long term suspensions or expulsions imposed in accordance with M.G.L. c. 71, § 37H, the Student shall have the right to file a written appeal with the Director within ten (10) calendar days of the effective date of the long-term suspension or expulsion. Upon receipt of any such appeal, the Director shall schedule and conduct a hearing at which the student has the right to be represented by legal counsel (at private expense) and to present evidence and witnesses in support of the appeal. Pending the Director's written decision on any such appeal, the terms and conditions of the long term suspension or expulsion imposed by the SSC and Principal shall remain in effect.

For long term suspensions or expulsions imposed pursuant to M.G.L. c. 71, § 37H1/2, the Student shall have five (5) calendar days from the effective date of the long term suspension or expulsion to file a written appeal with the Director. Within three (3) calendar days of receipt of any such appeal, the Director will conduct a hearing at which the student has the right to be represented by an attorney (at private expense) and to present oral and written testimony in support of the appeal. The Director shall render a decision on the appeal within five calendar days of the hearing.

Education Services and Academic Progress Under Sections 37H, 37H1/2, And 37H3/4

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 Director/Designee or SSC and Principal shall inform the student and parent of this opportunity in writing when such suspension or expulsion is imposed. M.G.L. c. 76, § 21.

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

The Director or SSC and Principal shall notify the parent/guardian 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.

If the student withdraws from the School during the period of suspension or expulsion, the child's school district of residence or other public school in which the student enrolls shall either admit the student to its schools or provide educational services to the student in an education service plan.

Expulsion Policy

Students found to have committed disciplinary offenses involving: a) possession of a dangerous weapon; b) possession of a controlled substance; c) assault on a member of a school staff person; or d) are convicted of, or admit guilt to, a felony or felony juvenile delinquency complaint are subject to expulsion from SICS. All students shall be provided with due process prior to expulsion from SICS.

If the student withdraws from the School during the period of suspension or expulsion, the child's school district of residence or other public school in which the student enrolls shall either admit the student to its schools or provide educational services to the student in an education service plan.

DISCIPLINE AND STUDENTS WITH DISABILITIES

Students with disabilities are entitled to heightened due process protections when subject to disciplinary removals or exclusions that will result in a disciplinary change in placement. These requirements shall apply to the following groups of students:

1. Students who have been determined to be eligible for special education in accordance with the Individuals with Disabilities Education Act and/or M.G.L. c. 71B;
2. Students currently undergoing an evaluation of eligibility for special education in accordance with the Individuals with Disabilities Education Act and/or M.G.L. c. 71B;

3. Students who have been found eligible for the protections set forth in Section 504 of the Rehabilitation Act of 1973

4. Students whom the School has reason to know may be eligible for special education services. The School will have reason to know that a student may be eligible for special education services where:

- The parent of the child expressed concern in writing to supervisory or administrative personnel of the District or to a teacher of the child, that the child is in need of special education and related services;
- The parent of the child requested an evaluation of the child's eligibility for special education services which has not yet been completed; or
- The teacher of the child, or other District personnel, have expressed specific concerns about a pattern of behavior demonstrated by the child directly to the director of special education of the agency or to other supervisory personnel of the agency.

The following procedures apply to the suspension or expulsion of students with disabilities when suspensions exceed 10 consecutive school days or when a student with a disability has been subjected to a pattern of short-term disciplinary removals exceeding 10 cumulative days in a school year ("disciplinary change in placement"):

- A suspension of longer than ten (10) consecutive school days in a school year or a series of short term suspensions that exceed ten (10) school days in a school year and constitute a pattern of removal and are considered to constitute a disciplinary change in placement. Within ten (10) days of any decision to impose a suspension that would result in a disciplinary change in placement of a student with a disability, building administrators, the parents and relevant members of the student's IEP/504 Team will convene to determine whether the violation for which the student is subject to a disciplinary change in placement was caused by or directly and substantially related to the student's disability or was the direct result of a failure to implement the student's IEP or Section 504 Plan.
- If the Team determines that the behavior is NOT a manifestation of the disability, the student may be disciplined in accordance with the policies and procedures applicable to all students except that students eligible for special education services shall be entitled to a free appropriate public education as of the eleventh (11th) day of disciplinary exclusion in the school year. Where appropriate, the Team may recommend a functional behavior assessment of the student.
- If the Team determines that the behavior IS a manifestation of the student's disability, the student will not be suspended or expelled for the violation. The school will, however, convene the Student's IEP or Section 504 Team to develop a functional behavior assessment plan or to review any existing behavior intervention plan.

Regardless of the manifestation determination, the School may place the student in an interim alternative setting (as determined by the Team) for up to forty-five (45) school days if the behavior involves weapons or illegal drugs or another controlled substance while at school or at a school function or if the student causes substantial bodily injury to another at school or at a school sponsored event. The School may also, with authorization from a Bureau of Special Education Appeals Hearing Officer or a court of competent jurisdiction, remove a student to an interim alternative educational setting for forty-five (45) school days upon a showing that the student is substantially likely to injure himself/herself or others if the student remains in the current placement.

The parent and student shall have the right to appeal the Manifestation Team's determination, the imposition of a disciplinary change in placement, and the student's placement in an interim alternative educational setting to the Massachusetts Bureau of Special Education Appeals. The student will remain in the disciplinary placement imposed by school authorities pending a decision on the appeal or until the expiration of the disciplinary sanction, whichever comes first.

Where an eligible student with a disability has been subjected to repeated disciplinary action which does not rise to the level of a disciplinary change in placement, the student's section 504 Team or IEP Team will be convened to consider the student's conduct and the need for additional evaluations of, or services to, the student.

PARENT'S AND STUDENT'S RIGHTS UNDER SECTION 504, TITLES II, IV, VI, IX AND THE AMERICANS WITH DISABILITIES ACT

It is the policy of the SICS to comply with all applicable provisions of Section 504 of the Rehabilitation Act of 1973, as well as those contained in Title II, Title IV, Title VI, Title IX, and the Americans with Disabilities Act. These Acts prohibit discrimination against persons on the grounds of race, color, ethnicity, national origin, sex, gender, pregnancy, or disability in any program which receives federal funding.

The person who is responsible for assuring compliance with Section 504, Titles II, IV, VI, IX and the Americans with Disabilities Act is:

Justin Baker, Director
160 Joan Street
Springfield, MA 01129
(413) 783-2600

Civil Rights Grievance Procedure:

The School has established an internal procedure in order to provide for prompt and equitable resolutions of complaints alleging any action prohibited by Title II, Title IV, Title VI and Title IX, Section 504, and the Americans with Disabilities Act. Reports or complaints alleging sexual harassment as Defined under Title IX of the Education Amendments of 1972 shall not be subject to this grievance procedure and shall be addressed through SICS' separate Title IX Sexual Harassment Grievance Procedure.

Title II states, in part, that "no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination in programs or activities" sponsored by a public entity.

Title IV of the 1964 Civil Rights Acts provides that no person shall on the ground of race, color, or national origin be excluded from participating in any program receiving federal financial assistance.

Section 901(a) of **Title IX** of the Education Amendments of 1972 prohibits any educational program or activity from discriminating on the basis of sex.

Section 504 of the Rehabilitation Act of 1973 protects the rights of individuals with disabilities within the work and school setting. Section 504 is a federal civil rights statute.

Section 601 of **Title VI** prohibits discrimination on the basis of race, color, or national origin.

(Note: complaints that do not allege discriminatory conduct should be directed to the SSC and Principal)

CIVIL RIGHTS GRIEVANCE PROCEDURE:

A. DEFINITIONS

A "Grievance" is a complaint made pursuant to, and arising out of, SICS obligations under Section 504 of the Rehabilitation Act, Title II, Title IV, VI, Title IX (discrimination), the American's with Disabilities Act, and applicable state statutes and regulations prohibiting harassment and discrimination. An "Aggrieved Party" is a person or persons making the complaint.

B. PURPOSE

The purpose of this grievance procedure is to secure prompt and equitable solutions to grievances, which may, from time to time, arise pursuant to Section 504, Title II, Title IV, Title IX, and the ADA.

C. GENERAL

No aggrieved party will be subject to coercion, intimidation, interference, or discrimination for registering a complaint or for assisting in the investigation of any alleged complaint within the context of this grievance procedure.

All documents, communications, and records dealing with the filing of a grievance will be kept confidential to the full extent provided by law.

Forms for filing grievances will be provided upon request by the Schools' Section 504, Title II, Title IV, Title IX and ADA District Coordinator whose address appears above.

D. PROCEDURE

When the aggrieved party is a student or student's parent/guardian:

The aggrieved party should complete the Grievance Form (See Appendix F) and return it to the respective Principal at the School in which the alleged grievance occurred. The complaint should be filed within fifteen (15) days after the complainant becomes aware of the alleged violation. (Allegations of discrimination occurring before this grievance procedure was in place will be considered on a case-by-case basis). Assistance will be provided upon request, to enable an individual to complete the Grievance Form and pursue the grievance process.

Within ten (10) school days after receiving the grievance, the Principal shall meet with the aggrieved party in an effort to resolve the grievance. This investigation into the complaint is contemplated to be thorough, but informal, in nature. All interested persons and their representatives, if any, shall be afforded an opportunity to be heard and to submit evidence relevant to the complaint. If the grievance is not resolved, it will be forwarded to the Section 504 Coordinator.

Within thirty (30) school days of receipt of an unresolved grievance, the Section 504 Coordinator and SSC will conduct a hearing to determine what, if any, action shall be taken in response to the grievance. The hearing shall be held at a time and place mutually convenient to all parties. The hearing procedure will follow appropriate due process procedures, including:

- a. the opportunity for the aggrieved party to present the grievance in any suitable manner;
- b. the right of the aggrieved party to an impartial hearing officer;
- c. the right of the aggrieved party to be represented by counsel or an advocate at the aggrieved party's expense (the aggrieved party should notify the Section 504 District Coordinator if he/she will be represented by counsel); and
- d. the right of the aggrieved party to a prompt decision.

A written determination of the validity of the complaint and a description of the resolution, if any, shall be issued by the Section 504 Coordinator and forwarded to the complainant no later than fifteen (15) working days after its filing. The determination of the validity of the complaint and the description of the resolution will be provided in an alternate format, upon request, if needed for effective communication.

The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within fifteen (15) working days following receipt of the written determination to the Director of The School.

The right of a person to a prompt and equitable resolution for the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.

These rules shall be construed to protect the substantive rights of the interested persons to meet appropriate due process standards and assure that The School complies with the ADA and implementing regulations.

Copies of all resolutions and findings made under this procedure shall be filed with the Director.

Confidentiality

Any action taken by the SICS in the application of the disciplinary policy shall be documented in the student's temporary cumulative record. Disclosure of this information without the prior written consent of the parent(s)/legal guardian(s) or the student if he or she is fourteen or older is prohibited except as allowed by law.

Student Records

The privacy of student's records and personally identifiable information is protected under federal and state laws. These laws include the Family Educational Rights and Privacy Act (FERPA), found at 20 U.S.C. §1232(g), the Individuals with Disabilities Education Act (IDEA), found at 20 U.S.C. §1400 et seq. and M.G.L. c.71 §§ 34A, B, D, E, and H, as well as the regulations promulgated under these statutes

A student's record contains all information concerning that student which is kept by the School. Eligible students and custodial parents/legal guardians have the right to see their own/ their child's student records. Access to and copies of any information in the record may be obtained upon request. For access and/or copies of student records, please allow ten (10) calendar days from the date following the date of a

request. Please also note that public records regulations permit SICS to charge a fee for the actual per page copying costs for copies of any records requested.

Pursuant to state and federal statutes and regulations, no third party, other than authorized school or Department of Education personnel, shall have access to information in or from an education record without the specific informed consent of the eligible student or the parent(s)/legal guardian(s), subject to certain exceptions. A student's record is available to school personnel that work directly with the student. This includes administrators, teachers, counselors, office staff and clerical personnel. They do not need permission to see student records.

No information in a student's records, other than Directory Information as defined below, is available to anyone outside the SICS district without the written permission of the student and or parent/legal guardian. Court officers, health officials, DCF, and authorized school personnel may have access to school records of students without "the specific informed consent" of the student of his/her parent(s)/legal guardian(s) as provided under Massachusetts regulations..

These laws include the Family Educational Rights and Privacy Act (FERPA), found at 20 U.S.C. §1232(g), the Individuals with Disabilities Education Act (IDEA), found at 20 U.S.C. §1400 et seq. and M.G.L. c.71 §§ 34A, B, D, E, and H, as well as the regulations promulgated under these statutes.

FERPA also allows disclosure of education records without the consent of parent(s)/guardian(s) and/or students to any school officials, including teachers, who have a legitimate educational interest in them; and/or during lawsuits brought against the school by a student or against a student by the school; or in the event of a health or safety emergency; and, among other exceptions, upon receipt of a Court Order or lawfully issued subpoena, or upon receipt of a request from a court, DCF, or the Department of Youth Services for information regarding a student. Prior to compliance with the Order, subpoena, or request, the school shall notify the eligible student or parent(s)/guardian(s) of the Order, subpoena, or request in such reasonable time that he/she may seek to have the process quashed. Other exceptions may be found by reviewing the statute. In the case of a student, fourteen through seventeen (14-17) years of age, or of one who has entered the ninth grade, both the student and his/her parent(s)/legal guardian(s) or either one acting separately, shall exercise these rights. Any student eighteen (18) years of age or older may exercise these rights alone. (603 CMR 23.01)

Both FERPA and Massachusetts law also provide for a school's release of student's Directory Information without the prior written consent of an eligible student or a parent/guardian. Directory Information include the following: a student's name, address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of members of athletic teams, class, participation in officially recognized activities and sports, degrees, honors and awards, and post-high school plans without the consent of the eligible student or parent; provided that the school gives public notice of the types of information it may release under and allows eligible students and parents/guardians a reasonable time after such notice to request that this information not be released without the prior consent of the eligible student or parent/guardian.

This privacy protection also means that if parent(s)/legal guardian(s) or students wish transcripts or records forwarded to school, colleges, or prospective employers, a written release must be delivered to the school or the appropriate custodian of the student's school records.

Parent(s)/legal guardian(s) and students are guaranteed the right under state and federal law to inspect as well as seek addition to or deletion from all records which are kept or requested to be kept by the School Department concerning individual students. The term "education records" is defined as records that are

“directly related to a student” and “maintained by an educational agency or institution or by a party acting for the agency or institution.” 20 U.S.C. 1232g (a) (4) (A). They include the “student record” – a student’s transcript and any other recorded information which is identified by the student’s name, as well as the “temporary record,” which contains all other information such as evaluations by teachers, counselors, and other school staff. A signed log is kept for cumulative records of students identifying all persons who have obtained access to the student record.

Under FERPA, certain records are excluded from the definition of “education records” and are not subject to access by parent(s)/guardian(s), students, and other individuals. These records include personal notes kept by instructional and administrative staff in their own files, employee records, records kept by school law enforcement officers, and medical treatment records of students over the age of 18.

If a parent/legal guardian or student wishes transcripts or records forwarded to schools, colleges, prospective employers, or a branch of the armed services, a written release must be delivered to the Guidance office and the appropriate custodian of the student’s school records.

In the case of a student, fourteen through seventeen (14-17) years of age, or of one who had entered the ninth grade, both the student and his/her parent(s)/legal guardian(s), or either one acting separately, shall exercise these rights. Any student eighteen (18) years of age or older may exercise these rights alone. (603 CMR 23.01)

Federal law requires that SICS provide a list of student names, addresses and telephone numbers to military recruiters and institutions of higher learning when they request such information, unless parents or students request that information be withheld. 20 U.S.C. §7908. A parent who elects not to have this information disclosed to military recruiters and/or institutions, must send written notice thereof to the Director within the first twenty (20) school days of the start of the school year. In the absence of such timely written notice, the School will consider there to be no objections to the release of this information and such information will be forwarded to BOTH military recruiters and institutions of higher learning.

In addition, SICS may be required to provide student record information relating to enrolled students to students’ resident school districts and or the Department of Elementary and Secondary Education either directly or through submission to a third party clearinghouse.

Student Record Amendments

A parent/ guardian or eligible student has the right to add information, comments, data, or any other relevant written material to the student record. The parent/guardian or eligible student should submit the additional information to the Director along with a written request that the information be added to the student record.

A parent/guardian or eligible student has the right to request in writing the deletion or correction of any information contained in the student record, except for information which was placed in the record by a special needs student’s TEAM. Any such information inserted by the TEAM will not be subject to a request for deletion or correction until the Individualized Education Plan for that student has been accepted or, if rejected, after the completion of the special education appeal process.

Any deletion or amendment shall be made in accordance with the following procedure:

- If a parent/guardian is of the opinion that adding information is not sufficient to explain, clarify, or correct objectionable material in the student’s record, the parent/guardian shall present the

objection in writing and/or have the right to confer with the SSC and Principal to make the objections known.

- The Director/designee shall within one (1) week after the conference or receipt of the written objection(s), inform the parent/guardian of a decision in writing, stating the reason(s) for the decision. If the decision is in favor of the parent/guardian, the Director/designee shall promptly take steps to put the decision into effect.
- If the Director/designee's decision is not satisfactory to the parent/guardian, the parent/guardian may file an appeal in writing, with the Director. This appeal must be made within five (5) school days of the SSC and Principal decision. The Director shall render a written decision within two (2) weeks of receipt of the written appeal.
- If the Director's decision is not satisfactory to the parent/guardian, the parent/guardian may file a written appeal with the Board of Trustees within five (5) days of the receipt of the Director's decision. The Board of Trustees shall conduct a hearing on the appeal as required by 603 CMR 23.09(4).

School District Transfer of Records

Pursuant to 603 CMR 23.07(g), SICS hereby gives notice to parent(s)/guardian(s) and eligible students that it forwards the complete school record of a transferring student to schools in which the student seeks or intends to enroll. While consent of the parent/guardian or eligible student is not required, it is the policy of SICS that it will not forward records to the receiving district without the signature of the parent/guardian or eligible student.

Destruction of Student Records

Notice is hereby given that the temporary record of a student will be destroyed no later than seven (7) years after that student transfers, graduates, or withdraws from school. If the parent/guardian or eligible student wishes to have the temporary record, they must request in writing prior to the last day of school that the documents be provided to them. No additional notice will be provided to the parent/guardian or eligible student prior to the destruction of such records.

In addition, SICS may destroy the following documents, which are considered part of the temporary record, on a yearly basis: disciplinary records (other than documentation of suspensions and /or expulsions), any notes from the parent/guardian concerning absences, early dismissals, late arrivals, as well as examples of student work. If the parent/guardian or eligible students want those records, they must request so in writing prior to the last day of school.

Non-Custodial Parents Access to School Records

In order for SICS to release student information to a non-custodial parent, the directives of Massachusetts General Laws c. 71 Section 34H must be satisfied. Section 34H requires that the School provide information to a non-custodial parent only if the noncustodial parent is eligible to receive information pursuant to this section.

Unless there is a court order to the contrary, a non-custodial parent (a parent without physical custody of the child) of a student has the right, subject to certain procedures, to receive information regarding the student's achievements, progress, behavior, attendance, etc. A non-custodial parent who wishes to access student record information shall submit a written request annually to the Director. Upon receipt of such a request, the Director shall send written notification to the custodial parent by certified and first-class mail that the student's records and information will be provided to the non-custodial parent in twenty-one (21) calendar days unless the custodial parent provides documentation of the non-custodial parent's ineligibility to access such information. In all cases where school records are provided to a non-custodial parent, the electronic and

postal address and other contact information for the custodial parent shall be removed from the records provided. Any such records provided to the non-custodial parent shall also be marked to indicate that they may not be used to enroll the student in another school.

Upon receipt of a court order that prohibits the distribution of information pursuant to M.G.L. c. 71, § 34H and/or 603 CMR 23.07(5), the school will notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

Physical Restraint of Students

The Massachusetts Department of Elementary and Secondary Education (DESE) established regulations governing the use of physical restraints on students. 603 CMR 46.00. SICS complies with the provisions of 603 CMR 46.00 which regulates the use of physical restraint on students in Massachusetts public school districts, charter schools, virtual schools, collaborative and special education schools. The purpose of this policy is to ensure that every student is free from the intrusive use of physical restraint that is inconsistent with 603 CMR 46.00 and that such an intervention is used only in emergency situations of last resort after other less intrusive alternatives have failed or have been deemed inappropriate, and with extreme caution.

Physical restraint will be administered only when needed to protect a student or other students and staff from imminent, serious physical harm. Physical restraint should be administered only as a last resort and in the least intrusive manner possible.

Parents will receive oral and written notice of any physical restraint of the parent's child in accordance with the requirements of applicable regulations.

Restraint Grievance Procedure

SICS has established an internal procedure in order to provide for the prompt and equitable resolutions of complaints regarding the administration of physical restraints. No aggrieved party will be subject to coercion, intimidation, interference, or discrimination for registering a complaint or for assisting in the investigation of any alleged complaint within the context of this restraint policy. Interference with, intimidation of, and/or retaliation against any individual, including a student, parent, or guardian, for filing a complaint or grievance is strictly prohibited and shall be treated as an actionable, wrongful act in and of itself. All documents, communications, and records dealing with the filing of a grievance will be kept confidential to the full extent provided by law.

Grievance information and forms may be obtained upon request from SSC and Principal.

Pupil Rights Amendment (PPRA)

PPRA affords parents of elementary and secondary students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

- *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)–

1. Political affiliations or beliefs of the student or student's parent;

2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or student's parent; or
8. Income, other than as required by law to determine program eligibility.

Receive notice and an opportunity to opt a student out of –

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)

Inspect, upon request and before administration or use –

1. Protected information surveys of students and surveys created by a third party;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

SICS has developed policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. SICS will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. SICS will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. SICS will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this direct notification requirement:

- Collection, disclosure, or use of personal information collected from students for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

School Tobacco Use Policy

SICS is committed to maintaining and improving the health and wellbeing of all employees and students. SICS accepts the educational principles that are taught best by example. Medical research shows that tobacco use poses as a significant health risk. As a result, SICS adopts the following policy for all employees, students, and visitors on school grounds:

1. Tobacco use of any kind is not permitted in any building under the direction of the Springfield International Charter School.
2. The use of electronic cigarettes/ vaporizers/paraphernalia is prohibited.
3. The smoke-free School Policy prohibits tobacco use by students, staff, and visitors in all buildings and on all school grounds, school buses, at all times, including school sponsored functions off-site.

An offense of this policy may result in a consequence. The following measures are to be used by the Director or designee as guidelines to provide a fair, firm and consistent approach to discipline.

OFFENSE-- The use of all tobacco products (as mandated by M.G.L. Ch. 71, s.2 (A)).

Students—Possession or use of a tobacco product* on school property:

Offense:

1st Offense:

2nd Offense:

3rd Offense:

Options:

1-5 day suspension
Parental Notification Counseling

5-10 day suspension
Parental Notification Counseling

Short or long term suspension
Parental Notification Counseling

Students--Possession of tobacco products* on school property:

1st Offense:

2nd Offense:

In-House Alternative Program
Detention
Parental Notification Counseling
1-3 day suspension

1-3 day suspension
Parental Notification Counseling

Any of the following options may be combined with disciplinary consequences: Referral to smoking cessation programs, In-House Alternative Program, and detention.

* Tobacco products: Cigarettes, cigars, chewing tobacco, snuff, or any other form of tobacco.

Substance Abuse Policy/Protocol

SICS is dedicated to providing a drug and alcohol-free environment for staff, students, and citizens. The School believes that education plays a critical role in establishing the lifelong health habits for its students. Advising curriculum components and guidance counseling emphasize the dangers associated with drugs and alcohol. SICS also has a strong interest in the health of its employees and in their service to students as positive role models.

BREATHALYZER PROTOCOL FOR DANCES AND SOCIAL EVENTS / ACTIVITIES

The possession, sale, distribution or use and/or abuse of alcohol is not only illegal on school property and at school events and activities but is also in violation of SICS's policy and SICS's code of conduct and core values.

When determining possible alcohol possession, sale, distribution or use by a student at any school related event or function, the administration's primary concern is always student safety and well-being. In assessing a student's possible alcohol use, administration may use a breath alcohol testing device, which indicates the presence or absence of alcohol. SICS administration also reserves the right to randomly screen students or screen all students at school events/functions with proper notice to students and their families.

The purpose of having breath alcohol testing is to deter alcohol possession, sale, distribution and/or use and encourage all members of the student body to make healthy, positive choices.

Students who attend any school dance, social event, or school activity will be required to observe the rules of behavior that are in effect during the school day.

SICS dances and social activities are planned for members of our school; attendance by non-school members is by invitation only. When guests are permitted, a student is restricted to one guest at a dance or social, and approval must be given in advance by the administration.

Students will not be permitted to enter the dance or activity thirty minutes after it has started, unless approval has been obtained by administration. Should an attendee leave the activity for any reason without an adult escort, he/she will not be permitted to return.

Each student entering a school sponsored dance or activity may be required to submit to a Breathalyzer test.

When possible, and at the discretion of the administration, a police officer will be present at functions in the event of any law enforcement issues that may arise. A student whom the administration has determined to have violated the school's substance abuse and code of conduct policies will be sent home with a parent or turned over to the Police for protective custody or arrest.

It is the responsibility of the administration / faculty advisor(s) to ascertain that the following is carried out:

1. A goal of four faculty chaperones and at least two sets of parents to volunteer their services.
2. Only the area of the building in which the event is to take place and the lavatories immediately adjacent may be available.
3. Policy for students leaving the building: Only during intermission may students go outside.
4. Anyone with the appearance of being under the influence of alcohol or drugs shall not be admitted and are subject to a breathalyzer test.

5. No guest below grade nine may attend a senior high school dance.
6. Prior to the event, the names of guests must be approved and recorded with the administration before the close of school.

Part I: School Sponsored Events

1. The administration will determine at which school-sponsored events the breathalyzer will be used. These events will include, but not be limited to, proms, dances, concerts, overnight activities, optional field trips, athletic events, etc.
2. The administration will determine the manner by which the students will be tested: entire group, pre-determined random selection, or based on an individualized reasonable suspicion. The administrator or staff member present at such events has the authority to test and retest any individual suspected of being under the influence of alcohol even if the student has a negative test upon entering the event.
3. Students attending these events may be required to take a breathalyzer test administered by a member of the staff or administration prior to entering the event.
4.
 - a. Any student who tests positive will be given a second test after a waiting period of twenty (20) minutes.
 - b. If this test is positive, the student will be denied entrance to the event, detained by school officials until parents/guardians arrive and an investigation is conducted.
 - c. The student will be sent home and, subject to disciplinary procedures, may be suspended in accordance with the SICS Handbook.
 - d. Whether school officials are testing students randomly or testing the entire group, a student who tests positive or refuses to be tested may be prohibited from participating in future extra-curricular activities.
5. A student already in attendance at a school sponsored event who is suspected of being under the influence will be tested or retested.
 - a. If this test is positive, the student will be detained until parents/guardians arrive.
 - b. If the student is determined to be a risk and/or in need of medical assistance, emergency personnel will be contacted and parents/guardians will be notified.
 - c. Disciplinary action will be taken consistent with the SICS Handbook.
 1. If a student, already in attendance, who is suspected of using alcohol as described herein, refuses the test, that student will be detained and sent home with a parent/guardian.
 2. The student's conduct will be considered comparable to being under the influence and disciplinary action will be taken consistent with the SICS Handbook.
 - d.
6. The Breathalyzer Protocol shall apply to all students and guests.

PART II: During the School Day

It may be necessary during the school day or during a school related event to administer a breathalyzer test to a student whose demeanor may give reasonable suspicion that they are under the influence of and/or has consumed alcohol. If an administrator reasonably suspects or receives a report that a student may be under the influence of alcohol, then they may use a breathalyzer as a part of the investigation. To the extent possible under the circumstances, the test will be administered in a private location by an administrator in the presence of a second staff member.

- a. A student who tests positive will be given a second test after a waiting period of twenty (20) minutes.
- b. If this test is also positive, school officials will detain the student until parents/guardians arrive, and, subject to disciplinary procedures, the student may be suspended.
3. A student who is determined to be under the influence as described herein and who refuses the test will be detained until parent/guardians arrive. The student's conduct will be considered comparable to being under the influence and disciplinary action will be taken consistent with the SICS Handbook.

Part III: Training and Maintenance

1. Training in the operation of the breathalyzer will be performed and updated annually, according to the recommendations of the manufacturer or sales agent of the breathalyzer.
2. A list of trained personnel will be on file in the school office.

DEFINITIONS:

Contraband

Any device, apparatus or article, possession of which is illegal, such as a hypodermic needle, used in the use/abuse of any substance of abuse. This includes the substance of abuse.

Distribution

Having on one's personal belongings illegal drugs or controlled substances in a quantity beyond reasonable personal use, or prescriptive drugs in a quantity greater than recommended daily dose as prescribed in a Physician's Desk Reference (P.D.R.). In addition, providing any illegal drug, controlled substance, or prescriptive medication to another, regardless of the quantity, is considered as distribution in this policy. Being found in possession of such quantities, whether or not actually found in the act of distribution, shall be considered as distribution in this policy.

Paraphernalia

Any device, apparatus, or article used in the use/abuse of any substance of abuse, including those of an ornate nature, such as a roach clip, e-cartridges, pipes and rolling papers.

Personal Property

Includes clothing, knapsacks, electronic devices, pocketbooks, or items of individual ownership as well as school provided property.

Possession

Having on one's personal belongings quantities of any substance of abuse in an amount reasonable for personal use.

Reasonable Search

Inspection of a student's person, personal effects or property.

Substance of Abuse

Any chemical or substance, licit or illicit (including all forms of inhalants), which alters an individual's physical, emotional, or mental state.

Disposal of Confiscated Contraband

All substances must be sealed and documented by the School administration and turned over to the Springfield Police Department. A student's identity will be provided to the Springfield Police Department in accordance with this policy.

Medical Emergency

In the event that a student is found to be under the influence of a substance to the degree that is life threatening, emergency transportation shall be arranged to the nearest hospital. An evaluation by the School nurse will occur whenever feasible to ensure student safety.

Confidentiality

All SICS administrative action taken in the application of these policies will be documented in the student's temporary cumulative record. Unless so mandated by the law, any disclosure of information must be with the consent of the individual student and/or parent(s)/legal guardians if the student is under the age of fourteen (14). All efforts will be made to protect the identity of any individual (student, staff, and parent(s)/ legal guardian who reports violations of these policies.

GENERAL CONSIDERATIONS

PRESCRIPTION MEDICATION: Must be left with the nurses for dispensing. A doctor's order and written parent/guardian permission is required before any medication is dispensed. Any medication kept on a student's personal belongings will be responded to in accordance with this policy, based on the quantity of substance.

DISPOSAL OF CONFISCATED CONTRABAND: All substances must be sealed and documented by the School administration and turned over to the Springfield Police Department. A student's identity will be provided to the Department in accordance with the provisions of this policy.

MEDICAL EMERGENCY: In the event that a student is found to be under the influence of a substance to a degree that is life threatening, emergency transportation shall be arranged to the nearest hospital. An evaluation by the health office will be accessed whenever feasible to ensure student safety.

APPLICATION OF POLICY: Students are subject to reasonable searches and seizures of a particular student and school property when there is reasonable suspicion to believe that a student may be in possession of drugs, weapons, alcohol, and other materials in violation of school policy or state law. School property shall remain under the control of school officials, and shall be subject to search.

SCHOOL PROPERTY: The School owns School lockers, desks, and other such property. The School exercises exclusive control over school property, and a student should not have an expectation of privacy regarding items placed in school property. If lockers in the School are shared by more than one student, each student is responsible for contraband found during a locker search (see Lockers, contained herein).

THE PERSON: According to the United States Supreme Court, "a student may be searched if there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated either the law or the rules of the School." A particular student's effects are also subject to being searched by school officials and are subject to the same rules. Effects may include automobiles located on school property.

DRUG PARAPHERNALIA: In order that no substance abuse is implied, students who display drug paraphernalia on school grounds may have them confiscated without any action taken. Such paraphernalia may be returned to student(s), parent(s) or legal guardian(s). This does not include contraband.

A. VOLUNTARY ACTION BY STUDENT:

1. Confidential referral to school social worker/counselor, if student agrees.
2. Informed of available services and resources.
3. Possible disciplinary consequences.
4. Parental involvement encouraged.
5. Police report may be filed.

Confidentiality will be respected except in cases of potential:

- Suicide
- Homicide
- Physical or Sexual Abuse

B. REASONABLE SUSPICION OF USE OF CONTROLLED SUBSTANCE:

1. To, during and from school.
2. To, during and from school sponsored or school related events and activities, including athletic games.
3. Reported immediately to the Director or designee.
4. Upon notification, the Director or designee is to conduct an appropriate investigation.
5. If substantiated, follow procedures in Section C, below.

C. STUDENT ADMITTING OR FOUND TO BE USING AND/OR IN POSSESSION OF CONTROLLED SUBSTANCE:

1. To, during, and from school.
2. To, during, and from school sponsored and school related events, and activities, including athletic games.
3. Director or designee to immediately notify parent(s)/legal guardian(s) to take student home:
 - a. Police will be notified if parent(s)/legal guardian(s) unavailable.
 - b. Immediate short-term suspension (see Due Process).
4. Police notified of offense.
5. Adult supervision to be provided until parent(s)/legal guardian(s) and/or police arrive.
6. If medical emergency, call ambulance.

7. Penalties: Long-Term Suspension or Expulsion (as permitted under Massachusetts General Laws, Chapter 71, Section 37H, 37H^{1/2}, and/or 37H^{3/4}.) In cases involving long-term suspension, the Director will, in addition to the any disciplinary consequences imposed, require:
 - I. First Offense – Confidential referral to school social worker/counselor upon return to school.
 - a. Failure to attend:
 1. Meeting with social worker/counselor, parent(s)/legal guardian(s), and student.
 2. Possible further suspension
 - II. Second/Subsequent Offense
 - Mandatory referral to outside substance abuse treatment program.
 - Mandatory assessment by treatment program.
 - Student may be subject to further long-term suspension for failure to abide by recommendations of treatment program.

D. STUDENT DISTRIBUTING CONTROLLED SUBSTANCES AND/ORALCOHOL:

1. To, during, and from school.
2. To, during, and from school sponsored or school related events and activities, including athletic games.
3. Penalties:
 - a. Long-Term Suspension/Expulsion in accordance with M.G.L. c. 71, §§ 37H and/or suspension of up to ninety (90) school days in accordance with 37H3/4.
 - b. Springfield Police Department to be notified immediately.

HATE CRIMES AND BIAS INCIDENTS POLICY:

General Statement

SICS is committed to providing a safe environment in which all students have an equal opportunity to learn, regardless of their race, ethnicity, national origin, sex, sexual preference, gender, gender identity, religion, or disability. Hate crimes and bias incidents, by their nature, are confrontational; they create tension and promote social hostility. Such incidents will not be tolerated in The School because they interfere with every student's right to an education. In addition to jeopardizing academic achievement, hate crimes and bias-related harassment can undermine a student's physical and emotional well-being, provoke retaliatory violence, damage the School's reputation, and create or exacerbate tensions in the wider community.

The School will comply with all applicable federal and state laws governing hate crimes. Massachusetts law defines hate crimes as "any criminal act coupled with overt actions motivated by bigotry and bias including, but not limited to, a threatened, attempted or completed overt act motivated at least in part by racial, religious, ethnic, handicap, gender or sexual orientation prejudice, or which otherwise deprives another person of his constitutional rights by threats, intimidation or coercion, or which seeks to interfere with or disrupt a person's

exercise of constitutional rights through harassment or intimidation.” M.G.L. c. 22C, § 33; M.G.L. c. 12, §§ 11H, 11I.

In addition, federal regulations prohibit the intentional use of force or threat of force against a person because of race, religion, ethnicity, handicap, gender or sexual orientation for the purpose of interfering with a student’s enrollment or attendance in any public school or college. 18 U.S.C. § 245. Both federal and state statutes and regulations contain serious criminal penalties for persons convicted of hate crimes and the resulting civil rights violations.

This policy applies to hate crimes, bias incidents, civil rights violations, and bias-related harassment which occur in school buildings or on school grounds, or during the course of any and all school-sponsored activities, including those which take place outside of school, or in any situation where there is a detrimental effect on the School or the educational climate.

Definition

A hate crime occurs when a student or group of students is targeted for physical assault, threat of bodily harm, intimidation, verbal abuse, and/or damage to personal property because he or she is a member of a different race, religion, ethnic background, gender, gender identity, or has a handicapping condition or different sexual orientation. Bias incidents are less serious acts that are also motivated by race, religion, ethnic background, gender, gender identity, disability, or sexual orientation issues.

Examples

Examples of hate crimes and bias incidents include, but are not limited to, the following:

Hate Crimes:

- bias-related drawings, markings, symbols, graffiti
- harassing and/or threatening hate mail and/or e-mail messages
- verbally abusive and/or threatening phone calls damage to personal property or belongings; arson; vandalism
- stalking: repeated, purposeful following of a student, together with evident bias against the victim’s actual or perceived group status
- assault and battery against a student based upon their actual or perceived group status
- physical conduct which puts a student in fear of imminent harm, together with name-calling of a bigoted nature

A student who has committed a hate crime may also be subject to criminal prosecution for that crime.

Bias incidents:

- insults, jokes, mimicking, and name-calling based upon a student’s race, religion, ethnicity, handicapping condition, gender, gender identity, or sexual orientation
- use of racial, ethnic, religious, sexual, or anti-gay slurs
- negative comments on an student’s manner of speaking or racial customs, surname, religious traditions
- unwelcome verbal, written, or physical conduct directed at a student because of their race or skin color, such as nicknames which emphasize stereotypes, racial slurs, comments on manner of speaking, and negative references to racial customs
- conduct directed at the characteristics of a student’s national origin, such as negative comments regarding surnames, manner of speaking, customs, language
- conduct directed at the characteristics of a student’s sexual orientation, whether actual, perceived, or asserted – such as negative name-calling and imitating mannerisms

- conduct directed at the characteristics of a student's disabling condition, such as imitating their manner of speech or movement, or interfering with that student's necessary equipment
- unwelcome verbal, written or physical conduct, directed at the characteristics of a student's religion, such as derogatory comments regarding surnames, religious traditions, religious jewelry or clothing

When a student has been subjected to behaviors such as those described above, and is reasonably fearful of his or her own safety, a hostile environment has been created for that student. It may be created by a series of minor incidents, or by one serious incident. The existence of a hostile environment is a violation of the student's civil rights, as it prohibits him or her from obtaining an education.

A hate crime or bias incident will be deemed to have occurred even where the harasser is mistaken about the victim's race, ethnicity, or other targeted characteristics. In addition, targeting students simply because they associate with another student or students who are members of a particular racial, ethnic, religious, or other targeted group may also be the basis of a hate crime or bias incident.

Reporting

The designated Civil Rights Administrator for the School is:

Cynthia Miller
160 Joan Street
Springfield, MA 01119
Cmiller@sics-mail.net
(413) 783-2600

Students, staff, or any interested third party may report incidents. Students should report any incidents to an adult with whom they feel most comfortable – a teacher, guidance counselor, or other staff member. Staff members should report incidents to the Civil Rights Administrator for investigation and handling. Confidentiality will be maintained to the extent possible, but it should be understood that where a serious crime is involved, the police, and other governmental agencies such as the Office of the Attorney General, will be alerted. When a student has complained of a bias incident but does not wish to file a written complaint, school officials or the designated administrator will conduct an informal inquiry into the circumstances of the incident, and will keep a written record of the inquiry, in the event that further incidents involving the complaining student and the alleged harasser take place.

Investigation

Upon receiving notice that a hate crime or bias incident is alleged to have taken place, the Civil Rights Administrator and/or designee will immediately take steps to ensure that the victim or victims are safe and secure and will notify the Director of the allegation. All victims and witnesses will be interviewed within five (5) days following the incident, followed by interviews with any other individuals who may have knowledge pertaining to the incident and the persons involved in it. Physical evidence, if any, will be gathered. The investigator will then make a determination as to whether a hate crime or bias incident has occurred, taking into consideration the definitions contained above, the surrounding circumstances, the relationships of the parties involved, and the context in which the incident(s) took place. In addition, the investigator will determine whether there are, or have been, any related incidents of harassment, and will evaluate the kinds of damage that may have been caused, both to the victim(s) and to the School environment. The investigator will issue his/her report within five (5) school days.

Notification To/By Parents/Legal Guardians

After investigation, if there are reasonable grounds to believe that a hate crime or bias incident has occurred, the Civil Rights Administrator and/or designee shall notify a student's parent(s)/legal guardian(s)

if the student is a victim of, or is accused of, a hate crime or bias incident. Parent(s)/legal guardian(s) are strongly encouraged to report hate crimes or bias incidents to their child's school counselors, Civil Rights Administrator, or to the Director.

Informal Resolution Procedure

It may be possible to resolve a complaint through a voluntary conversation between the complaining student and the alleged harasser that is facilitated by a school employee or by the designated Civil Rights Administrator. A person of their choice for support and guidance may accompany both the complainant and the alleged harasser. If the complainant and the alleged harasser feel that a resolution has been achieved, the conversation then will remain confidential and no further action will be taken.

The results of the informal resolution will be reported, in writing, to the Director. If either party feels that the informal conversation process is inadequate, or has not been successful, they may proceed to the formal complaint procedure. Either party may also choose to forego the informal process and proceed directly to the formal complaint procedure.

Formal Complaint Procedure

The designated administrator will fill out a harassment complaint form based on a student's written or oral allegations that an incident or incidents have taken place. The complaint form will be kept in a secure location, and will describe in detail the facts and circumstances of the incident(s).

If an involved student is under the age of 18, his or her parents or legal guardian will be notified immediately after consultation with the student, unless such notification is determined not to be in the best interests of the student.

An investigation will take place within five (5) school days of the date of the complaint or report. The investigator may determine that immediate steps need to be taken to protect the complaining student, the alleged harasser, and any potential witnesses, and will notify school administrators of such a determination.

The investigation will be completed as soon as possible, but no later than five (5) school days after the date of the complaint, and a written report made to the Director. The report will contain a determination as to whether the allegations have been substantiated as factual, and whether they constitute a violation of this policy. The investigator will also recommend to the Director what action, if any, is required. The complainant and the alleged harasser will be informed of the results of the investigation, and whether disciplinary action will be taken.

Both the Civil Rights Administrator and the Director will keep all written reports of investigations. The School recognizes that both the complainant and the alleged harasser have strong interests in maintaining the confidentiality of this process. The privacy of all parties, including witnesses, will be respected as much as possible, consistent with The School's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations which may be necessary due to the severity of the incident(s), the potential involvement of the police department, the District Attorney's Office, the Office of the Attorney General, and the potential involvement of a civil and/or criminal trial.

Disciplinary Action

Disciplinary and/or corrective action will be taken as soon as possible following completion of the investigation of an incident of hate crime or a bias-related incident, and will have as its goal the elimination of the offensive conduct, the prevention of reoccurrence, and the re-establishment of a healthy school environment, especially for the victim(s). Such action will take into account the severity of the incident and the age and identity of the victim and harasser, and the effect upon the victim. Disciplinary and/or corrective action may

include one or more of the following:

- participation in an educational program about hate crimes and bias incidents for the perpetrator;
- an apology to the victim(s);
- mandatory counseling;
- community service;
- placement in an alternative educational setting;
- detention;
- short-term or long-term suspension; and/or
- recommendation for expulsion.

In addition, perpetrators of hate crimes which rise to the level of criminal activity may be subject to criminal prosecution under state and federal laws pertaining to such crimes. The police will be notified when a probable hate crime has taken place, and in particular will be notified in an emergency situation.

Retaliation

The School will deal seriously with any and all threats or acts of retaliation against an individual who reports a hate crime or bias incident. School staff will maintain constant contact with victims and persons who report such incidents in order to ensure that no threats or acts of retaliation take place.

Interference with, intimidation of, and/or retaliation against any individual, including a student, parent, or guardian, for filing a complaint, filing a grievance, or opposing discrimination is strictly prohibited and shall be treated as an actionable, wrongful act in and of itself.

Any person found to have threatened to retaliate and/or actually retaliated will be subject to severe disciplinary action, including potential exclusion from school. Should the retaliation rise to the level of criminal activity, school staff are required to report it to the local law enforcement agency.

Sexual Harassment Policy

General Statement:

All persons have the right to be free from sexual harassment; therefore, sexual harassment in any form is strictly forbidden in school, on school grounds, or at school related activities. The School does not discriminate on the basis of sex in the School's educational programs or activities, admissions or employment practices. The School has designated the following individual as the School's Title IX Coordinator:

Derek Conway
Director of Operations
160 Joan Street
Springfield, MA 01119
Dconway@sics-mail.net
(413) 783-2600

Definition:

Under Massachusetts law, Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when 1) submission to or rejection of such advances, requests or conduct is made either explicitly or

implicitly a term or condition of the provision of the benefits, privileges, or placement services or as a basis for the evaluation of academic or professional achievement; or (2) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's education by creating an intimidating, hostile, humiliating or sexually offensive educational or work environment

Under Title IX of the Education Amendments of 1972, the term "sexual harassment" includes three (3) types of misconduct based on sex:

- (1) any instance of quid pro quo harassment by a school employee;
- (2) unwelcome conduct on the basis of sex, including unwelcome conduct based on sex stereotyping or on the basis of traditional notions of masculinity and femininity, that is sufficiently severe and pervasive and objectively offensive conduct, effectively denying a person equal educational access; or
- (3) any instance of sexual assault as defined in the Cleary Act, dating violence, domestic violence, or stalking as defined in the Violence Against Women Act.

Sexual harassment is not, by definition, limited to prohibited conduct by a male toward a female. A male, as well as a female, may be the victim of sexual harassment, and a female, as well as a male, may be the harasser. Further, the victim does not have to be of the opposite sex from the harasser. Finally, any adult may be the victim of sexual harassment by a student.

Examples

Examples of sexual harassment may, if meeting the definition set forth above, include, but are not limited to: include but are not limited to: demanding sexual favors **accompanied by threats; engaging in reprisals as a result of an individual's refusing to engage in sexual behavior; contact with any sexual part of another's body (e.g., touching, patting or pinching);** touching any nonsexual part of the body (e.g., shoulder, etc.) after that person has indicated that such touching is unwanted; displaying sexually suggestive pictures or objects; calling a person a demeaning, sexualized term.,

Reporting

Any student who believes he/she is a victim of sexual harassment should inform a teacher, counselor, or another adult in a position of authority in the school as soon as possible. Students should avoid trying to solve the problem of sexual harassment alone. School staff will assist the student with the filing of a complaint of sexual harassment in accordance with the School's Sexual Harassment Grievance Procedures.

All persons shall promptly report knowledge of actual or reasonably suspected sexual harassment to the Director or her designee. Supportive interim measures will be discussed with the alleged victim.

Investigation

All formal complaints of sexual harassment meeting the definition of sexual harassment under Title IX of the Education Amendments of 1972 shall be addressed in accordance with the School's Sexual Harassment Grievance Procedures and in accordance with applicable federal and state regulations listed below. A copy of the Sexual Harassment Grievance Procedures shall be made available to students, staff and other interested parties.

Grievance Procedures for Allegations of

Sexual Harassment

The SICS is committed to maintaining school environments free of sexual harassment.

Sexual harassment in any form or for any reason is prohibited. This includes sexual harassment by administrators, personnel, students, vendors, and other individuals in school or at school related events. Retaliation against any individual who has brought sexual harassment to the attention of school officials or against an individual who has participated or refused to participate in the Title IX formal complaint grievance procedure is unlawful and will not be tolerated by SICS.

Scope

This Sexual Harassment Grievance Procedure applies only to sexual harassment, which includes harassment based on sex, sexual orientation, and/or gender identity, and is limited to conduct that occurs in any education program or activity of the School located within the U.S., regardless of whether such program or activity is on or off school grounds. An educational program or activity includes locations, events, or circumstances over which the school exercised substantial control over both the respondent and the context in which the sexual harassment occurred.

Schools are required to respond when sexual harassment occurs in the school's education program or activities regardless of whether such programs or activities occur on or off-campus. Conduct does not constitute sexual harassment within the scope of this Procedure where the incident occurs off-campus at a non-school sponsored activity and does not effectively deny a person educational access.

For complaints of discrimination or retaliation based on sex, sexual orientation, and/or gender identity, and for all other complaints of harassment, discrimination, or retaliation, please see SICS *Civil Rights Grievance Procedures*.

Definitions

For the purposes of this procedure, the following definitions apply:

Sexual Harassment: Under Title IX, the term "sexual harassment" includes three (3) types of misconduct based on sex:

- (1) any instance of quid pro quo harassment by a school employee;
- (2) unwelcome conduct on the basis of sex, including unwelcome conduct based on sex stereotyping or on the basis of traditional notions of masculinity and femininity, that is sufficiently severe and pervasive and objectively offensive conduct, effectively denying a person educational access; or
- (3) any instance of sexual assault, dating violence, domestic violence, or stalking as defined in this procedure.

Additionally, under Massachusetts state law, M.G.L. c. 151C, § 1, the term "sexual harassment" means any sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- (1) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of the provision of the benefits, privileges, or placement services or as a basis for the evaluation of academic achievement; or
- (2) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's education by creating an intimidating, hostile, humiliating or sexually offensive educational environment.

Domestic Violence: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Complainant: An individual who is alleged to be the victim of conduct that could constitute sexual harassment. Parents and/or legal guardians of a complainant are not considered a complainant but may file formal complaints on behalf of a minor child and act on behalf of the minor child in any Title IX matter. For the purpose of this procedure the terms "complainant" and "alleged victim" shall have the same meaning.

Title IX Coordinator: Employee(s) designated by the School to coordinate its efforts to comply with Title IX.

Party or Parties: The complainant and/or respondent.

Principal: The Principal or Principal's designee.

Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system.

- **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. In Massachusetts, pursuant to M.G.L. c. 265, § 13B, a child under the age of 14 is incapable of giving consent to indecent touching.
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent. In Massachusetts, pursuant to M.G.L. c. 265, § 23, the statutory age of consent is 16 years of age.

For the purposes of the definition of sexual assault, the term "consent" shall be defined in a manner consistent with Massachusetts laws.

Stalking: Engaging in a “course of conduct” directed at a specific person that would cause a “reasonable person” to fear for the person’s safety or the safety of others or suffer “substantial emotional distress.”

For the purposes of this definition:

“Course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.

“Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.

“Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Director: The Director or Director’s designee.

Supportive Measures: are individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment.

Procedure

- A. Any School employee who observes sexual harassment of a student or receives notice of an allegation of sexual harassment must report the incident to the Principal or Title IX Coordinator. Any School employee who observes sexual harassment of a student should intervene to stop the conduct and report it to the Principal. Upon receipt of a report of sexual harassment, the Principal shall promptly inform the relevant Title IX Coordinator of the report. If the report involves an accusation against the Principal or Title IX Coordinator, the employee shall report the incident to the Director or the Director’s designee for such purposes. The School will respond to all reports of sexual harassment promptly and equitably, in a manner consistent with this procedure, beginning with promptly contacting the complainant to discuss the availability of supportive measures and the process for filing a formal complaint.
- B. Confidentiality: The School will keep the identity of the complainants, respondents, and witnesses confidential, except as permitted by the Family Education Rights Privacy Act (“FERPA”), as otherwise required by law, or as necessary to carry out the Title IX grievance process.
- C. Supportive Measures: Supportive measures must be discussed and considered in all cases, irrespective of whether a formal complaint is ever filed.
 - (1) Upon receipt of any report (informal, formal, third-party), the Title IX Coordinator(s) must:
 - a. promptly and confidentially contact the complainant to discuss the availability of supportive measures;
 - b. consider the complainant’s wishes with respect to supportive measures;
 - c. inform the complainant of the availability of supportive measures with or without filing a formal complaint;
 - d. explain to the complainant the process for filing a formal complaint; and

- e. if the School does not provide the complainant with supportive measures, the Title IX Coordinator or designee must document the reasons why such a response was reasonable.
 - (2) Supportive measures available to complainants and respondents include, but are not limited to: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the building and/or campus, and other similar measures.
 - (3) Violations of the restrictions imposed by supportive measures may be considered a violation of school rules and may also be considered in determining whether sexual harassment has occurred.
 - (4) Although supportive measures will be discussed and considered upon the School's receipt of any report of sexual harassment, only the submission of a signed formal complaint will initiate the formal complaint grievance procedure, outlined below.
- D. Formal Complaint Required for Investigation: In the absence of a formal complaint, signed by either the complainant or the Title IX Coordinator, the School shall have no obligation to conduct an investigation of, or adjudicate, allegations of sexual harassment under this procedure.
- E. Formal Complaint Grievance Procedure Guidelines: Complaints will be investigated promptly and equitably by the Title IX Coordinator or designee, as follows:

Step 1: Formal complaint is filed: A formal complaint is a “document filed by a complainant” or signed by the Title IX Coordinator alleging sexual harassment by a respondent and requesting that the school investigate the allegation of sexual harassment. A “document filed by a complainant” means a document or electronic submission, such as via email or an online portal provided for this purpose by the school, that contains the complainant’s physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.

- (1) A formal complaint shall state (if known to the reporter or alleged victim) the name(s) of the persons involved, witnesses to the conduct, if any, a description of the conduct, and to the extent possible, the dates and locations of the conduct. A formal complaint will not be dismissed solely because it was not completely filled out or it was filled out incorrectly.
- (2) A formal complaint may be filed at any time, including during non-business hours. Complaints submitted outside of normal business hours will be deemed received on the following school working day.
- (3) At the time of the filing of the formal complaint, the alleged victim must be participating in or attempting to participate in the education program or activity of the school with which the formal complaint is filed.
- (4) A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information for the Title IX Coordinator listed in this procedure, and by any additional method designated by the school.

- (5) The complainant's wishes with respect to whether the school investigates will generally be respected unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances. The Title IX Coordinator will consider concerns articulated by the parties, the best interests of the community, fairness to all concerned, and the School's legal obligations under applicable state and federal laws. Where the Title IX Coordinator signs the formal complaint, the Title IX Coordinator is not a complainant or a party during the grievance process and must comply with the requirement to be free from conflicts or bias.
- (6) Consolidation of Formal Complaints: Schools may consolidate formal complaints where the allegations arise out of the same facts.
- (7) Consideration of the use of the Informal Resolution Process with the consent of the parties (see Section H).
- (8) Throughout this process there shall be a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

Step 2: Consider Supportive Measures for both the complainant and the respondent. Once a formal complaint is filed, the Title IX Coordinator will ensure that supportive measures are considered for both parties. For more information on supportive measures, please see Section C(2) of this procedure.

Step 3: Initial Assessment and Consideration of Whether Dismissal is Warranted:

- (1) Initial Assessment: The Title IX Coordinator or designee will make an initial assessment following receipt of a formal complaint. Based on that assessment: (a) if the conduct, even if substantiated, would not constitute sexual harassment, the Title IX Coordinator must dismiss the complaint; and/or (b) if the alleged conduct could not, even if true, constitute sexual harassment, but is within the scope of another procedure or school rule or policy violation, the Title IX Coordinator may refer the matter to the appropriate personnel.
- (2) Dismissal of Complaints: Schools shall dismiss allegations of conduct that do not meet the definition of sexual harassment. Schools may dismiss a formal complaint or allegations therein if the complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint or allegations; if the respondent is no longer enrolled or employed by the school; or if specific circumstances prevent the school from gathering sufficient evidence to make a determination. Schools must give the parties written notice of any dismissal of a formal complaint and the reasons for the dismissal.

Step 4: Written Notice of Allegations: Upon receipt of a formal complaint, the school must send written notice of the allegations, including the identity of the parties, to both the complainant and the respondent, if their identities are known. The written notice must include: (1) a statement prohibiting knowingly submitting false information; (2) sufficient details known at the time to allow the respondent the opportunity to respond to the allegations; (3) a statement that the respondent is presumed not responsible for the alleged conduct; (4) that a determination regarding responsibility is made at the conclusion of the grievance process; (5) that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney; and (6) that the parties/advisors may inspect and review evidence in accordance with this procedure. If, in the course of the investigation, the school decides to

investigate allegations of sexual harassment that are not included in the initial written notice of allegations, the school shall provide notice of the additional allegations to the parties whose identities are known.

Step 5: Initial Investigation: Under the formal resolution procedure, the complaint will be investigated by the Title IX Coordinator or other individual designated to serve as the investigator by the Title IX Coordinator. The investigator shall be responsible for seeking and gathering evidence relative to the investigation. Any formal complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. During the formal complaint procedure:

- (1) Standard of Proof: The investigator shall make factual findings based on a preponderance of the evidence standard.
- (2) The burden for gathering evidence and the burden of proof remains on the School, not on the parties.
- (3) The School shall provide equal opportunity for the parties to present fact and expert witnesses and other inculpatory and exculpatory evidence.
- (4) The School shall not restrict the ability of the parties to discuss the allegations or gather evidence (e.g., no "gag" orders).
- (5) Each party may have one (1) advisor of their own selection and at their own expense participate in this grievance process. In the case of a student under the age of 18, this advisor may be in addition to the student's parents/guardians. Any restrictions on the participation of an advisor will be applied equally to each party. The advisor may, but is not required to, be an attorney. Any evidence received by an advisor in this process is subject to confidentiality and may be used only for the purpose of the grievance process. Advisors are prohibited from disseminating or disclosing such evidence outside of the grievance process.
- (6) The School shall send prior written notice to the parties of any investigative interviews, meetings, or hearings in which their participation is invited or expected.
- (7) Privacy of Medical Treatment and Mental Health Treatment Records: The School may not access or use either the complainant's or the respondent's medical, psychological, or similar treatment records unless the School obtains the party's written consent to do so.
- (8) The investigator may impose reasonable timeframes on all parties as required to facilitate the timely completion of the investigation. The investigator may extend the investigation period beyond the time periods identified above for good cause. If a complaint or report of sexual harassment is received after June 1 of a given school year, the investigator will attempt to complete the investigation by the end of the school year. In the event that the investigation extends beyond the last day of school, the School will make reasonable efforts to complete the investigation within the above-referenced time frame, but may extend the investigation period to account for the unavailability of witnesses while school is not in session. If the investigator extends the investigation, the investigator will notify the parties of the extension and the reasons therefore in writing.

Step 6: Opportunity for Parties to Respond to Evidence: Schools must send the parties, and their advisor(s) (if they have one) evidence directly related to the allegation, in electronic format or hard copy. Parties shall be afforded ten (10) calendar days to inspect, review and respond to the evidence. The School shall not require, allow, rely upon, or otherwise use evidence that constitutes information

protected from disclosure by a legally recognized privilege, unless it has been waived by the holder of the privilege.

- (1) Prior to providing evidence to the parties, the investigator may redact confidential information that is not directly related to the allegations or that is otherwise barred from use under Title IX or by privilege (e.g., treatment records), the Family Educational Rights and Privacy Act and/or 603 CMR 23.00. Information that is directly related to the investigation, and that is not expressly barred from disclosure under Title IX (e.g., treatment records), the Family Educational Rights and Privacy Act, and/or 603 CMR 23.00, must be made available for review by both parties.
- (2) The parties and their advisors shall be prohibited from dissemination of any of the evidence for any purpose not directly related to this grievance procedure.

Step 7: Completion of the Investigative Report: The School must send the parties, and their advisor, an Investigative Report that fairly summarizes relevant evidence but does not reach any conclusions regarding responsibility, in electronic format or hard copy, within twenty-five (25) school days of receipt of the formal complaint. A copy of the Investigative Report will also be sent to the decision-maker.

Step 8: Parties' Opportunity to Respond to Investigative Report: The School shall provide each party ten (10) calendar days for the parties to respond to the investigative report. The Investigative Report will notify the parties of the opportunity to submit to the decision-maker directed questions of the other party and/or any witness within that same ten (10) calendar days (see Step 9).

Step 9: Directed Written Questions from the Parties: After the Investigative Report has been sent to the parties, but prior to reaching a determination regarding responsibility, the decision-maker shall afford both the complainant and the respondent the opportunity to submit to the decision maker written, relevant questions of the other party or any witness, provide the party with the other party's and/or witness's written responses to said written questions, and allow for additional, limited follow-up questions from each party in writing. Questions that seek disclosure of information protected under a legally recognized privilege or the Family Educational Rights and Privacy Act and/or 603 CMR 23.00 shall not be permitted, unless the person holding the privilege has waived the privilege.

- (1) The complainant shall be protected from answering questions about the complainant's prior sexual behavior unless offered to prove that someone other than the respondent committed the alleged misconduct or offered to prove the complainant's consent to the conduct under investigation.
- (2) Upon receipt of the Investigative Report, each party shall have ten (10) calendar days to submit directed questions to the decision-maker in writing.
 - i. All questions must be posed in a respectful manner (e.g., without profanity and without attacking a person's character or motivations).
 - ii. Only relevant questions will be permitted, and the decision-maker must explain to the party posing the question the reason(s) for excluding any question.

- (3) Upon receipt of the directed questions from the School, each party and witness shall have five (5) calendar days to respond to those questions in writing.¹
- (4) After receipt of the answers by the parties, any requests for follow-up questions shall be submitted in writing and made within three (3) calendar days.
- (5) Each party will be provided a copy of the other party's or witness's written answers.

Step 10: Determination of Responsibility/Findings of Fact by the Decision Maker:

- (1) The decision maker shall issue a written determination regarding responsibility with a description of the procedural steps taken, findings of fact, conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation, the range of disciplinary sanctions to which the respondent may be subject, whether remedies will be provided to the complainant, and procedures and bases for appeal. The decision maker's written determination shall not be completed by the Title IX Coordinator or the investigator.
- (2) Standard of Proof: The decision maker shall make factual findings based on a preponderance of the evidence standard.
- (3) The decision maker's findings shall be based on an objective review of all relevant evidence, inculpatory and exculpatory, and avoid credibility determinations based on a person's status as a complainant, respondent, or witness.
- (4) The decision maker shall not draw inferences about the determination of responsibility based solely on a party's failure or refusal to answer questions.
- (5) The written determination must be sent simultaneously to both parties.
- (6) This determination shall be sent within twenty (20) school days of the issuance of the investigative report unless an extension is agreed upon by the parties or if the process is otherwise reasonably delayed. Except where the parties have agreed to an extension of the timeline, the written determination shall be issued within sixty (60) school days of receipt of the formal complaint.

Remedies: If the decision maker determines that sexual harassment has occurred, the School administration shall take steps to eliminate the harassing environment, which may include but not be limited to providing remedies to a complainant that are designed to restore or preserve the complainant's equal access to the School's education programs and/or activities. These remedies may be the same individualized services as the supportive measures outlined in Section C (2) above and/or may consist of alternative interventions and/or punitive or disciplinary sanctions that burden the respondent.

- F. **Discipline:** Persons who engage in sexual harassment or retaliation may be subject to disciplinary action, including, but not limited to, reprimand, suspension, termination, expulsion (if applicable under M.G.L. c. 71, §§ 37H or 37H ½), or other sanctions as determined by the School administration, subject to applicable procedural requirements.

¹ The parent or guardian may act on behalf of the party in drafting questions and submitting written answers. In the case of young children, reasonable accommodation based on disability, and/or other good cause, either party and/or any witness may request and have their oral responses reduced to writing by the investigator or Title IX Coordinator.

- (1) Although the respondent may, in accordance with Title IX, be subject to emergency removal at any time, the respondent may not be subject to disciplinary sanctions for the misconduct defined under this procedure until after this grievance process has been completed.

G. Informal Process: Only after a formal complaint is filed may the School opt to offer and facilitate informal resolution options, such as mediation or restorative justice. Both parties must give voluntary, informed, written consent to attempt any offered informal resolution. Any informal resolution under this procedure will be facilitated by trained personnel.

- (1) The informal resolution process is not available to resolve allegations that an employee sexually harassed a student.
- (2) The informal process is voluntary, and the alleged victim and/or respondent may terminate or decline any informal process at any time and resume the formal complaint grievance procedure.
- (3) The informal process shall not exceed thirty (30) calendar days.

H. Emergency Removal under Title IX: The School may remove a respondent on an emergency basis at any time provided that the School: (1) undertakes an individualized safety and risk analysis; (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal and that there is no alternative to the respondent's emergency removal to mitigate the threat presented; and (3) provides the respondent with notice and the opportunity to challenge the decision immediately following the removal.

I. Anonymous Reports: The School may be on notice of an allegation of sexual harassment through receipt of an anonymous report. A formal complaint cannot be filed anonymously. In cases of anonymous reports, the School's obligation is to respond in a manner that is not clearly unreasonable in light of the known circumstances. If the anonymous reporter is the complainant and they request confidentiality, the School can and should offer supportive measures to the extent consistent with maintaining the request for confidentiality. If an anonymous report is received without a disclosure of the complainant's identity, the School will be unable to provide the complainant supportive measures in response to that report. The School may in conformance with applicable state laws and regulations be required to report sexual harassment identified in an anonymous complaint to state and/or local authorities such as the Massachusetts Department of Children and Families in conformance with state statutes and regulations and/or take actions to protect the safety of the school community (contacting the police, for example) that may result in the identity of the reporting person being disclosed.

J. Appeals: The complainant or respondent may appeal from a determination regarding responsibility and/or from a school's dismissal of a formal complaint or any allegations therein, only on the following bases:

- (1) procedural irregularity that affected the outcome of the matter;
- (2) newly discovered evidence that could affect the outcome of the matter; and/or
- (3) Title IX personnel had a conflict of interest or bias that affected the outcome of the matter.

An appeal may be made to the Director or designee within five (5) calendar days after receiving the determination of responsibility or dismissal. The Director will decide the appeal no later than thirty (30)

calendar days of the date of receipt of the written appeal. In cases in which it has been determined that respondent student is subject to long-term suspension as a result of a finding of sexual harassment in accordance with this procedure, the respondent may elect to exercise their appeal under the disciplinary due process requirements applicable to the circumstances (e.g., M.G.L. c. 71, §§ 37H, 37H ½ or 37H ¾) in place of this appellate procedure. Appeals must be made in writing (email is sufficient) to the Director, North Andover Public Schools 566 Main Street, North Andover, Massachusetts 01845.

The grievance procedure is deemed complete when either the time period for appeal has lapsed or upon the issuance of the Director's decision on a timely filed appeal.

K. Identification of key personnel involved in Title IX process for complaints of sexual harassment:

Title IX "Sexual Harassment" Staff Roles

1. Title IX Coordinator:
 - Derek Conway Director of Operations
2. Investigator(s): possible individual(s) to serve as the investigators would be the Title IX Coordinator, Student Success Coordinator's or Title IX Coordinator's designee
 - Various Staff
3. Decision-maker: possible individual(s) to serves as the decision-maker would be the Assistant Director or Principal or Principal's designee.
 - Various Staff
4. Appeal Officer: possible individual(s) to serve as the appellate review would be the Director or designee. Cannot be anyone previously involved in the process. Could possibly be the Title IX Coordinator if he/she did was not involved in the investigation or decision making.
 - Various Staff
5. Informal Resolution Facilitator: possible individual(s) to serve to facilitate the informal resolution process would be the Director of Guidance or the Director of Student Services. The Title IX Coordinator may serve in this role so long as he/she is free from bias/conflict (i.e., didn't participate in other aspects of the grievance process). If the Title IX Coordinator is serving as the investigator or appeal officer, we do not recommend that he or she serve Informal Resolution Facilitator.
 - Various Staff

The School will notify students, employees, applicants for admission or employment, parents and legal guardians of student, and unions of the name, title, office address, email address and telephone number of the Title IX Coordinator. This information will be prominently displayed on the School's website.

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

Reports and/or complaints of sexual harassment that do not meet the definition of sexual harassment under Title IX of the Education Amendments of 1972, shall be responded to and investigated in accordance with the School's Civil Rights Grievance Procedures,

Disciplinary Action

Following a determination that sexual harassment in violation of this Policy has occurred, the individual(s) found to have engaged in such harassment may be subject to discipline including, but not limited to, possible long-term suspension, expulsion or, in the case of an employee, termination. In some instances, the School may also exercise its authority under applicable Title IX or state regulations, to immediately remove, on an emergency basis, an individual identified as a perpetrator of sexual harassment even prior to the completion of an investigation and the issuance of a determination as to whether sexual harassment has occurred. The School may also provide interim supportive measures to protect the safety of the alleged victim and the alleged perpetrator, to deter further harassment, and/or to ensure equal educational access for the alleged victim and the alleged perpetrator during, and subsequent to, an investigation and determination in accordance with the School's Sexual Harassment Grievance Procedures.

Retaliation Prohibited Retaliation, reprisal, intimidation with, interference of, and/or retaliation against any individual, including a student, parent, or guardian, for filing a complaint of sexual harassment or participating in the investigation thereof, is strictly prohibited and shall be treated as an actionable, wrongful act in and of itself. Such wrongful act may result in a student's long-term suspension of up to ninety (90) school days or, in the case of employees, termination of employment.

Report to Police

Depending upon the seriousness and frequency of incidents, the Springfield Police Department or the Massachusetts State Police may be contacted by the school administration.

Teen Dating Violence Policy

SICS is dedicated to providing an atmosphere free from factual or threatened psychological, physical, or sexual abuse, including teen dating violence. SICS Health curriculum for grades 6-12 includes instruction on establishing safe, non-violent relationships.

It is the policy of SICS that teen dating violence related to school, including school-sponsored activities, shall not be tolerated.

Types of Dating Violence

A healthy relationship is made up of mutual respect, equality, trust, communication and freedom. In a healthy, non-abusive relationship, partners don't hurt each other. An unhealthy relationship is characterized by disrespect, fear, jealousy, abuse, and passivity.

Teen dating violence is abusive and violent behavior in a dating relationship. It often reflects the perpetrator's desire to control and dominate the victim. It covers a wide range of behaviors that include verbal and physical abuse, sexual abuse, and physical violence. It happens in both heterosexual and same-sex relationships.

Teen dating violence may involve controlling behavior, including not letting you hang out with your friends, contacting you frequently to find out where you are, who you're with, or what you're doing, telling you what to wear, or having to be with you all the time. It may also involve verbal and emotional abuse, including calling you names, belittling you, threatening to hurt you or others, or jealousy, or physical abuse (hitting,

slapping, pinching, kicking, hair pulling, or strangling). Teen dating violence may also involve unwanted touching, forcing you to use alcohol or drugs, or forcing you to have sex or perform sexual acts. Teen dating violence may also constitute sexual harassment in violation of School policy, and reports thereof shall be responded to in accordance with the School's Sexual Harassment Grievance Procedures and Title IX of the Education Amendments Act of 1972.

When complaints of teen dating violence are made known to administration and are not related to school or school-sponsored activities, the student will be informed of available services. A referral(s) to appropriate resources both in and out of school may be made. Parental involvement shall be encouraged.

It is important to note that, pursuant to *Massachusetts General Laws Chapter 119, §51A*, school staff are required by law to report to the Department of Children and Families if they have reasonable cause to believe that a child under the age of 18 is suffering serious physical, emotional abuse or neglect, or sexual abuse, including rape and indecent assault and battery.

Restraining Orders

It is responsibility of the student or parents to inform the SSC and Principal if he or she has obtained a restraining order against an individual. Once notified of the restraining order, the SSC and Principal may meet with the student and his/her parents to review the order and its implications. An appropriate safety plan will be developed where appropriate. Violation of a restraining order is a criminal offense and must be reported to the police department.

When complaints of teen dating violence are made known to administration and are not related to school or school-sponsored activities, the student will be informed of available services. A referral(s) to appropriate resources both in and out of school may be made. Parental involvement shall be encouraged.

Anti-Hazing Policy

Hazing is a term to define any harmful conduct or abusive method of initiation into any student organization. Any instances of hazing will be immediately reported to the SSC and Principal team who will determine the consequences to be issued.

A law prohibiting hazing, Chapter 269, Sections 17 – 19, was enacted in 1985 and amended in 1988 by the General Court. The laws state that each student be informed of the law's content and intent.

269, Sections 17-19:

Section 17:

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

The term "hazing" as used in this section and 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 any other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, drug, or other substance, or any other brutal treatment or forced physical activity which is likely to affect adversely the physical health or safety of any student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

Section 18:

Whoever knows that another person is the victim of hazing as defined in Section 17 and is at the scene of such a crime shall, to the extent that such a person can do so without danger or peril to himself or others, report such crimes to an appropriate law enforcement official as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than \$1000.

Section 19:

Each institution of secondary education and each public and private institution of post-secondary education shall issue to every student group, student team, or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team, or student organization, a copy of this section and Sections 17 and 18; provided, however, that an institution's compliance with these sections require that an institution issue copies of this section and sections 17 and 18 to unaffiliated students groups, teams or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams, or organization.

Each such group, team or organization shall distribute a copy of this section and sections 17 and 18 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 institutions and attested acknowledgement stating that such group, team or organization has received a copy of this section and said sections 17 and 18, and that such group, team or organization understands and agrees to comply with the provisions with this section and sections 17 and 18.

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 17 and 18.

Each institution of secondary education and each public or private institution of post-secondary education shall file, at least annually, a report with the regents 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 group, teams, and organizations and to notify each full time student enrolled by it of the provisions of this section and Sections 17 & 18 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 policy to its students. The board of regents 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.

Harassment, Bullying, Discrimination, And Hate Crimes

(Adapted from the Attorney General's Safe Schools initiative)

This section of the Code of Conduct has been adapted from the SICS Comprehensive Civil Rights Policy for promoting civil rights and prohibiting harassment, bullying, discrimination, retaliation, and hate crimes. Copies of the district's Comprehensive Civil Rights Policy are available upon request, and may be viewed at the main office of the School.

Disciplinary Policy Regarding Civil Rights Issues

SICS prohibits all forms of harassment, discrimination, and hate crimes based on the following protected categories: race, color, religion, national origin, ethnicity, sex, sexual orientation, gender, gender identity, age, or disability.

SICS also prohibits bullying, as defined below. SICS will also not tolerate retaliation against persons who take action consistent with this Policy.

The prohibition against harassment, discrimination, hate crimes, bullying, and retaliation applies to all students on all sites and activities the School supervises, controls, or where it has jurisdiction under the law, including on school premises and at school-sponsored functions, events or activities, including field trips, athletic activities and school-related transportation, including designated bus stops.

Interference with, intimidation of, and/or retaliation against any individual, including a student, parent, or guardian, for filing a complaint, filing a grievance, or opposing discrimination is strictly prohibited and shall be treated as an actionable, wrongful act in and of itself.

Permissible Disciplinary Sanctions and Corrective Actions in Response to Bullying, Discrimination, Harassment or Hate Crimes:

Disciplinary sanctions and corrective actions may include, but are not limited to, one or more of the following:

- ✓ A written warning;
- ✓ Parent conferences;
- ✓ Classroom transfer;
- ✓ Limiting or denying student access to a part or an area of the School;
- ✓ Adult supervision on school premises, including in-house alternative program sites;
- ✓ Exclusion from participation in school-sponsored functions, after-school programs, and/or extracurricular activities;
- ✓ Short-term or long-term suspension;
- ✓ An apology to the victim;
- ✓ Awareness training (to help students understand the impact of their behavior);
- ✓ Participation in cultural diversity, anti-harassment, anti-bullying or intergroup relations programs;
- ✓ Mandatory counseling (in or outside of school); or
- ✓ Any other action consistent with the Code of Conduct.

Student Responsibilities:

Each student is responsible for:

1. Complying with this Policy;
2. Ensuring that (s)he does not harass or discriminate against another person on school grounds or in a school-related function, event or activity because of that person's race, color, religion, national origin, ethnicity, sex, sexual orientation, age, or disability;
3. Ensuring that (s)he does not bully another person on school grounds or in a school-related function, event or activity;
4. Ensuring that (s)he does not retaliate against any other person for reporting or filing a complaint, for aiding or encouraging the filing of a report or complaint, or for cooperating in an investigation of harassment, bullying, discrimination, or a hate crime; and

5. Cooperating in the investigation of reports or complaints of harassment, bullying, discrimination, retaliation, or a hate crime.

Protection Against Retaliation:

SICS will take appropriate steps to protect students from retaliation when they report, file a complaint of, or cooperate in an investigation of a violation of this Policy. Threats or acts of retaliation, whether person-to-person, by electronic means, or through third parties, are serious offenses that will subject the violator to significant disciplinary and other corrective action, including short or long-term suspension.

Glossary of Terms:

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 of 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 purpose of this section, bullying shall include cyber-bullying.

Cyber-bullying: This is bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the internet. It includes but is not limited to, email, instant messages, text messages, and internet postings. See *M.G.L. c. 71, Section 370* for the legal definition of cyber-bullying.

Hostile Environment: As defined in *M.G.L. c. 71, Section 370*, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of a student's education.

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.

Discrimination: Treating people differently, or interfering with or preventing a person from enjoying the advantages, privileges or course of study in a public school because of an individual's actual or perceived race, color, national origin, ethnicity, religion, sex, sexual orientation, gender identity, age, or disability (i.e., protected status). A person may not be subjected to discipline or more severe punishment for wrongdoing, nor denied the same rights as other students because of his/her membership in a protected class.

Harassment: Harassment is oral, written, graphic, electronic or physical conduct on school property or at a school-related event, function or activity relating to an individual's actual or perceived race, color, national origin, ethnicity, religion, sex, sexual orientation, gender identity, age, or disability, that is sufficiently severe, pervasive or persistent so as to interfere with or limit a student's ability to participate in or benefit from the District's programs or activities, by creating a hostile, humiliating, intimidating, or offensive educational environment. For purposes of this Policy, harassment shall also mean conduct, if it persists, that will likely create such a hostile, humiliating, intimidating or offensive educational environment. A single incident, depending on its severity, may create a hostile environment.

Retaliation: Any form of intimidation, reprisal, or harassment by a student directed against any student, staff or other individual for reporting or filing a complaint, for aiding or encouraging the filing of a report or complaint, for cooperating in an investigation under this Policy, or for taking action consistent with this Policy.

Protection against Retaliation:

Interference with, intimidation of, and/or retaliation against any individual, including a student, parent, or guardian, for filing a complaint, filing a grievance, or opposing bullying, harassment, discrimination, or hate crimes is strictly prohibited and shall be treated as an actionable, wrongful act in and of itself.

SICS take appropriate steps to protect students from retaliation when they report, file a complaint of, or cooperate in an investigation of a violation of this Policy. Threats or acts of retaliation, whether person-to-person, by electronic means, or through third parties, are serious offenses that will subject the violator to significant disciplinary and other corrective action, including short or long-term suspension.

Hate Crime: A hate crime is a crime motivated by hatred, bias, or prejudice, or where the victim is targeted or selected for the crime at least in part because of his/her actual or perceived race, color, ethnicity, national origin, religion, sexual orientation, age, disability or sex. A hate crime may involve a physical attack, threat of bodily harm, physical intimidation, or damage to another's property.

Reporting and Resolution Process:

A. Designated Officials for Reporting

The SSC and Principal or his/her designee is responsible for receiving reports and complaints of violations of this Policy.

B. Reporting Procedures

1. Any student who becomes aware or has a reasonable belief that harassment, bullying, discrimination, retaliation, or a hate crime has occurred or may have occurred on school property or in a school-related activity should promptly report the incident(s) to the SSC and Principal or his/her designee. In situations where a student or other person does not feel comfortable reporting the incident to a designated official, (s)he may report it to a trusted school employee, who must promptly transmit the report to the SSC and Principal or his/her designee.
3. When a report or complaint involves physical injury, the SSC and Principal will promptly report the incident to the Director. All complaints or reports about a violation of this Policy must be documented on the School's "Bullying Reporting/Complaint Form" (See Appendix H). The form is available from designated school officials. If a complainant or reporter is either unwilling or unable to complete the District's Reporting/Complaint Form, the school official who receives the oral complaint or report will promptly prepare a written report by filling out the District's Reporting/Complaint Form, using, to the extent practicable, the reporter's or complainant's own words to describe the potential violation.

4. The School official will promptly provide the SSC and Principal or his/her designee with the completed Reporting/Complaint Form.

C. Resolution Process: Determining whether to institute formal or informal proceedings

1. After the SSC and Principal or his/her designee receives a complaint or report, the School must determine whether to resolve the complaint or report through Formal or Informal Proceedings.
2. If the designated official determines that (1) the allegation is serious enough that it appears to place the complainant or any other person at physical risk; (2) the incident has resulted in a criminal charge; (3) the incident involves a referral to the Department of Children and Family Services; (4) the allegation involves a serious form of harassment, discrimination, or retaliation; (5) the allegation involves bullying behavior, where the District has intervened with the alleged student offender under the Code of Conduct for bullying on a prior occasion; (6) there is a pending Formal Proceeding against the subject of the complaint; (7) the subject of the complaint has previously been found to have violated this Policy; (8) or that a Formal Proceeding is otherwise appropriate under the circumstances, then the designated official must commence a Formal Proceeding.
3. For allegations or incidents that do not require a Formal Proceeding, a designated school official may at his/her discretion initiate an Informal Proceeding.
4. Nothing in this Policy limits the School taking immediate interim disciplinary actions as set forth in the Code of Conduct.

D. Informal Proceedings

Step One

Upon the initiation of an Informal Proceeding, the designated official will separately meet in a timely manner with the complainant and the subject of the complaint to tell them about the informal process, the nature of the complaint, explain the prohibition against retaliation, and determine the corrective action the complainant seeks.

Step Two

If appropriate after adequate investigation, the designated official will propose a resolution. If the complainant and the alleged offender agree with the proposed resolution, the designated official will write down the resolution, and the complainant and the subject of the complaint will sign it, and each person will receive a copy. At the meeting, the designated official will again explain the prohibition against retaliation.

Step Three

A designated school official will monitor the situation, and will follow up with the complainant weekly for one (1) month to determine whether there are further incidents or concerns. The designated official will maintain a written record of the follow up.

Step Four

If the complainant and alleged offender cannot agree to an informal resolution, or the designated official determines that the problem is not corrected, the School will commence a Formal Proceeding.

Step Five

File Retention: The SSC and Principal or his/her designee will maintain in a separate confidential file the School's Reporting/Complaint Form, information obtained through inquiry and investigation, and the proposed and agreed-to resolution.

E. Formal Proceedings

Step One

The designated official will separately meet in a timely manner with the complainant and the subject of the complaint to tell them about the formal process, explain the prohibition against retaliation, and determine the remedy the complainant seeks.

Step Two

A designated official will conduct an investigation in accordance with the procedures described in Section F, Investigations.

Step Three

The designated official will determine whether the allegations have been substantiated, and whether this Policy and/or the Code of Conduct has been violated. If the complaint is substantiated, the designated official will decide based on the investigative findings, on the appropriate course of action.

The designated official will prepare a written report that includes the investigative findings.

Step Four

The designated official will promptly notify the complainant and the subject of the complaint in writing to let them know whether the complaint has been substantiated. If the complaint is substantiated and the offender remains a student in the school, the designated official will meet with the offender to describe, consistent with the Code of Conduct, the disciplinary and/or corrective action recommended, the school's expectations for future behavior and the potential consequences for retaliation or future violation of the Policy. If a complaint is substantiated, a report of the incident will be placed in the offender's student records.

File Retention: The SSC and Principal or his/her designee will maintain a separate confidential file containing the original completed Reporting/Complaint Form, investigatory interview notes and reports, findings made, the results of the investigation, including any decision for action, and other relevant investigatory materials.

Any disciplinary or corrective action against a student must conform to the due process requirements of federal and state law.

Step Five

A designated official will monitor the situation, and will follow up with the complainant at least weekly for two months to determine whether there are further incidents or concerns, and whether the corrective action and/or disciplinary action(s) imposed has/had been effective. The designated official will maintain a written record of the follow-up.

Step Six

Any right of appeal from discipline imposed is governed by the Code of Conduct.

F. Investigations for Formal Proceedings

Prompt and Thorough Investigations: When the designated school official determines that a Formal Proceeding is appropriate, the school will promptly investigate all reports or complaints of an alleged violation of this Policy. The goal of the investigation is to obtain an accurate and complete account of all incidents and circumstances deemed relevant to the allegations of the complaint.

Emergencies: The SSC and Principal, in his sole discretion, will immediately call 911 in a case of a threat of imminent physical harm or actual physical harm to a school community member or where police, fire, medical, or other emergency assistance is needed.

Investigative Procedure: The designated official investigating the incident will gather and preserve evidence and identify all involved parties and witnesses. If the incident involves physical injury, destruction of public property, or acts of a serious criminal nature, the designated official will confer with the local police department prior to gathering or preserving evidence.

Communication during Investigation: Throughout the investigatory and complaint resolution process, the designated official will make reasonable efforts to regularly inform the complainant and the subject of the complaint and their parent(s) or guardian(s) of the status of the complaint, the anticipated timing for concluding the investigation, and determination of discipline and/or corrective action(s).

Time for Investigations: The designated official will complete his/her investigation as soon as practicable, not to exceed more than ten (10) school days after (s)he receives the complaint or report, except for good cause or with consent of the parties (as documented in the investigatory file). The designated official will expedite the investigation of any claim involving physical violence or serious threats of harm.

Ensuring Safety during Investigation: The designated official will take any step he/she determines is necessary and/or advisable to protect, to the extent practicable, the complainant, witnesses, and other individuals from further incidents or from retaliation pending the outcome of the investigation. Those steps may include, but are not limited to, ordering interim disciplinary action under the Code of Conduct, appropriate adult supervision, reassigning classroom seating, temporarily transferring the subject of the complaint from his/her class(es) with the complainant, or placement in an alternative educational setting.

Victim Assistance: The designated official will make appropriate referrals for victim assistance, including counseling and crisis intervention, if requested, or as needed.

Confidentiality: The District will respect the privacy of the complainant, the subject(s) of the complaint, and the witnesses to the extent possible consistent with its obligations under federal and

state law and regulations and the Policy to investigate, report, and take appropriate disciplinary and corrective action, and consistent with applicable confidentiality laws and student record regulations.

Imposing Disciplinary and Corrective Action

If a designated official concludes that the subject of the complaint has violated this Policy, the District will impose disciplinary measures and/or corrective action reasonably calculated to end the complained conduct, deter future conduct, and protect the complainant(s) and other similarly situated individuals.

False Charges

Any student who knowingly makes false charges or brings a malicious complaint will be subject to any of the disciplinary and/or corrective action(s) detailed above.

Equal Educational Opportunities

In recognition of the diversified characteristics and needs of our students and with the keen desire to be responsive to them, SICS will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration and sympathetic understanding of their personal feelings, particularly with reference to their race, creed, sex, gender, gender identity, religion, nationality and physical and intellectual differences.

To accomplish this, the School and its staff will make every effort to comply with the letter and spirit of the Massachusetts Equal Educational Opportunities law (known as Chapter 622 of the Acts of 1971) which prohibits discrimination in public school admissions and programs. The law reads as follows:

No child shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and course of study of such public school on account of race, color, sex, religion, national origin or sexual orientation.

This will mean that every student will be given equal opportunity in school admission, admissions to courses, course content, guidance and extracurricular and athletic activities.

Homeless Students

To the extent practical and as required by law, SICS will work with homeless students and their families to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided the same district services on the same terms as families residing in the district.

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

- a. Sharing the housing of other persons due to the loss of housing or economic hardship;
- b. Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
- c. Living in emergency or transitional shelters;
- d. Being abandoned in hospitals;
- e. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings;
- f. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations, or similar settings;
- g. Migratory children living in conditions described in the previous examples.

The Director shall designate a district liaison for homeless students and their families.

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

If there is an enrollment dispute, the student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parents or guardian shall be informed of the district's decision and their appeal rights in writing. The district's liaison will carry out dispute resolution as provided by state rule. Unaccompanied youth will also be enrolled pending resolution of the dispute.

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

The district's liaison for homeless students and their families shall coordinate with local social service agencies that provide services to homeless children and youths and their families; other school districts on issues of transportation and records transfers; and state and local housing agencies responsible for comprehensive housing affordability strategies. This coordination includes providing public notice of the educational rights of homeless students in schools, family shelters and such.

Students Rights and Responsibilities

SICS has the responsibility to afford students the rights that are theirs by virtue of guarantees offered under the federal and state constitutions and statutes. In connection with rights there are responsibilities that must be assumed by students. Among these rights and responsibilities are the following:

- Civil Rights – including the rights to equal educational opportunity and freedom from discrimination; the responsibility not to discriminate against others.
- The right to attend free public schools; the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school.
- The right to due process of law with respect to suspension, expulsion, and decisions the students believes injure his/her rights.
- The right to free inquiry and expression; responsibility to observe reasonable rules regarding these rights.
- The right to privacy, which includes privacy in respect to the student's school records.

Student responsibilities include regular school attendance, promptness to school and to classes, academic honesty, conscientious effort in classroom work, and conformance to school rules. Students share with the administration and faculty a responsibility to maintain a school climate that is safe, secure, and conducive to learning.

Student Concerns and Grievances

Any student of SICS who believes he or she has been discriminated against, denied a benefit, or excluded from participation in any educational program or activity on the basis of sex, color, gender, gender identity, religion, national origin or disability in violation of this policy, may file a written complaint with the SSC and Principal days after receipt of the written complaint. If the complainant is not satisfied with such a response, he or she may submit a written appeal to the Board of Trustees indicating with particularity the nature of disagreement with the response and his or her reasons for such disagreement.

The Chairman of the Board of Trustees shall permit the complainant to address the Board of Trustees or its sub-committee concerning his or her complaint and shall provide the complainant with a written decision in the matter as expeditiously as possible following the completion of the hearing. Any individual has the right at any time to address inquiries regarding their civil rights to the Office of Civil Rights in Boston, Massachusetts.

Interference with, intimidation of, and/or retaliation against any individual, including a student, parent, or guardian, for filing a complaint, filing a grievance, or opposing discrimination is strictly prohibited and shall be treated as an actionable, wrongful act in and of itself.

CHROMEBOOK/TECHNOLOGY ACCEPTABLE USE POLICY

Please note: No student will have access to school technology until this agreement is signed by a parent/guardian and the student and is submitted to the school. A copy of this document will be made available to you.

Right to Update this Acceptable Use Policy Because technology, and our intended use of technology are continually evolving, SICS reserves the right to change, update, and edit its technology policies at any time in order to meet procedural and instructional needs, while protecting the safety and well-being of our students and community. To this end, SICS may add additional rules, restrictions, and guidelines at any time.

Students and staff have an unparalleled opportunity to participate in a global community of information and learning. With such an opportunity comes responsibility. Students and their parents/guardians are reminded that use of technology is a privilege and not a right and that everything done on any school issued device,

network, or electronic communications device will be monitored by the school at all times. Inappropriate use of the technology may result in disciplinary consequences or legal actions.

CHROMEBOOK OWNERSHIP: SICS retains sole right of possession of the Chromebook. SICS administration and faculty retain the right to collect and/or inspect Chromebooks at any time.

CHROMEBOOK & TECHNOLOGY RESPONSIBILITY:

- Personal electronic devices are at an increased risk of being stolen, misplaced, or damaged, SICS is not responsible for any damage or theft of personal property.
- Students are solely responsible for the Chromebooks issued to them.
- Students must comply with the Chromebook Acceptable Use Policy and all policies of the school when using their Chromebook.
- Students will not use email to bully, harass, or threaten other students or individuals.
- Students must treat their device with care and never leave it unattended.
- Promptly report any problems with Chromebooks to the teacher.
- Students may not remove or interfere with the serial number or other identification tags.
- Do not attempt to remove or change the physical structure of the Chromebook, including the keys, screen cover or casing.
- Do not attempt to install or run any operating system on the Chromebook other than the ChromeOS operating system supported by the school.
- Students will not circumvent security measures on school or remote computers or networks.
- Students may not sign into any account other than their own SICS account on their Chromebooks and may never use another person's account. The student is solely responsible for what happens on their own account.
- No food or drink is allowed next to your Chromebook while the screen is open.
- Chromebooks should be shut down when not in use to conserve battery life and device longevity.
- Broken or non-working Chromebooks should be reported to the IT Department by the teacher through established protocols provided to the teacher.
- Student must not vandalize school technology by causing physical damage, reconfiguration of any technology system, attempting to dispute the system, or destroying data by spreading computer viruses and malware by any other technological or non-technological means

RESPONSIBILITY for ELECTRONIC DATA: Users of school technology have no rights, ownership, or expectations of privacy to any data that is, or was, stored on the Chromebook, school network, or any school-issued applications and are given no guarantees that data will be retained or destroyed. The school uses third-party applications to monitor content and use of student Chromebooks.

FILTERING: The School adheres to the requirements set forth by the United States Congress in the Children's Internet Protection Act. This means that all access to the Internet is filtered and monitored. The school cannot monitor every activity but retains the right to monitor activities that utilize school owned technology. By filtering Internet access, we intend to block offensive, obscene, and inappropriate images and content including pornography.

NETWORK ACCESS AND SECURITY: Students will log into their Chromebooks using their school issued account (username@sics-mail.net) and their assigned password. Students should never share their account passwords with others, unless requested by an administrator.

COPYRIGHT AND FILE SHARING: Students are required to follow all copyright laws around all media including text, images, programs, music, and video. Downloading, sharing, and posting online illegally obtained media is against the Acceptable Use Policy

MANAGING YOUR FILES AND SAVING YOUR WORK: Students may save documents to their Google Drive which will make the files accessible from any computer with Internet access. Students using Google Drive to work on their documents will not need to save their work, as Drive will save each keystroke as the work is being completed.

ORIGINALLY INSTALLED SOFTWARE: Chromebook software is delivered via the Chrome Web Store. These are web-based applications that do not require installation space on a hard drive. The software originally installed on the Chromebook must remain on the Chromebook in usable condition and easily accessible at all times. From time to time, the IT Department may add software applications for use in a particular area of study. Students are not permitted to add apps or extensions to their Chromebooks and are blocked from this type of function.

INSPECTION: Students Chromebook may be selected at random to for inspection. The purpose for inspection will be to check for proper care, maintenance and inappropriate use.

TRANSFERING/WITHDRAWING STUDENTS: Students that transfer out of or withdraw from SICS must turn in their Chromebooks, charger and case on their last day of attendance. Failure to turn in the Chromebook will result in the being charged the full replacement cost for each missing asset (Chromebook, charger, case). SICS may also file a report of stolen property with the local law enforcement agency.

SPARE EQUIPMENT AND LENDING: If a student's Chromebook is inoperable, the school has a limited number of spare devices for use while the student's Chromebook is repaired or replaced. This agreement remains in effect for loaner Chromebooks. Loss of privileges and/or disciplinary action may result for failure to turn in the Chromebook.

LOSS, THEFT OR DAMAGE: In the event that a Chromebook is lost or stolen, students should notify their teacher and the Information Technology Department immediately. The Chromebook will have absolutely no value to anyone but the student it is assigned to. The device will not allow any other user to log in

Our goal in providing this service is to promote educational excellence by facilitating resource sharing, innovation, and communication. These guidelines are provided so that students and parents are aware of the responsibilities required to use technology. Please read this document carefully. Computer, Chromebook, and internet use may be revoked if a student does not adhere to the guidelines below.

CHROMEBOOK & TECHNOLOGY ACCEPTABLE USE POLICY SIGNATURE FORM

By signing below, the student and their parent/guardian understand, accept, and agree to the following:

1. Chromebook and Technology Acceptable Use Policy
2. Website and Social Media Guidelines (Below)
3. The Chromebook and software is owned by SICS

WEBSITE and SOCIAL MEDIA GUIDELINES:

THINK before you act because your virtual actions are real and permanent!

GUIDELINES	Student Initials	Parent Initials
Be aware of what you post online. Website and social media venues are very public. What you contribute leaves a digital footprint for all to see. Do not post anything you wouldn't want friends, parents, teachers, future colleges, or employers to see.		
Follow the school's Code of Conduct when writing online. It is acceptable to disagree with other's opinions; however, do it in a respectful way. Make sure that criticism is constructive and not hurtful. What is inappropriate in the classroom is inappropriate online.		
Be safe online. Never give out personal information, including, but not limited to, last names, phone numbers, addresses, exact birthdates, and pictures. Do not share your password with anyone besides your teachers and parent		
How you represent yourself online is an extension of yourself. Do not misrepresent yourself by using someone else's identify.		
Students are responsible for following school and classroom specific guidelines and expectations for use. This means following instructions, guidance, and protocols regarding when and how to use the technology in the instructional setting		
We understand that SICS is loaning the student a Chromebook that is only to be used for academic and educational purposes pertaining to coursework.		
We understand that it is our responsibility to use the device and the Internet appropriately for school related work only.		
We understand that the SICS Bullying Prevention and Intervention Plan applies to online behaviors, and student must comply with all provisions of that policy.		

By signing below, I agree to follow Springfield International Charter School (SICS) Technology Usage and Safety and the Guidelines for Acceptable Use of Technology by Students. I understand my use of school technology resources is a privilege and requires proper online behavior.

Date: _____

Student Name: _____

Student Name: _____

Student Signature: _____

Student Signature: _____

Parent/Guardian Name: _____

Parent/Guardian Signature: _____

A. General Policies

SICS, the Springfield Police Department and Hampden County District Attorney's Office agree to develop and coordinate their response to violent, delinquent or criminal acts by students, including possession or use of

weapons and alcohol and other drug use, that occur on school premises, school buses, or at school-related events. (Additionally, the policies and procedures developed will pertain to non-students and other visitors on school premises or at school related events.) To promote a safe educational environment, this cooperative effort between the school administration and law enforcement agencies supports “zero tolerance” for violence, weapons, drugs, harassment and civil rights violations, in accordance with Safe and Drug Free Schools and Communities Act.

M.G.L. Chapter 71, Section 37H, requires each school district to have a Code of Conduct contained in student handbooks, setting forth, among other things, standards and procedures to assure school building security and safety of students and school personnel. The Code of Conduct should include standards and procedures to assure school building security and safety of students and school personnel. The Code of Conduct should include standards and procedures for suspension and expulsion of students pertaining to disciplinary measures and due process rights in cases involving the possession or use of illegal substances or weapons, violations of criminal law and the school's discipline code. In addition, reference to this Memorandum should be made in these handbooks.

Participating agencies agree, within the statutory authority of its agency, that every effort will be made to share information, so as to provide a safe and violence-free educational setting.

II. Reporting Process Between SICS and the Department of Children and Families (DCF)

Under M.G.L. Ch.119, Section 51A, school personnel (mandated reporters) who, in their professional capacity, have reasonable cause to believe that a child under the age of eighteen years is suffering physical or emotional injury resulting from abuse, inflicted upon him which causes harm or substantial risk of harm to the child's health or welfare, (including sexual abuse) or from neglect, shall report such condition to the Department of Children and Families. *“Reasonable cause to believe” means known or suspected instances of child abuse or neglect, regardless of whether the person or persons responsible for the abuse or neglect was in the position of caretaker.*

Included within this definition are incidents of abuse by other students, as well as school personnel. If the incident involves criminal conduct, including physical abuse, violation of a restraining order, assault and battery, indecent assault and battery, rape, forcible rape of a child under 16 or rape and abuse of a child under age 16 (so-called “statutory rape”), school officials shall also report the incident to the police.

During the 51A investigation (Section 51B) school personnel are required to disclose to DCF any information that such personnel determine is relevant to the investigation, including student record information. School staff is expected to cooperate with DCF during this investigation, especially when circumstances of the case necessitate interviewing the child at school. It is suggested that such interviews be conducted in the presence of a teacher or other school personnel, without prior notification to parents or guardians if notice could put the child at further risk.

III. Reporting Process between the School and Police

It is understood by the parties that school officials are not agents of the police or the District Attorney's Office and that the District Attorney's Office and police are not agents of school officials.

School officials retain their sole prerogative to impose any disciplinary sanctions for infractions of school rules and policies in addition to any police involvement or investigation that may be warranted.

School officials or their designee are responsible for reporting criminal activity to the police department to ensure a coordinated response. For any life-threatening or emergency situations, calls should be made to

911. Other calls needing an immediate (but non-emergency) response should go to the main police department. Follow-up and on-going communication will be provided.

When the school has reported an incident to the police, the police will be responsible for making the decision as to the course of the criminal or delinquency investigation.

In pursuit of the goals of M.G.L. Chapter 71, Section 370(d), the SSC and Principal shall provide immediate notification to the local law enforcement agency if there is a reasonable basis to believe that criminal charges may be pursued against a perpetrator. The SSC and Principal of the school shall inform the student and his/her parent or guardian that, upon report, the police may conduct an investigation independent of school discipline. The SSC and Principal shall also report to the police the existence of any physical evidence related to the incident. All contraband (e.g., drugs, alcohol, firearms, dangerous weapons and stolen goods) or any other physical or documentary evidence found by the school shall be immediately shown to and made available to the responding police department.

Any teacher or other school employee who has witnessed or become aware that a student has committed a violation of the school's discipline code or an act where criminal charges may be pursued against a student which was committed on school premises, school buses or at school related events shall report such incident to school officials or designee pursuant to the school's discipline reporting procedures.

In addition, the SSC and Principal shall comply with M.G.L. Chapter 71, Section 37L, concerning any incident involving a student's possession or use of a dangerous weapon on school premises, regardless of whether it occurred during school hours, and whether or not the student has been excluded from school. Consistent with the law, the Director or designee shall file copies of the "weapons" report with the police chief, the Department of Children and Families and the Board of Trustees.

Search and Seizure

It is the policy of SICS to subject a student to a search of his or her person and/or personal possessions, including clothing, gym bag, purse, backpack or motor vehicle, if the authorized school personnel have, independent of information provided by the police, a reasonable suspicion to believe that such student is carrying or concealing material, the possession of which is prohibited by federal, state or local law, or by the provisions of the school discipline code (e.g., alcohol, drugs, illegal substances or weapons, or any other object which may result in physical injury or harm to students on the school grounds or in the school building). Lockers and desks used by students remain the property of the school and may be opened without notice at any time as part of non-investigatory school practices. The contents of personal items found in desks and lockers may be searched, as provided by law. The SSC and Principal shall include this practice in the student handbook or inform students in writing at the beginning of each school year. If material, the possession of which is prohibited by federal, state or local law, or by the provisions of the school discipline code is discovered and or seized, school officials or designee shall keep a record of such search and seizure, which should include the date, the reason(s) for the search, the witnesses to the search, what or who was searched, and what was found. If contraband or evidence of a crime is found, the police shall be notified at once.

The Police will communicate regularly with the school administration to share information with the school on felony arrests and other community concerns that affect the safety and general welfare of all students. When requested, the police will provide to the school administration a copy of the daily police log. The

appropriate police department designated liaison will inform the appropriate school designated liaison, subject to applicable statutes and regulations governing confidentiality, specifically including M.G.L. Chapter 12, Section 32, Chapters 71, Sections 37H and 27H1/2.

The police and/or the District Attorney's Office shall provide notice to the school when a student:

- 1) Has been charged or convicted of a felony offense;
- 2) Has been charged or convicted as a youthful offender; or
- 3) Has been charged or adjudicated as a delinquency where the underlying offense is a felony.

If requested by the Director, the police may provide notice regarding felony offenses of a transfer student in order to assess and evaluate the background of the transfer student.

The SSC and Principal who receive confidential delinquent or criminal information shall be CORI certified or have executed an Agreement of Non-Disclosure.

The school agrees to notify the police department when suspending a student under the provisions of M.G.L. Chapter 71, Section 37H1/2, if the suspension is based on information received by the school of a pending felony charge or felony disposition.

IV. Role of the Hampden County District Attorney

The Hampden County District Attorney will maintain a Community Based Juvenile Justice Program as mandated by act included in M.G.L., Chapter 12, Section 32, an Act Relative to Community Based Juvenile Justice Programs, in participation with SICS in providing a safe environment for learning, in accordance with the legislative mandate set forth in M.G.L.c. 71, Sections 37H and 37H1/2.

Community Based Juvenile Justice Meetings/School Safety Meetings may be conducted, under the authority of the District Attorney, to allow the undersigned to discuss and assess specific events or particular individuals whose conduct may pose a threat to the safety of the school community.

Any information shared by police or the Hampden County District Attorney's Office and provided to any school or other agency, employee or representative may only be used for purposes described in M.G.L., Chapter 12, Section 32 and in accordance with the legislative mandates of M.G.L. Chapter 71, Section 37H and 37H1/2.

The Hampden County District Attorney agrees to provide training to his staff to inform them of their roles and responsibilities under this agreement. On an on-going basis, the same training will be provided to new staff members.

V. Prosecutorial Alternatives

Juvenile Diversion

When appropriate, first-time offenders under age 17 who commit minor misdemeanors will be referred to the Hampden County District Attorney's Juvenile Diversion Program. The Juvenile Diversion Program is an alternative to the court system. The District Attorney's Office will determine whether such offender will be offered this alternative. Participating youth may be required to attend and complete counseling/education programs, perform community service and, when applicable, pay restitution. Youth who successfully complete

the Juvenile Diversion Program prior to arraignment may have no court record. Those cases deemed not appropriate for Juvenile Diversion will be prosecuted through the Juvenile Justice System.

Tuancy Prevention

Tuancy is a problem that has long-term effect on children, families and the community. The District Attorney's Office agrees to work with SICS in order to reduce truancy among its students.

7. Health, Wellness Policies and Procedures

SICS is committed to providing a safe environment during the ongoing COVID-19 pandemic. Maintaining a safe environment is critical to the School's ability to provide students with an in-person classroom learning. Due to the fluctuating nature of the pandemic and resulting guidance and recommendations from public health experts, such as the Center for Disease Control (CDC), the Department of Elementary and Secondary Education (DESE), the Massachusetts Department of Public Health (DPH), and the Springfield Board of Health, SICS may, from time to time, establish health requirements, including but not limited to, mandatory face coverings, to ensure the health and ongoing operations of the school community. SICS will provide timely notice of any health requirements to students/parents/guardians. SICS reserves the right to establish such health requirements, in a manner consistent with state and federal law, and which will remain in place until rescinded by the Board of Trustees.

SICS follows state laws concerning immunizations and requires that immunization records be on file before a student is allowed to attend school. All students must present, before admission, a physician's certificate listing the required immunizations: Hepatitis B series, varicella, diphtheria, pertussis, tetanus, measles, mumps, rubella, and poliomyelitis. These records are to be updated when necessary. See Immunization Chart located in Appendix J of the Handbook.

Complete physicals are required upon entering kindergarten (or first grade, if a student is entering school for the first time) and for all fourth, seventh, tenth, and transfer students. Transfer students who enter school within the calendar year will have their medical record reviewed and updated as needed.

Health Screenings

School-based health screenings are mandated by M.G.L. chapter 71, section 57, and by the Department of Public Health. They are conducted to detect concerns that may require further medical consultation. The screenings are conducted by the school nurse or a trained staff member. Vision, hearing, scoliosis, and body mass index and SBIRT screenings are conducted during the school year depending upon the student's grade. Parents will be notified of any concerns in writing and recommended that they consult their physician for consultation.

Kindergarten screenings must include a vision screening conducted by a physician.

Illness and Exclusion Policy

If a student shows symptoms of illness such as fever, diarrhea, vomiting, or severe sore throat, the student should not come to school until the seriousness of the condition has been determined or they are symptom

free for 24 hours. If a student shows such symptoms at school, the student will be sent to the nurse's office for assessment. Parents will be contacted to have the student picked up at school.

Communicable Diseases

Parents should notify the School immediately if a student has contracted a communicable disease. On the advice of the Springfield Health Department, the School may then notify parents of other students in the grade level and homeroom. In the event of an epidemic, special precautions or exclusion policies may be necessary.

SICS follows isolation and quarantine regulations as prescribed by the Massachusetts Department of Public Health. There are disease/condition specific guidelines that apply to how long a student needs to be out of school should a communicable disease/condition occur. A comprehensive list with guidelines is available in the nurse's office. For more information please contact your physician or the school nurse.

Doctor/Dentist Appointments

Parents must come to the School office to remove a student from school for a medical or dental appointment. Students cannot be released from class unless a parent or guardian is present.

Administration of Medication

Prescription medication is dispensed at school only when a doctor's written order and a parent's written consent is obtained. Medication is dispensed in the nurse's office. An adult must deliver the medication to school in the original pharmacy bottle with the student's name on it. Narcotics will not be dispensed in the school setting. Students requiring this level of pain relief should remain at home. The only exception is children with a documented chronic illness whose physician has reported that Tylenol with Codeine is indicated during school. This will be discussed and approved on an individual basis with the school nurse. Medications left in the nurse's office at the end of the school year will be appropriately destroyed.

Over-the-counter (OTC) medication:

For students in grades 6 through 12 only, the school physician authorizes the periodic use of Tylenol, antacids, cough drops, and Bacitracin ointment. The school nurse, at her discretion, dispenses these over-the-counter medications. The OTC form will be sent home at the beginning of the school year and must be returned, signed by a parent, before such medication can be dispensed. Any other over-the-counter medications cannot be dispensed without a physician's order and parent consent.

For students in grades K through 5, the school nurse can only dispense over-the-counter medication (Tylenol, cough drops, cold/allergy medications, etc.) with a physician's order and written parent consent. These medications must be dispensed in the nurse's office.

Wellness Policy

Policy Intent

SICS strongly believes that students and staff need access to healthy food choices and opportunities to be physically active in order to grow, learn and thrive. There is a growing concern about childhood obesity and related diseases. The New Massachusetts School Nutrition Regulations for Competitive Foods and Beverages, 105 CMR 225.000, is an initiative that aims at combating childhood obesity by offering

students/staff, foods and beverage choices that will enhance learning, contribute to their healthy growth and development and cultivate life-long healthy eating behaviors.

In compliance with Section 204 of Public Law 108-265 of the Child and WIC Reauthorization Act, we believe community participation is essential to the development and implementation of a successful wellness policy. Improved health optimizes student performance potential and ensures that no child is left behind.

SICS will strive to meet the following goals:

- Maintain a Health Advisory Council
- Compliance with Nutritional Guidelines and Standards for Schools
- Compliance with Nutritional Education for staff, students, parents/guardians, and the community
- Maintain Physical Education and Physical Activity opportunities
- Promote a healthy life style for staff, which promotes a healthy school climate
- Compliance with Policy Review and Monitoring
- Compliance with Guidelines for Reimbursable School Meals
- Compliance with Standards for competitive foods and beverages sold or provided during the school day
- Recommendations/Guidelines for competitive foods and beverages sold outside school at concession stands or school sponsored events.

References:

The Child Nutrition and WIC Reauthorization Act of 2004, Section 204, P.L. 108-265. Healthy Students, Healthy Schools: Guidance for implementing the MA School Nutrition Standards for Competitive Foods and Beverages. Developed by: MA Department of Public Health, MA DESE, John Stalker Institute of Food and Nutrition, Harvard School of Public Health and Boston Public Health Commission

The Child Nutrition Act of 1996, 42 U.S.C. 1771-1789

www.fns.usda.gov/end/governance/legislation/implementation/timeline.pdf

www.mass.gov/eohhs/docs/dph/mass-inmotion/school-nutrition-guide.pdf

www.doe.mass.edu/cnp/nprograms/nslp.html

www.fns.usda.gov/cnd/governance/legislation/Pricing-Equity-Facts.pdf

SICS Wellness Protocol

I. Health Advisory Council (HAC) SICS will strive to maintain a HAC.

The main purpose of the HAC is to develop, implement, monitor, review, and as necessary, make recommendations on revisions to the Wellness Policy.

II. Nutritional Guidelines and Standards for School Meals- The Food Service

Program will continue to follow the USDA requirements for the Federal School Meals Program and the School Meals Initiative for Healthy Children.

The nutritional requirements for school lunches:

- Must provide 1/3 the Recommended Daily Allowance (RDA) for:
 1. Calories
 2. Protein
 3. Vitamin A

4. Vitamin C
5. Calcium
6. Iron

No more than 30% of an individual's calories will come from fats and less than 10% of the calories will come from saturated fats.

- Meals will be appealing and attractive to students
- Meals will be served in a clean and pleasant setting
- Meals will meet nutritional requirements established by local, state and federal regulations (www.fns.usda.gov/end/governance/legislation/implementation/timeline.pdf)

Implementation of most meal requirements in the National School Lunch Program (NSLP) was issued during the 2012-2013 school year.

- Fiber rich fruits, vegetables and whole grains will be offered (see timeline link for grains component) SICS currently participates in the Massachusetts Farm-to-School Program and purchases fresh produce directly from a Massachusetts farmer.
- Milk served will contain less than 2% or less of fat. (See timeline link for new milk guidelines)

This nutritional information will be available on menus, the district website and menu boards.

A. Meal times and scheduling

- Twenty minutes per day will be provided to students for lunch time
- Lunch periods are scheduled mid-day
- Tutoring, club or organizational meetings or activities will not be scheduled during meal times, unless student is able to eat during the activity
- Students will have access to hand washing before they eat meals or snacks
- Students with oral health needs, if appropriate, will have access to care.

B. Requirements of Food Service Staff: Qualified nutritional professional will serve the school meals and have access to continued professional development opportunities. These programs will include appropriate certification or trainings for the Food Service Director, school cafeteria managers and cafeteria workers, according to their levels of responsibility. **Annual training will include Life Threatening Allergy Awareness, Choking and Medical Emergency Protocol training.**

C. Sharing of Foods and Beverages: SICS will follow the District wide policy of “no sharing” of any foods or beverages, given concerns about allergies and some diet restrictions.

III. Compliance with Nutritional Education for staff, students, parents/guardians and the community

A. Communication with Parents/Guardians:

SICS will support parent/guardian's efforts to provide healthy meal choices and daily physical activity for their children. School staff will encourage parents to pack healthy lunches and snacks and to refrain from

sending foods and beverages that do not meet the nutritional standards. Parents/Guardians will be provided a list of foods that meet the lunch and snack requirements and ideas for healthy celebrations, rewards and fundraising activities.

SICS will provide information about physical education and other school-based physical activity opportunities before, during and after the school day; and **support parent/guardian's efforts to provide their children with opportunities to** be physically active outside of school. Such supports will include sharing information about physical activity, healthy food choices and physical education through a website, newsletter or other take-home materials, special events or physical education homework.

B. Food Marketing:

School-based food marketing will be consistent with nutrition education and health promotion. Schools will promote food and beverage marketing that meet the nutrition standards for meals or for foods and beverages sold individually. Schools will not promote low nutrition foods and beverages. Health foods, including fruits, vegetables, whole grains, and low-fat dairy products will be encouraged.

Marketing techniques that are unacceptable include: logos and brand names on/in vending machines, books, textbook covers, school supplies, scoreboards, and sports equipment; educational incentive programs that provide food as a reward; programs that provide schools with supplies when families buy low nutrition food products.

IV. Physical Activity Opportunities and Physical Education

A. Physical Education (P.E) K-12: All students in grades K-12 will be offered physical education and will be taught by certified physical education teachers.

B. Integrating Physical Activity into the Classroom Setting: Students need opportunities for physical activity beyond physical education class. The nationally recommended amount of daily physical activity is at least 60 minutes per day. Therefore:

- classroom education should complement physical education by reinforcing the knowledge and self-management skills needed to maintain a physically active lifestyle and to decrease screen time and sedentary activities;
- opportunities for physical activity should be incorporated into other subject lessons;
- classroom teachers are encouraged to provide short physical activity breaks between lessons or classes, as appropriate.

C. Daily Recess: All elementary students will have supervised recess, preferably outdoors, weather permitting, during which moderate to vigorous physical activity is encouraged.

V. Promote a healthy life style for staff:

SICS highly values the health and well-being of every staff member and will encourage activities that support personal efforts by staff to maintain a healthy lifestyle.

Healthy students and healthy staff promote a healthy school climate.

- Encourage all school staff to improve their own personal health and wellness
- Improve staff morale

- Create a positive role model for the students
- Encourage the commitment from staff to promote the health of students
- Encourage the commitment from staff to help improve school nutrition and a physical activity environment

Nutrition and physical activity educational resources will be available to all staff. This may include the distribution of educational materials and access to presentations and workshops that focus on nutrition and healthy lifestyles, fitness activities and other appropriate nutrition and physical activity related topics.

VI. Compliance with Policy Review and Monitoring:

A. Monitoring: The Director or designee will ensure compliance with the current SICS nutrition and physical activity wellness policy and protocol as well as ensuring compliance with this policy. School food service staff, at the individual schools and the district level, will ensure compliance with the wellness policy and protocol within food service areas and report any concerns to the Food Service Director.

The Director or designee will develop a summary report every three years regarding district-wide compliance with the current wellness policy.

B. Policy Review: The Health Advisory Council will assess and review the wellness policy and protocol as needed.

VII. Compliance with Guidelines for Reimbursable School Meals:

A. Free and Reduced Meals: SICS will make every effort to eliminate any social stigma attached to students that are eligible for free/reduced school meals. Electronic identification and a payment system promote the availability of school meals to all students. Applications for free/reduced lunch are available at school. Local school food authorities set their own prices for full-priced [meals. www.fns.usda.gov/cnd/governance/legislation/Pricing-Equity-Feds.pdf](http://www.fns.usda.gov/cnd/governance/legislation/Pricing-Equity-Feds.pdf))

In addition to cash reimbursements, schools are entitled, by law, to receive commodity foods. Under the School Meals Initiative, USDA also provides schools with technical training and assistance, to help school food service staff prepare healthy meals, and nutrition education to help children understand the link between diet and health. (www.doe.mass.edu/cap/nprograms/nsip.html)

VIII. Compliance with Standards for Competitive Foods and beverages sold or provided during the school day:

All foods and beverages sold individually (foods or beverages sold outside of reimbursable school meal program: a la carte, vending machines accessible to students, fundraising activities, snacks, rewards and celebrations) The regulations apply to competitive foods and beverages sold or provided to students thirty (30) minutes before the beginning of the school day until thirty (30) minutes after the school day ends. However, foods and beverages sold in vending machines, accessible to students, must comply with the standards at all times. School districts are encouraged to go beyond the minimum standards to establish local protocols that apply the food and beverage standards at all times to promote a healthy school environment throughout the entire day. All vending machines, accessible to students, will only offer water, 100% fruit juice or vegetable juice and milk or milk substitutes.

Foods & Beverages: Water must be made available to all students during the day without charge. Fresh fruits and non-fried vegetables will be for sale where food is sold. The use of a fry-o-lator is prohibited.

Nutrition information will be available for non-prepackaged competitive foods and beverages served in the cafeteria.

- 100% fruit and vegetable juice, with no added sugar and 4 oz. serving or less
- Low-fat and fat-free milk; 8 oz. serving or less.
- Flavored milk with no more than 22 grams or sugar per 8 oz.
- Water may contain natural flavorings and/or carbonation but should not contain added sugars, sweeteners or artificial sweeteners.
- Flavored milk or milk substitutes that have the same amount or less sugar than plain, fat-free or low-fat milk are allowed.
- Other beverages like soda, sports drinks, teas, etc. are not allowed. Only 100 % fruit/vegetable juice, milk, milk substitutes and water may be sold or provided.
- Foods should be 200 calories or less per item.
- A la carte entrees should not exceed the calorie count of entrée items of the equivalent portion size offered as part of the National School Lunch Program (NSLP).
- Foods should have less than 35% of their total calories from fat.
- Foods should have less than 10% of their total calories from saturated fat.
- All foods should be trans fat-free.
- 1 oz. serving of seeds and reduced-fat cheese are exempt from the fat standards.
- Foods should have less than 200 mg of sodium per item.
- A la carte entrees should have a maximum of 480 mg of sodium per item.
- All breads of grain-based products should be whole grain (whole grain should be listed as the first ingredient) this includes crackers, granola bars, chips, bakery items, pasta, rice, etc.
- Trace amounts of naturally occurring caffeine (such as that found in chocolate) are allowed as long as the item complies with the rest of the nutrition standards.
- Artificial sweeteners in foods are, also, not permitted.
- Ice cream and yogurt products will meet new competitive guidelines.
- A packaged item may contain no more than one serving per package.
- All foods and beverages sold or provided to students will meet all applicable state and federal food safety requirements.

Snacks: Snacks served by the school during the school day or in after-

school care or enrichment programs will make a positive contribution to children's diets and health with an emphasis on serving fruits and vegetables as the primary snacks and water as the primary beverage. SICS will assess, if and when, to offer snacks based on timing of school meals, children's nutritional needs, children's ages and other considerations. Parents, children and staff will be encouraged to send in healthy snacks, and suggestions for healthy snacks will be promoted through education, websites, etc. For example, this information can be communicated at parent-teacher nights, Parent Connection meetings and/or through written communication on the school website, parent newsletters, etc.

- www.mass.gov/massinmotion
- www.choosemyplate.gov

Rewards: SICS will not use food or beverages as direct rewards for academic performance or good behavior and will not hold food or beverages as a punishment. Food items cited in a student's IEP or required for a medical-condition, will meet compliance with the Wellness Policy and Protocol.

Celebrations: Any food item used in the classroom/school for celebrations must conform to the Nutritional Guidelines and Standards and the SICS Policy on Life Threatening Allergies.

[www.actionfor healthykids.org/assets/clubs/nc7-classrewards.pdf](http://www.actionforhealthykids.org/assets/clubs/nc7-classrewards.pdf)

[http://cspinet.org/new/pdf/constructive classroom rewards.pdf](http://cspinet.org/new/pdf/constructive_classroom_rewards.pdf)

IX. Guidelines for Competitive Foods & Beverages sold outside of school hours:

School districts are encouraged to apply the nutrition standards at all times. It is important for schools to be consistent in promoting a healthy school environment, and implementing the standards 24/7 prevents sending mixed messages to students. SICS promotes healthier choices for the consumer at sporting events concession stands and various Parent Connection fundraising projects. For example, offer foods and beverages that meet the new competitive a la carte and beverage regulations, in addition to the regular food and beverage items sold. Fresh fruits and vegetables should be offered.

Automated External Defibrillator (AED) Policy

Purpose

An Automated External Defibrillator (AED) is used to treat victims who experience sudden cardiac arrest. It is only to be applied to victims who are unconscious, not breathing, and have no pulse or signs of circulation. The AED will analyze the heart rhythm and advise the operator if a shockable rhythm is detected. If such rhythm is detected the AED will charge to the appropriate energy level and deliver a shock. SICS utilizes the Samaritan PAD.

Location of AED units

Main building lobby, Primary building lobby, Primary building outside of new gym, concession stand (seasonally) and a travel AED for away games/meets.

The AED will be kept in a central, accessible location. It shall be used to respond to cardiac emergencies. These include persons experiencing pain, discomfort, pressure or tightness in the chest, shortness of breath, profuse sweating, as well as persons who are unconscious, unresponsive, or not breathing.

Designated employees will be trained and certified through the American Heart Association in the use of AED's. Employees shall be certified every two (2) years. Employees shall use the AED solely in the manner in which they were trained.

Health Insurance Portability and Accountability Act (HIPAA):

The Health Insurance Portability and Accountability Act (HIPAA) is a complex federal law passed in 1996, which was intended to reform the health insurance market and simplify health care administrative procedures. This legislation addresses many issues, but the issue with the most potential impact upon SICS involves privacy provisions which protect the confidentiality of "protected health information." At this time, however, the U.S. Department of Health and Human Services, which oversees HIPAA, has not determined the exact status of public schools with regard to the Act and whether or not they must comply with its provisions. In general, HIPAA's privacy rule requires that health care providers obtain the authorization of a patient's parent or guardian prior to the disclosure of protected health information. One important exception to the privacy rule allows physicians to disclose immunization information to schools so that they may comply with Massachusetts regulations which state that all children must be immunized in order to be admitted to school, found at 603 CMR § 18.05, 105 CMR § 220.000. In addition, "protected health information" may be disclosed without authorization for public health purposes such as the reporting of disease or injury, child abuse, birth, death, public health surveillance, or public health investigation or intervention.

Most importantly for school districts, students, and parents/guardians, however, is that the U.S. Department of Health and Human Services has ruled that education records that are protected by the Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities Education Act (IDEA) are not considered "protected health information" under HIPAA. Both FERPA and the IDEA provide their own privacy protections to which schools must adhere. Please refer to the handbook sections regarding student records for further information regarding these Acts.

Head Injuries and Concussions in Extracurricular Athletic Activities Policy

Purpose

The purpose of the Head Injuries and Concussions in Extracurricular Athletic Activities Policy (Policy) is to provide standardized procedures for the school governing the prevention, training, management and return to activity decisions relating to students in grades 7-12 who participate in extracurricular athletic activities and to comply with Massachusetts regulation, 105 CMR 201.000: Head Injuries and Concussions in Extracurricular Athletic Activities (Regulations).

School Policies

This Policy addresses sports-related head injuries sustained by grade 7-12 student-athletes who participate in extracurricular athletic activities as defined by the Regulations, but may be applied to all head injuries in students.

The Athletic Director or other designated school administrator shall be responsible for the implementation of this Policy and related protocols.

Annual training, approved by the Department of Public Health (DPH), will be provided to coaches, physical education teachers, school nurses, certified athletic trainers, trainers, volunteers and the Athletic Director, in the prevention and recognition of sports-related head injury and associated health risks. Documentation of each person's training shall be recorded and kept on file at the school.

The following concussion related forms will be used and kept in the student's school health record until the year the student graduates:

- verification of the completed annual student and parent training.
- DPH approved ***Pre-Participation Head Injury/Concussion Reporting Form*** (See Appendix I, attached).
- DPH approved ***Report of Head Injury During Sports Season Form*** (See Appendix I, attached).
- DPH approved ***Post Sports-Related Head Injury Medical Clearance and Authorization Form*** (See Appendix I, attached).
- graduated re-entry plans for return to full academic and extracurricular athletic activities.

An annual report to include the total number of **Report of Head Injury During Sports Forms** received and the total number of student athletes with diagnosed or suspected head injuries that occurred during extracurricular athletic activities will be kept on file with the School Nurse and Athletic Director.

The Policy will be reviewed annually and as needed.

Information regarding this policy will be available in the school's Student/Parent Handbook and on the school's website www.springfieldinternationalcharterschool.org

School Procedures

Prior to participating in school sports, the following persons shall annually complete a DPH approved head injury training program: athletic director, coaches, certified athletic trainers, trainers, volunteers, physical education teachers, school physician, school nurses, student athletes, and their parents/guardians. All other school personnel may elect to complete the DPH approved program.

Educational training is required for all student athletes and their parents/guardians before they are allowed to practice. The school will provide a list of DPH approved online training courses that meet the annual training requirement. If the family cannot access the online trainings, DPH approved training forms will be available in the Athletic Office.

If the student athlete returns a completed form regarding training, and the parent/guardian of the student does not return completed forms, the school will contact the parent/guardian to request the required forms.

The DPH approved written training materials are available in English and Spanish. At the written request from a parent/guardian, the school will provide written training materials in the language of the student athlete's parent/guardian.

Annually, the school will maintain records of completed training for all persons specified by the Regulations through either of the following:

- certification of completion from a DPH approved online course.
- a signed acknowledgment that the individual has read and understands the DPH approved written materials.

Documentation and Review of Head Injury and Concussion History

Prior to the start of each sport's season, the student athlete and the parent/guardian shall complete and submit a current **Pre-Participation Head Injury/Concussion Reporting Form**.

- Prior to each sport season, coaches will review all Pre-participation forms in order to identify student athletes who are at greater risk of repeat head injuries.
- Prior to each sport's season, the school nurse will review all Pre-participation forms indicating a history of head injury.
- The school will use a student athlete's history of head injury or concussion as a factor to determine degree of participation and/or specific modifications of participation in an extracurricular athletic activity.

The **Report of Head Injury During Sports Season Form** will be available in the Athletic Office, the Nurse's Office, or from the school coaches. This form will be completed by coaches if a head injury occurs during practice or competition. The form is also used by parents if the student athlete's head injury occurs during the sports season but not while participating in a school sporting event.

Emergency Referral/Exclusion from Play

Any student athlete, who during a practice or competition sustains a head injury or suspected concussion, exhibits signs and symptoms of a concussion, or loses consciousness, even briefly, will be removed from the practice or competition immediately and may not return to practice or competition that day.

Any student athlete will be transported to the nearest medical facility if any of the following signs and or symptoms are noted:

- loss of consciousness
- unsteady gait
- decreasing level of consciousness
- abnormally unequal, dilated or unreactive pupils
- suspected neck/spine injury
- mental status change- lethargy, confusion, agitation, weakness/numbness, slurring of speech
- headache that worsens over time
- nausea or vomiting

The coach will communicate the nature of the injury directly to the parent/guardian in person or by phone immediately after the practice or competition in which the student athlete has been removed from play for a head injury or symptoms of suspected concussion. The coach must also provide this information to the parent/guardian in writing, either paper or electronic, by the

end of the next business day. This can be in the form of a **Report of Head Injury During Sports Season Form**.

The coach will complete a **Report of Head Injury During Sports Season Form** upon identification of a student athlete with a head injury or symptoms of a suspected concussion. This form will be turned into the Athletic Director by the end of the next business day.

The coach will communicate, by the end of the next business day, with the Athletic Director and School Nurse that the student athlete has been removed from practice/competition for a head injury or symptoms of suspected concussion.

Medical Clearance and Authorization to Return to Play

Each student athlete who has been removed from practice/competition for a head injury or symptoms of suspected concussion will obtain and present to the Athletic Director or School Nurse, the DPH approved **Post Sports-Related Head Injury Medical Clearance and Authorization Form**, prior to resuming extracurricular athletic activity.

Only a duly licensed physician, a duly licensed athletic trainer in consultation with a licensed physician, a duly licensed nurse practitioner in consultation with a licensed physician, or duly licensed neuropsychologist in coordination with the student athlete's physician managing the recovery, may complete, the **Post Sports-Related Head Injury Medical Clearance and Authorization Form**, authorizing a student athlete to return to play.

The final return to play decision is a medical decision, made in consultation with a parent/guardian, the primary care provider, the school nurse and additional school staff as appropriate.

Graduated Reentry Plan

Every student athlete who is removed from practice or competition and subsequently diagnosed with a concussion will have a written graduated reentry plan for return to full academics and extracurricular activities. The student athlete must be completely symptom free and medically cleared in order to begin graduated reentry to extracurricular athletic activities.

The written Graduated Reentry Plan will be developed by a school-based team including but not limited to: the Principal guidance counselor, school nurse, athletic director, certified athletic trainer (if on staff), parent/guardian and the student's physician. The plan will include instructions and recommendations for the student, the parent/guardian, and school personnel, addressing but not limited to:

- A plan for communication and coordination between school personnel, the parent/guardian and the student athlete's physician;
- Physical and cognitive rest as appropriate;
- Graduated return to extracurricular athletic activities and classroom studies as appropriate, including accommodations and modifications as needed;
- Estimated time intervals for resumption of activities;
- Frequency of assessments by the student athlete's physician, school certified athletic trainer or school nurse, until full return to classroom activities and extracurricular athletic activities are authorized.

Information concerning a student's athlete's history of head injury and concussion, recuperation, graduated reentry plan, and authorization to return to play and academic activities will be shared with all necessary academic staff and coaching staff.

Responsibilities of the Athletic Director

1. Complete the annual training requirement.
2. Participate in annual review of this Policy.
3. Ensure that all student athletes meet the physical examination requirements consistent with Massachusetts regulations 105 CMR 200.00 prior to participation in all extracurricular athletic activity.
4. Ensure that annual training requirements for student athletes, parents, staff, coaches and volunteers are met, recorded and maintained.
5. Ensure that all student athletes have completed and submitted **Pre-Participation Head Injury/Concussion Reporting Forms** prior to each season.
6. Ensure that **Pre-participation Forms** are reviewed according to the Policy.
7. Ensure that **Report of Head Injury During Sports Season Forms** are completed by the parent/guardian or coach, and reviewed by the coach, school nurse or certified athletic trainer, or school physician.

Responsibilities of the Coach

1. Complete annual training requirements.
2. Record and review the **Pre-Participation Head Injury/Concussion Reporting Forms** with prompt transmission to the school nurse for review.
3. Complete a **Report of Head Injury During Sports Season Form** upon identification of a student athlete with a head injury or suspected concussion that occurred during practice or competition.
4. Receive, review and share with the Athletic Director, **Report of Head Injury During Sports Season Form** completed by a parent/guardian after an incident outside of an extracurricular athletic activity.
5. Teach techniques aimed at minimizing sports-related head injuries while discouraging and prohibiting student athletes from engaging in any unreasonably dangerous techniques.
6. Identify student athletes with suspected head injuries which occur in practice or competition and remove them from play.
7. Have prompt communication with the parent/guardian of any student removed from practice or competition due to head injury or suspected concussion.

Responsibilities of a Certified Athletic Trainer

1. Complete annual training requirement.
2. Participate in the annual review of this Policy.
3. Review **Pre-Participation Head Injury/Concussion Reporting Forms** and **Report of Head Injury During Sports Season Form** to identify student athletes who are at greater risk for repeated head injuries.
4. Identify student athletes with suspected head injuries that occur in practice or competition and remove them from play.
5. Participation in the Graduated Reentry Plan and implementation for student athletes who have been diagnosed with a concussion or head injury.

Responsibilities of the School Nurse

1. Complete annual training requirement.
2. Participate in the annual review of this policy.
3. Review **Pre-Participation Head Injury/Concussion Reporting Forms** and **Report of Head Injury During Sports Season Forms** to identify student athletes who are at greater risk for repeated head injuries.
4. Maintain all DPH forms in the student health record.
5. Participate in the Graduated Reentry Plan for student athletes who have been diagnosed with a concussion or head injury, to discuss any necessary accommodations or modifications with respect to academics and other aspects of school activities and revise the health care plans as needed.
6. Monitor recuperating student athletes with head injuries and collaborate with teachers, staff and student athlete to ensure that the Graduated Reentry Plan for return to full academic and extracurricular athletic activities is being followed.
7. Provide updated and current educational materials on head injury and concussion to all school staff and students.

8. Emergency Procedures

Emergency Forms

Parents or guardians of all students are required to fill out an emergency form, which is sent home on the first day of school. In emergencies, The School calls the numbers listed on the office card.

It is essential that parents update these cards if their address, residence and employment telephone numbers, or emergency contact person change.

Minor Accidents

Any accident requiring a visit to the nurse is documented in the student's health record. School nurses will use their discretion in determining whether a phone call home is warranted.

Major Accidents

If it appears that an accident is more serious, the following procedures are followed:

- The School nurse or a staff member carries out immediate first aid.
- A staff member contacts the parents to pick up the student for medical care.
- In cases where the parents or the designated emergency persons cannot be reached, or immediate medical attention is needed, The School calls 911 for treatment and/or transportation to a hospital. A staff member will accompany the student and stay until the parent arrives.
- In case of extreme emergency, staff may contact the local emergency unit before calling the parent.

9. For Your Information

School Closings or Late Starts

SICS will close when the Springfield Public Schools close and local radio and television stations will announce closing information. Look for information about the Springfield International Charter School on www.wggb.com and www.wwlp.com . Only under extreme circumstances will school be closed once students have arrived. Closings during the day are also announced on local radio and television stations.

School Breakfast/Lunch Program

The breakfast and lunch program for SICS will be managed by Sodexo School Services and the Springfield Public Schools. Parents/guardians will be notified at the start of the school year about school lunch and milk program prices. Students may continue to bring a lunch from home.

Microwaves are NOT available for student use.

Advertisements, Solicitations and Sales of Fundraising Items

Although business and service agencies have a legitimate and collaborative role with SICS, a distinction must be made in the case of business promotion for private gains through school based advertisements and solicitations.

The following guidelines apply:

1. Permission to post bulletins must be pre-approved by the Director/designee if a program or service for youth by a local non-profit agency is announced.
2. The Director/designee determines which materials may be distributed to students.
3. Direct sales by outside vendors to students are prohibited. School administrators may provide lists of vendors carrying certain items for pre-authorized sales and/or permit student organizations to sell products on a controlled basis. (e.g. school store, class sales).
4. Announcements through the Director's office may be made for anything connected with charitable organizations that are nationally recognized.
5. No organization (except the Parent Connection, Booster Club, and recognized school groups) may use the school facilities for communication, advertisement, or commercial sales purposes without the approve of the Director/designee.

SICS students are NOT allowed to sell fundraising items at the School for the benefit of *outside organizations*. The selling of these items can be disruptive to class time and therefore is not permitted.

Social Security Numbers

Each student is asked to voluntarily inform the School of his/her Social Security number for uniform record-keeping purposes. Including this information in the cumulative record does not change the privacy of student records.

Parent Connection

The SICS encourages an atmosphere in which parents, administration, and faculty join in a partnership to ensure each child's success. The School's "Parent Connection" organization was formed to "create an optimum environment for parents to facilitate communication between The School and parents."

The goals of the Parent Connection are as follows:

- Increase communication among parents, staff, and students;
- Provide more interaction among parents; and
- Provide a structure for parent volunteer activities.

All parents are automatically members of the Parent Connection and can freely join any committees or activities.

For additional information regarding the Parent Connection, please contact the school.

Extended Day Program:

The Extended Day Program is offered on-site for a reasonable fee to SICS parents and guardians to assist in the before and after-school care of their students. The program is designed for students in grades K through 5. **The fees (per student) are as follows:**

- AM fee is **nine (\$9.00)** for all or any part of the program time from 7:00AM to the start of the school day
- PM fee is **twelve (\$12.00)** for all or any part of the program time from dismissal to 6:00PM

A ten (\$10.00) penalty will be assessed for each 5 minute increment for students arriving before 7:00AM or remaining after the 6:00PM deadline for pickup.

- **If early drop-offs or late pick-ups continue to occur on a regular basis, other child care arrangements will have to be made.**

SICS Extended Day program is run on funds collected. If funds are not collected on a weekly basis, the program may not be offered.

Parents may use this program on a regular basis or on an as-needed or emergency basis.

For parents utilizing the program on a regular basis, the fee for this program is to be **PREPAID**; meaning payments must be made in advance for the upcoming week. On an emergency or as-needed basis, payment is **expected** when the parent picks up and signs out their child. **IF PAYMENTS ARE NOT RECEIVED ON A TIMELY BASIS AS OUTLINED IN THE INFORMATIONAL PACKETS, YOUR CHILD WILL BE INELIGIBLE TO ATTEND THE EXTENDED DAY PROGRAM; TERMINATION FROM THE PROGRAM IS AUTOMATIC. ALSO, ANY STUDENT WITH AN OUTSTANDING BALANCE IS INELIGIBLE FOR THE PROGRAM FOR THE UPCOMING ACADEMIC YEAR IF THE BALANCE IS NOT CLEARED BY THE LAST DAY OF JUNE.**

To ensure the safety of all children participating in the program, an adult/guardian **MUST** come into the building to pick up the student and initial the sign-out sheet. Your child will not be released unless this procedure is followed.

All students are expected to follow the SICS Code of Conduct throughout their extended day enrollment. Disciplinary infractions will be brought to the attention of the program director.

Repeated infractions will result in termination from the Extended Day Program.

We offer the program on all regularly scheduled days of school, with the following exceptions:

- Scheduled Early Dismissal Days – morning Extended program only; no afternoon program.
- Morning Delay due to weather – ***The Extended Day program is delayed by the same amount of time.*** Please, do not drop off your child until the appropriate time, as supervision will not be available or the ten (\$10.00) penalty for each five-minute increment will be assessed.
- Early dismissal due to weather – No pm extended day program held.
- Snow days, vacation, days off – No program.

Specific information regarding the location, fees, and hours of the Extended Day Program will be available in the administrative offices. Please contact Mrs. Cynthia Redmond, Extended Day Coordinator, after 2:30 p.m. at 783-2600 or 783-2522 after 4:00 p.m. for any information regarding the Extended Day Program or via email credmond@sics-mail.net.

Asbestos Hazard Emergency Response Act (AHERA):

The Environmental Protection Agency, as part of its regulation of asbestos in schools, requires that schools notify parents/guardians and employees that an asbestos management plan is on file and available for review at school. SICS was inspected and no asbestos-containing materials were found in the school. The asbestos management plan is available for inspection during normal business hours. For additional information or questions, please contact Derek Conway, Director of Operations or Tim Tynan, Asbestos Program Manager, at (413) 783-2600.

Legal References:

SICS intends to follow all mandates of state and federal law and all provisions issued by the Board of Education. The following legal references apply:

- Title II, of the Americans with Disabilities Act of 1990
- Title VI, Civil Rights Act of 1964
- Title VII, Civil Rights Act of 1964 as amended by the Equal Employment Opportunity Act of 1972
- Executive Order 11246, as amended by E.O. 11375
- Title IX, Education Amendments of 1972
- MGL c. 76:5; 76:16 (Chapter 622 of the Acts of 1971)
- MGL c. 71; Sec. 37H, 37H¹/₂, 37H³/₄ (student handbooks required to state disciplinary measures applicable to “violations of other students’ civil rights”)
- MGL c. 76; Sec 5 (prohibition of discrimination “on account of race, color, sex, religion, national origin, or sexual orientation”, in access to “advantages, privileges, and courses of study of [local] public school”.)
- MGL c. 151C (Fair Education Practices Act, includes prohibition of sexual harassment)
- MGL c. 214; Sec 1B (right of privacy)

- MGL c. 214; Sec 1C (right of freedom from sexual harassment)
- MGL c. 12; Sec 11H and 11I (prohibition of threats, intimidation, or coercion interfering with someone's legal rights)
- MGL c. 265; Sec 37 (criminal penalties for the use of force or threats to interfere with someone's legal rights)
- MGL c. 265; Sec 39 (increasing penalties for assaults, batteries, and property damage motivated by bias on grounds of race, religion, ethnicity, disability and sexual orientation)
- MGL c. 266; Sec 127A (criminal penalties for vandalism of a school)
- Board of Education Chapter 622 Regulations Pertaining to Access to Equal Educational Opportunity, adopted 6/24/75, amended 10/24/78
- Board of Education, Chapter 766 Regulations 10/74 – amended through 3/28/78, 603 CMR 26:00
- Section 504 of the Rehabilitation Act of 1973
- 20 U.S.C. Sec 4071-74
- 20 U.S.C. Sec 1415
- MGL c. 71, Sec 37H
- MGL c. 71, Sec 37H ¹/₂
- MGL c. 71, Sec 37O

APPENDIX A

Physical Restraint of Students

The Massachusetts Department of Elementary and Secondary Education (DESE) established regulations governing the use of physical restraints on students. 603 CMR 46.00. SICS complies with the provisions of 603 CMR 46.00 which regulates the use of physical restraint on students in Massachusetts public school districts, charter schools, virtual schools, collaborative and special education schools. The purpose of this policy is to ensure that every student participating in a Springfield International Charter School (SICS) program is free from the intrusive use of physical restraint that is inconsistent with 603 CMR 46.00 and that such an intervention is used only in emergency situations of last resort after other less intrusive alternatives have failed or have been deemed inappropriate, and with extreme caution. Physical restraint should be administered only when needed to protect a student or other students and staff from imminent, serious physical harm. Physical restraint should be administered only as a last resort and in the least intrusive manner possible.

Parents will receive oral and written notice of any physical restraint of the parent's child in accordance with the requirements of applicable regulations.

Restraint Grievance Procedure

SICS has established an internal procedure in order to provide for the prompt and equitable resolutions of complaints regarding the administration of physical restraints. No aggrieved party will be subject to coercion, intimidation, interference, or discrimination for registering a complaint or for assisting in the investigation of any alleged complaint within the context of this restraint policy. Interference with, intimidation of, and/or retaliation against any individual, including a student, parent, or guardian, for filing a complaint or grievance is strictly prohibited and shall be treated as an actionable, wrongful act in and of itself. All documents, communications, and records dealing with the filing of a grievance will be kept confidential to the full extent provided by law.

Grievance information and forms may be obtained upon request from the SSC and Principal or the Director.

APPENDIX B

Springfield International Charter School Bullying Prevention and Intervention Plan

SICS is committed to providing all of our students equal educational opportunities in a safe and respectfully learning environment that is free from bullying and cyber-bullying. SICS expects that all members of the school community will treat each other in a civil manner and with respect for differences.

Our commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process. SICS will take specific steps to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, intimidation, or teasing.

We will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyber-bullying, or retaliation, in our school building, on school grounds, or in school related activities. We will investigate promptly all reports and complaints of bullying, cyber-bullying, and retaliation, and take prompt action to end that behavior and restore everyone's sense of safety.

The Bullying Prevention and Intervention Plan ("Plan") is a comprehensive approach to address bullying and cyber-bullying. SICS is committed to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence. In consultation with these constituencies, we have established this Plan for preventing, intervening, and responding to incidents of bullying, cyber-bullying, and retaliation. The Schools' Director and Administrative staff are responsible for the implementation and oversight of the plan.

This commitment is essential to the School's vision of educational excellence, and is further strengthened by Massachusetts General Laws (M.G.L.) c. 71, §370, Act Relative to Bullying in Schools, prohibiting all forms of bullying and retaliation in all Massachusetts public and private schools. In accordance with this legislation, SICS has developed the following Bullying Prevention and Intervention Plan.

Definitions

In developing the Plan and related policies and procedures, SICS will utilize the following definitions.

1. **Aggressor:** is a student or staff member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach and advisor who engages in bullying, cyber-bullying, or retaliation.
2. **Bullying:** as defined in M.G.L. c. 71, § 370, is the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that:
 - (i) causes physical or emotional harm to the victim or damage to the victim's property;
 - (ii) places the victim in reasonable fear of harm to himself or of damage to his property;
 - (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purpose of this section, bullying shall include cyber-bullying.

3. **Cyber-bullying:** Cyber-bullying is 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. 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 person, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying.
4. **Hostile Environment:** as defined in M.G.L. c. 71, § 370, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of a student's education.
5. **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.
6. **Retaliation:** is any form of intimidation, reprisal, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying.
7. **Staff:** includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers/monitors, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.
8. **Victim/Target:** is a student against whom bullying, cyber-bullying, or retaliation has been perpetrated.
9. **School grounds:** School grounds are the 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.

As required by M.G.L. c. 71, § 370, 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 the school staff, including but not limited to educators, administrators, school nurses.

School personnel at all levels of the SICS will play a critical role in implementing the Bullying Prevention and Intervention Plan. All school personnel have a role in teaching students, directly and by example, to

be civil to one another and promote an understanding of and respect for diversity and difference. The Administrative team is responsible for setting priorities and for staying up-to-date with current research on ways to prevent and effectively respond to bullying. The Administration will involve representatives from the greater school and local community in further developing, implementing, and evaluating the Plan.

Planning and Oversight will be the responsibility of the Director/designee and will include:

- Receiving all reports on bullying.
- Collecting and analyzing school data on the prevalence of bullying and developing measures to assess problems and to measure improved outcomes.
- Improve the school's process for recording and tracking incident reports, for collaborating with law enforcement when needed, and for accessing information related to targets and aggressors.
- Planning and implementing supports that respond to the needs of targets and aggressors.
- Choosing and implementing the curricula that the school will use.
- The Director, with the assistance of the Administrative Team, will be responsible for developing new policies, or revising current policies and protocols under the Plan, including an Internet safety policy, and designating key staff to be in charge of the implementation.
- The Administration will be responsible for amending the Student/Parent and Staff Handbooks and developing parent information materials.
- Reviewing and updating the Plan each year or more frequently if needed.

Training and Professional Development

The Plan must reflect the requirements under M.G.L. c.71, §370 to provide ongoing professional development for all staff, including but not limited to, educators, administrators, counselors, school nurse, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, and paraprofessionals. The law lists the following six topics that must be included in professional development:

1. Developmentally (or age) appropriate strategies to prevent bullying.
2. Developmentally (or age) appropriate strategies form immediate, effective interventions to stop bullying incidents.
3. Information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying.
4. Research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment.
5. Information on the incidence and nature of cyber-bullying.
6. Internet safety issues as they relate to cyber-bullying.

Existing and annual training for all staff includes, but is not limited to the following: Students Records and Confidentiality, FERPA-20 U.S.C. 1232G, IDEA-20 U.S.C. 1400, Civility Policy, Anti-Hazing Policy, Sexual Harassment Policy and the Physical Restraint Policy. Additional training and professional development will be provided based on needs and concerns identified by the Administration.

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

Additional topics may be identified by the school leadership as they consider the unique needs of the school community.

The school will provide all staff with an annual written notice of the Plan and sections of the Plan related to staff duties will be included in the Employee Handbook.

Access to Resources and Services

A key aspect of promoting positive school climate is ensuring that the underlying emotional needs of targets, aggressors, families, and others are addressed. The Plan describes strategies for providing supports and services necessary to meet these needs. In order to enhance the school's capacity to prevent and respond effectively to bullying, services should reflect an understanding of the dynamics of bullying and provide approaches to address the needs of targets, aggressors and their immediate family members.

Bullying prevention and intervention is a collective effort and priority for all staff. Students who may be either targets or bystanders are taught to seek help from a trusted adult, therefore, training for all personnel in the identification and response to bullying is the first step in ensuring that available resources are made available to targets, aggressors, witnesses and others impacted by bullying behaviors. Key staff includes Principals, school nurses, guidance and adjustment counselors, Special Education staff, paraprofessionals, support staff, teachers and administrators.

School Counselors are trained to assist in the delivery of universal prevention and social competency programs such as Second Step, Aggressors and Victims, Bystanders, and behavioral intervention plans, social skills groups and individually focused curricula. The School Psychologist and School Adjustment Counselors are trained in more intensive interventions. The Administration has and will develop safety plans for students who have been targets of bullying or retaliation. They will provide social skills programs to prevent bullying, and offer education and/or intervention services for students exhibiting bullying behaviors. When appropriate, interventions may include collaboration with other community agencies and service providers in support of students with more targeted needs.

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

When necessary, the school will refer students to outside mental health services. Linkage protocols have been developed with the Behavioral Health Network/Child Guidance Clinic, the Department of Mental Health, and the Department of Children and Families to improve access to community-based services when appropriate. There is an understanding between the School, Local Law Enforcement and the Hampden-County District Attorney's Office that establishes protocols for cooperation and sharing of information.

Appropriate family members of targets and aggressors will be encouraged to meet with one of the schools' Counselors or Administrative Staff, who have been trained to assist in the delivery of universal prevention and social competency programs. Family members may also be referred to outside/community based agencies based on their assessed needs.

Academic and Non-Academic Activities

The law requires that SICS provide age-appropriate instruction on bullying prevention in each grade that is incorporated into the school's curricula. Curricula will be evidence-based. Effective instruction will include classroom approaches, whole school initiatives, and focused strategies for bullying prevention and social skills development. For specific bullying prevention approaches the Director/designee will research curricula that emphasizes the following approaches: using scripts and role plays to develop skills; empowering students to take action by knowing what to do when they witness other students engaged in acts of bullying or retaliation, including seeking adult assistance; helping students understand the dynamics of bullying and cyber-bullying, including the underlying power imbalance; emphasizing cyber-safety, including safe and appropriate use of electronic communication technologies; enhancing students' skills for engaging in healthy relationships and respectful communications; and engaging students in a safe, supportive school environment that is respectful of diversity and difference. Initiatives will also teach students about the student-related sections of the Bullying Prevention and Intervention Plan. General teaching methods that will be used at SICS to support the bullying prevention efforts are as follows:

- Setting clear expectations for students and establishing school and classroom routines.
- Creating safe school and classroom environments for all students, including for students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students.
- Using appropriate and positive responses and reinforcement, even when students require discipline.
- Using positive behavioral supports.
- Encouraging adults to develop positive relationships with students.
- Modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors.
- Using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development.
- Using the Internet safely.
- Supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

The Director/designee will review the Plan yearly or as needed with all students in age appropriate settings.

Policies/Procedures for Reporting/Responding to Bullying and Retaliation

To support efforts to respond promptly and effectively to bullying and retaliation, SICS has established policies and procedures for receiving and responding to reports of bullying or retaliation. These policies and procedures will ensure that members of the school community – students, parents, and staff – know what will happen when incidents of bullying occur.

Reports of bullying or retaliation may be made by staff members, students, parents and others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. Reports made by students, parents/guardians, or other individuals who are not school members, may be made anonymously. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member, or with the Director/designee.

The school staff member is required to report immediately to the Director/designee any instance of bullying or retaliation he/she becomes aware of or witnesses. The requirement to report to the Director/designee does not limit the authority of the staff member to respect to behavioral or disciplinary incidents consistent with school policies and procedures for behavior management and discipline.

The School will ensure that a variety of school-based reporting resources are available to the school community including, but not limited to, an Incident Reporting Form that will be available in the Main Offices, the nurses' offices, the school counselors' offices, and on the school's website www.springfieldinternationalcharterschool.org. The Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents/guardians.

At the beginning of each school year, SICS will provide the school community, including administrators, staff, students, and parents/guardians, with written notice of its policies for reporting acts of bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the Director/designee, will be included in the Student/Parent and Staff handbooks.

Before fully investigating the allegations of bullying or retaliation, the Director/designee will take steps to access the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. Responses to promote safety may include, but not be limited to, creating a personal safety plan; pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a "safe person" for the target; and altering the aggressor's schedule and access to the target. SICS expects anyone who witnesses or becomes aware of an instance of bullying or retaliation involving a student to report it to the Director/designee immediately. The Director/designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

The Director/designee will implement appropriate strategies for protecting a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation. Upon determining that bullying or retaliation has occurred, the Director/designee will promptly notify the parents/guardians of the target and the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the Director/designee contacts parents/guardians prior to any investigation. Notice will be consistent

with state regulations at 603 CMR 49.00. See student handbook for more specific information regarding student safety.

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

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

The Director/designee will investigate all reports of bullying or retaliation and, in doing so; will consider all available information known. During the investigation, the Director/designee will, among other things, interview students, staff, witnesses, parents/guardians, and others as necessary. Whoever is conducting the investigation will remind the alleged aggressor, target, and witness that retaliation is strictly prohibited and will result in disciplinary action. The Director/designee will maintain a written record of the investigation. Procedures for investigating reports of bullying and retaliation will be consistent with the school's policies and procedures for investigations. If necessary, the Director/designee will consult with legal counsel about the investigation.

After the investigation, if bullying or retaliation is substantiated, the Director/designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities.

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

In response to bullying, the SICS will utilize an array of skill-building strategies and/or individualized interventions to remediate or prevent further bullying and retaliation. Upon the Director/designee determining that bullying or retaliation has occurred; the School will use a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L. c. 71, §370(d)(v). Skill-building approaches that the Director/designee may consider include:

- offering individualized skill-building sessions based on the school's anti-bullying curricula

- providing relevant educational activities for individual students or groups of students in consultation with guidance counselors and other appropriate school personnel.
- implementing a range of academic and non-academic positive behavioral supports to help students understand pro-social ways to achieve their goals
- meeting with parents/guardians to engage parental support and to reinforce the anti-bullying curricula
- adopting behavioral plans to include a focus on developing specific social skills
- making a referral for evaluation

If the Director/designee determines that a student knowingly made a false allegation of bullying or retaliation, that student may be subject to disciplinary action. If it is determined that disciplinary action is appropriate, it will be consistent with the Plan and with the school's Student/Parent Handbook. (Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with state laws regarding student discipline.)

The Director/designee will consider what adjustments, if any, are needed in the school environment to restore the target's sense of safety and that of others as well. Within a reasonable period of time, the Director/designee will contact the target to determine whether there has been a recurrence of the bullying and whether additional supportive measures are needed.

Collaboration with Families

The School has implemented strategies to engage and collaborate with families in order to increase the awareness of bullying and cyber-bullying. Resources for families and communication with them are essential aspects of effective collaboration. Parents/guardians will be notified in writing each year about the student-related sections of the Bullying Prevention and Intervention Plan in the language(s) most prevalent among the parents/guardians. The School will offer educational programs for parents and guardians that are focused on the components of the anti-bullying curricula. The programs will be offered in collaboration with the Parent Connection (PC), Booster Club and Special Education Parent Advisory Council (SEPAC).

Each year the School will inform parents/guardians of enrolled students about the anti-bullying curricula that are being used. This notice will include information about cyber-bullying, online safety and the School's Internet Safety Policy. All notices made available to parents/guardians will be in hard copy and electronic formats, and will be available in the language(s) most prevalent among parents/guardians. The School will post the Plan and related information on its website.

Prohibition Against Bullying and Retaliation

The following statement is incorporated directly from M.G.L. c. 71, §370(b), and describes the law's requirements for the prohibition of bullying.

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

(i) on school grounds and property immediately adjacent to school grounds, at a school-sponsored or

school-related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school; or through the use of technology or an electronic device owned, leased, or used by a school; and

(ii) at a location, activity, function, or program that is not school-related through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

Retaliation against someone who reports bullying provides information during an investigation of bullying, or witnesses or who has reliable information about bullying is also prohibited.

As stated in M.G.L. c. 71, §370, nothing in this Plan requires the school to staff any non-school related activities, functions, or programs.

Relationship to Other Laws

Consistent with state and federal laws, and the school's policies, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, sex, religion, national origin, or sexual orientation. Nothing in the Plan prevents SICS from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or SICS' policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the school to take disciplinary action or other action under M.G.L. c. 71, §§37H or 37H1/2, other applicable laws, or the Schools' policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior

Massachusetts Statutes: Student Behavior and Discipline

<https://safesupportivelearning.ed.gov/sites/default/files/discipline-compendium/Massachusetts%20School%20Discipline%20Laws%20and%20Regulations.pdf>

APPENDIX C

BULLYING INCIDENT REPORTING/COMPLAINT FORM

1. Name of Reporter/Complainant: _____

2. Check whether you are the target (of the behavior):

Reporter Recipient: _____ Title: _____

3. Check whether you are a: Student_____ Staff member_____ Parent_____

Administrator _____ Other (specify) _____

Provide your contact information, phone #: _____

4. Information about the Incident:

Name of target of behavior: _____ Student _____ Staff _____ Other _____

Name of Subject: _____ Student _____ Staff _____ Other _____

Date(s) of Incident: _____

Time When Incident(s) Occurred: _____

Incident Location (be as specific as possible):

5. Witnesses: (List people who saw the incident or have relevant information about the incident):

Name: _____ Student _____ Staff _____ Other _____

Name: _____ Student___ Staff___ Other___

Name: _____ Student___ Staff___ Other___

6. Describe the details of the incident (the names of persons involved, what occurred, and what each person did and said, including specific words used; use additional paper if necessary):

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on the right side, suggesting it's resting on a surface.

7. Interference with, intimidation of, and/or retaliation against any individual, including a student, parent, or guardian, for filing a complaint, filing a grievance, or opposing discrimination is strictly prohibited and shall be treated as an actionable wrongful act in and of itself.

8. Signature of Reporter/Complaint: _____ Date:

9. Form Provided to: _____ Position: _____ Date:

10. Complaint registered by phone or in-person

Return completed Form alleging discrimination to the Student Success Coordinator and Principal.

APPENDIX D

INCIDENT REPORTING GRIEVANCE FORM

1. Name of Reporter/Complainant: _____

2. If you are the Target (of the behavior):

Recipient Name: _____ Title: _____

3. Check whether you are a: Student _____ Staff member _____ Parent _____

Administrator _____ Other (specify) _____

Phone #: _____

4. Information about the Incident

Name of target of behavior: _____ Student _____ Staff _____ Other _____

Name of Subject: _____ Student _____ Staff _____ Other _____

Date(s) of Incident: _____

Time When Incident(s) Occurred: _____

Incident Location (be as specific as possible):

Witnesses (List the names of those who saw the incident or have relevant information about the incident):

Name: _____ Student: _____ Staff Member: _____ Other: _____

Name: _____ Student: _____ Staff Member: _____ Other: _____

Name: _____ Student: _____ Staff Member: _____ Other: _____

5. Describe the details of the incident (the names of persons involved, what occurred, and what each person did and said, including specific words used. Use additional paper if necessary.

6. Interference with, intimidation of, and/or retaliation against any individual, including a student, parent, or guardian, for filing a complaint, a grievance or opposing discrimination, is strictly prohibited and shall be treated as an actionable wrongful act in and of itself.

7. Signature of Reporter/Complaint: _____ Date: _____

8. Form provided to: _____ Position: _____

Date: _____

9. Complaint registered by phone or in-person: _____

Return completed Form alleging discrimination to the Student Support Coordinator and Principal.

APPENDIX E

PRE-PARTICIPATION HEAD INJURY/CONCUSSION REPORTING FORM

This form should be completed by the student's parent or legal guardian. It must be submitted to the Athletic Director or coach **prior** to the start of each sport season.

Student's Name	Sex	Date of Birth
Address	Telephone	
Sport	Grade	

Concussion Regulations and Parent/Student-Athlete Education

In 2011, the state passed new **MANDATORY** concussion regulations that require parents and athletes to be aware of the signs and symptoms of concussions. By signing this form, you attest to the fact that you have viewed one of these links or if unable to view the link; picked up a paper copy at the Athletic Director's office.

http://www.cdc.gov/concussion/HeadsUP/online_training.html
<http://www.nfhslearn.com/electiveDetail.aspx?courseID=15000>
http://www.cdc.gov/concussion/pdf/ParentsFactSheet-a-pdf*

YOU MUST HAVE CHECKED OUT ONE OPTION ABOVE TO BE ELIGIBLE TO PARTICIPATE

PRE-PARTICIPATION HEAD INJURY/CONCUSSION REPORTING FORM

This form should be completed by the student's parent or legal guardian. It must be submitted to the Athletic Director or coach **prior** to the start of *each sports season* a student plans to participate in.

Student's Name	Sex	Date of Birth
Address	Telephone	
Sport	Grade	

Concussion Regulations and Parent/Student-Athlete Education

In June of 2011, the state passed new **MANDATORY** concussion regulations that require parents and athletes to be aware of the signs and symptoms of concussions. By checking one of the options below and signing this form, you attest to the fact that you have viewed one of these links or if unable to view the link; picked up a paper copy at the Athletic Director's office.

I have picked up a copy of Heads Up parent fact sheet: _____

Has student ever experienced a traumatic head injury (a blow to the head)?

Yes ____ No ____ If yes, when? Dates (month/year) _____

Has student ever received medical attention for a head injury?

Yes ____ No ____ If yes, when? Dates (month/year) _____

If yes, please describe the circumstances:

Was student diagnosed with a concussion? Yes ____ No ____

Yes, when? Dates (month/year) _____

Duration of symptoms (headache, concentration issues, fatigue, etc.) for most recent concussion:

Parent/Guardian:

(please print)

Signature and Date

Student:

(please print)

Signature and Date

REPORT OF HEAD INJURY DURING SPORTS SEASON FORM

This form is to report a head injury (other than minor cuts or bruises) that occurs during an athletic event. It should be returned to the Athletic Director and reviewed by the school nurse.

For Coaches: Please complete this form immediately after the game or practice for head injuries that result in the student being removed from play due to *possible* concussion.

For Parents/Guardians: Please complete this form if your child has a head injury outside of school related athletic activities.

Student's Name	Sex	Date of Birth
Address	Telephone	
Sport	Grade	

Date of injury: _____

Did the incident take place during a school activity? Yes____ No ____

If so, where did the incident take place? _____

Please describe the nature and extend of injuries to the student:

Name of person completing the form (Please Print): _____

Signature/Date: _____

Relationship to student: (please check one) Coach_____ Parent_____

PLEASE RETURN THIS FORM TO THE ATHLETIC DIRECTOR

POST SPORTS-RELATED HEAD INJURY MEDICAL CLEARANCE AND AUTHORIZATION FORM

This medical clearance should only be provided *after* a graduated return to play plan has been completed and the student has been symptom free at all stages (at rest and during exertion). This form may only be completed by a licensed physician, nurse practitioner or neuropsychologist involved in the student's recovery.

Student's Name	Sport	Sex	Date of Birth	Grade

Date of injury _____ Nature and extent of injury _____

Symptoms (check all that apply):

- | | | |
|---|--|---|
| <input type="checkbox"/> Nausea or vomiting | <input type="checkbox"/> Double/blurred vision | <input type="checkbox"/> Memory problems |
| <input type="checkbox"/> Headaches | <input type="checkbox"/> Fatigue | <input type="checkbox"/> Difficulty concentrating |
| <input type="checkbox"/> Light/noise sensitivity | <input type="checkbox"/> Feeling sluggish-"in a fog" | <input type="checkbox"/> Emotional changes |
| <input type="checkbox"/> Dizziness/balance problems | <input type="checkbox"/> Change in sleep patterns | <input type="checkbox"/> Other _____ |

Duration of symptom(s): _____

Diagnosed with **concussion**? _____

If yes, date student completed *graduated return to play* plan: _____

Name of Physician/Practitioner: _____

Address: _____ Phone #: _____

**I HEREBY AUTHORIZE THE ABOVE NAMED STUDENT FOR RETURN TO PE AND
ATHLETIC ACTIVITIES**

Signature: _____ Date: _____

APPENDIX F

Massachusetts Schools Immunization Requirements

Grades Kindergarten – 6 Requirements apply to all students including individuals from another country attending or visiting classes or educational programs as part of an academic visitation or exchange program. In ungraded classrooms, Kindergarten requirements apply to all students 5 years.

DTaP	5 doses; 4 doses are acceptable if the 4th dose is given on or after the 4th birthday. DT is only acceptable with a letter stating a medical
Polio	4 doses; 4th dose must be given on or after the 4th birthday and ≥6 months after the previous dose, or a 5th dose is required. 3 doses are acceptable if the 3rd dose is given on or after the 4th birthday and ≥6 months after the
Hepatitis B	3 doses; laboratory evidence of immunity acceptable
MMR	2 doses; first dose must be given on or after the 1st birthday and the 2nd dose must be given ≥28 days after dose 1; laboratory evidence of immunity
Varicella	2 doses; first dose must be given on or after the 1st birthday and 2nd dose must be given ≥28 days after dose 1; a reliable history of chickenpox* or laboratory evidence of immunity acceptable

* A reliable history of chickenpox includes a diagnosis of chickenpox, or interpretation of parent/guardian description of chickenpox, by a physician, nurse practitioner, physician assistant or designee.

¶ Meningococcal vaccine requirements (see Grades 7-12 table) also apply to residential students in grade pre-K through 8, but only if the school combines these grades in the same school with students in the grades 9-12.

† Medical exemptions (dated statement signed by a physician stating that a vaccine(s) are medically contraindicated for a student) and religious exemptions (dated statement signed by a student or parent/guardian, if the student is < 18 years of age, stating that a vaccine(s) are against sincerely held religious beliefs) must be renewed annually, at the start of the school year.

Grades 7 – 12 Requirements apply to all students including individuals from another country attending or visiting classes or educational programs as part of an academic visitation or exchange program. In ungraded classrooms, grade 7 requirements apply to all students 12 years. Requirements apply to all students, even if over 18 years of age.

Tdap	1 dose; and history of DTaP primary series or age appropriate catch-up vaccination. Tdap given at ≥7 years may be counted, but a dose at age 11-12 is recommended if Tdap was given earlier as part of a catch-up schedule. Td
Polio	4 doses; 4th dose must be given on or after the 4th birthday and ≥6 months after the previous dose, or a 5th dose is required. 3 doses are acceptable if the 3rd dose is given on or after the 4th birthday and ≥6 months after the
Hepatitis B	3 doses; laboratory evidence of immunity acceptable
MMR	2 doses; first dose must be given on or after the 1st birthday and the 2nd dose must be given ≥28 days after dose 1; laboratory evidence of immunity
Varicella	2 doses; first dose must be given on or after the 1st birthday and 2nd dose must be given ≥28 days after dose 1; a reliable history of chickenpox* or laboratory evidence of immunity acceptable

Meningococcal	1 dose; 1 dose MenACWY (formerly MCV4) required for newly enrolled full-time students attending a secondary school with grades 9-12 (in ungraded classrooms, those with students ≥ 13 years) who live in a congregate living arrangement approved by the secondary school (e.g., dormitory). Students may decline MenACWY vaccine after they have read and signed the MDPH Meningococcal Information and Waiver Form provided by their institution.
---------------	--

College (Postsecondary Institutions)† Requirements apply to all full-time undergraduate and graduate students, all full and part-time health science students and any full or part-time students attending any postsecondary institution while on a student or other visa, including foreign exchange students attending or visiting classes as part of an academic visitation or exchange program.

Tdap	1 dose; and history of a DTaP primary series or age appropriate catch-up vaccination. Tdap given at ≥ 7 years may be counted, but a dose at age 11-12 is recommended if Tdap was given earlier as part of a catchup schedule. Td should be given if it has been ≥ 10 years since Tdap.
Hepatitis B	3 doses; laboratory evidence of immunity acceptable
MMR	2 doses; first dose must be given on or after the 1st birthday and the 2nd dose must be given ≥ 28 days after dose 1; laboratory evidence of immunity acceptable. Birth in the U.S. before 1957 is acceptable only for nonhealth
Varicella	2 doses; first dose must be given on or after the 1st birthday and 2nd dose must be given ≥ 28 days after dose 1; a reliable history of chickenpox* or laboratory evidence of immunity acceptable. Birth in the U.S. before 1980 is acceptable
Meningococcal	1 dose; 1 dose MenACWY (formerly MCV4) required for newly enrolled full-time undergraduate and graduate students in a degree program at a postsecondary institution (e.g., college) who will live in a congregate living arrangement approved by the institution (e.g., dormitory). Students may decline MenACWY vaccine after they have read and signed the MDPH Meningococcal Information and Waiver Form provided by their institution.

* A reliable history of chickenpox includes a diagnosis of chickenpox, or interpretation of parent/guardian description of chickenpox, by a physician, nurse practitioner, physician assistant or designee.

†Medical exemptions (dated statement signed by a physician stating that a vaccine(s) are medically contraindicated for a student) and religious exemptions (dated statement signed by a student or parent/guardian, if the student is < 18 years of age, stating that a vaccine(s) are against sincerely held religious beliefs) must be renewed annually, at the start of the school year.

APPENDIX G

PARENT'S NOTICE OF PROCEDURAL SAFEGUARDS

Dear Parents:

You are receiving this Notice of Procedural Safeguards (Notice) because your son or daughter (student) has been referred for an evaluation or is currently receiving special education services. If your student is eligible for special education, the school district must provide a free appropriate public education commonly referred to by the acronym FAPE. In order to provide a FAPE the school district must work in partnership with you. You will be a member of the IEP team that will consider your student's unique needs and develop an individualized education program or [IEP](#), for your student.¹ The IEP must provide instruction that is tailored to your student's unique needs and includes sufficient support services to enable your student to make meaningful educational progress and to assist your student in acquisition of knowledge and skills, including those necessary for social and emotional development according to appropriate chronological and developmental expectations. Any special education services identified for your student must be provided at public expense with no cost to you. All students in the Commonwealth's public education system, including students with disabilities, are entitled to the opportunity to learn the material that is covered by the academic standards in the Massachusetts curriculum frameworks. Massachusetts also provides an individual right to FAPE for its resident students with disabilities who attend private schools at private expense, and who seek public special education services.

Both [State and federal laws](#) contain rules that school districts must follow when deciding if a student is eligible for special education and, if so, what services the student will receive. These laws also provide detailed procedures for ensuring that the student receives a FAPE during the entire time he or she is eligible for special education. Special education is a highly complex and regulated area of education law. The detail in the law is intended to protect your student and to help ensure that he or she receives appropriate educational services. You can get additional help in understanding the special education process from your school guidance office, the Massachusetts Department of Elementary and Secondary Education (DESE), organizations for parents of students with disabilities, and private special education organizations. Information from these sources will help you work in partnership with your school district to make sure that your student receives appropriate educational services. The DESE publishes extensive information for parents and school districts on its Internet Websites.

This Notice provides you with important information about your right to be involved in planning your student's special education. Procedural safeguards are the specific rules that make sure that you know what the school district is proposing to do ("receive notice"), agree with the school district's plan ("give parental consent") and have a range of opportunities for resolving disagreements with the school district ("due process"). Procedural Safeguards in the law also provide additional protections outlined in this document.

We hope this Notice will be of assistance to you as you take an active role in your student's educational experience.

1. [What is "prior written notice" and when do you receive it?](#) Page 2
2. [What is "parental consent" and when must the school district ask for your consent?](#) Page 3

3. Is the school district required to evaluate upon request by a parent?	Page 5
4. What is an “independent educational evaluation”?	Page 5
5. When can you see your student's student records?	Page 6
6. How can parents and schools resolve disputes?	Page 7
7. What are your responsibilities if you place your student in a private school?	Page 11
8. What must be done to plan for your student's transition from school?	Page 12
9. How may a school discipline a student with a disability?	Page 12
10. Where can the laws and regulations and other useful information be found?	Page 14

You will receive this Notice at least once each year if your student is identified as eligible for special education. You can also request a copy from your school district at anytime or from the DESE.

This document is available on the DESE Web site at <http://www.doe.mass.edu/sped/prb>.

1. What is Prior Written Notice and when do you receive it?

34 CFR §300.503

The school district must provide you with a written notice when it proposes, or refuses, to take steps to identify your student, to evaluate your student, to provide special services to your student, or to change your student's program. Federal regulations call this a “prior written notice.” The written notice must:

- Describe **what** the school district proposes or refuses to do;
- Explain **why** the school district is proposing or refusing to take the action;
- Describe **how** the school district decided to propose or refuse to take the action, including telling you about each evaluation procedure, assessment, record, or report that your school district used to make its decision; and
- Describe any other options that your student's individualized education program (IEP) Team considered and the reasons why those options were rejected.

School districts will provide this information to you using forms developed by the DESE and available on the DESE Web site or their own forms containing the same information.

You will receive prior written notice when the school district: proposes to conduct an initial evaluation or reevaluation; proposes a new or amended IEP; proposes a change in placement, including a proposed change in placement for disciplinary reasons; or proposes to end special education services.

You will also receive a notice if the school district makes a finding of no eligibility for special education services or refuses a request you have made related to evaluations or provision of special education to your student. Notices from the school district must be provided in your native language or other mode of communication you use, unless it is clearly not feasible to do so. If your native language or other mode of communication is not a written language, your school district must ensure that the school's notice is translated for you orally or by other means (e.g., by sign language), and that you understand the content of the notice.

The school district will also give you written notice and request your consent – or written permission – before the school district asks to use public health insurance (MassHealth or Medicaid), to pay for a student's special education services for the first time. .

When you are given prior written notice, you will also be given a copy of this Notice of Procedural Safeguards, or if you have already received this Notice during the current school year, you will be told how you can obtain another copy. You will also be given information about whom you can contact for help in understanding federal and state special education laws.

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2. What is parental consent?

**34 CFR §300.9 and 603 CMR 28.07
(1)**

The school district may not give your student a special test or special service unless you agree and give your written “parental consent.” The school district must contact you and clearly explain what it is proposing to do for your student. The school district will then ask you to sign your name on the consent form to show that you agree to the school’s proposal. This is giving “parental consent.”

Giving your consent is voluntary. You may take back, or revoke, your consent at any time. If you wish to revoke consent you must do so in writing. The withdrawal of consent will only apply to future action by the school district not to something that has already happened. Your school district may not use your refusal to consent to one service or activity as a reason to deny you or your student any other service, benefit, or activity.

Your consent is not required before your school district may review existing data as part of your student’s evaluation or reevaluation, give your student a test or other evaluation that is given to all students without consent such as the MCAS or classroom tests that are part of the general education program, or share information with federal or state educational officials.

2.1 When will a school district ask for your consent?

**34 CFR §§ 300.300, 300.154 and
603 CMR 28.07(1)**

A school district will ask for your parental consent in the following circumstances:

To authorize the initial evaluation to determine if the student is eligible for special education

The school district cannot conduct an initial evaluation of your student to determine whether your student is eligible to receive special education and/or related services without first obtaining your consent. If your student is referred for an evaluation, the school district must ask for your consent to the evaluation within five school days.

To approve initial services

If, after the initial evaluation has been completed, the Individualized Education Program (IEP) Team has decided that your student is eligible for special education, the IEP Team will propose special education and related services and a placement for your student. You are a member of the IEP Team and must give your consent before your school district can provide special education and related services to your student for the first time. If you do not consent, the school district cannot provide special education and related services to your student. You can accept or reject the whole proposal or part of it. The IEP or any part that you accept must begin as soon as you accept it.

To make a change in services, placement or reevaluation

Once you have agreed to an IEP for your student, the school district must obtain your consent before the school district may change the services or the placement of your student, or conduct a reevaluation.² If you refuse to give your consent, you have an obligation to engage with the district in active discussion to resolve your disagreement. If you have given consent to services in the past and now want to revoke consent and withdraw your student from services, you must do so in writing. The school district may not request a hearing at the Bureau of Special Education Appeals (BSEA) to obtain authority to provide educational services or to reevaluate your student without your consent.

To access public health insurance (MassHealth or Medicaid) benefits for the first time

² You also have the right to observe your student in his or her current program and observe a proposed program prior to your student’s placement. For further information see the DESE document “**Observation of Education Programs by Parents**”.

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The school district is allowed to use public health insurance (MassHealth or Medicaid) to pay for some special education services included in a student's IEP for students covered by public health insurance. Before the school district accesses MassHealth for the first time, the school district must give you written notice that it is going to seek this reimbursement, and get your voluntary consent in writing for it. The notice will tell you that special education services are always provided at no cost to you or your family; will make clear that your consent will not lead to any changes in your child's MassHealth benefits or eligibility; will describe what information about your student will be shared in order to access MassHealth; remind you that your consent can be withdrawn at any time; and make clear that there will be no changes to your student's special education services or program if you withdraw or do not provide consent. If you move or your student becomes enrolled in another district, then the new school district will ask you to provide consent again.

To excuse members of the IEP Team from attending a Team meeting

Members of the IEP Team may be excused from attending a Team meeting if you agree in writing in advance of the meeting. If the Team will be discussing the excused Team member's area, then the excused member must provide his or her input in writing before the Team meeting. If you do not agree to excuse the Team member he or she must attend the IEP Team meeting.

2.2 When will the student be asked for consent?

**34 CFR §300.520 and
603 CMR 28.07 (5)**

Under Massachusetts' law a student has reached adulthood upon his or her eighteenth (18th) birthday. **When a student turns age 18**, therefore, all of the decision-making rights that you have as a parent transfer to your adult student, unless a court has appointed a legal guardian for your student or your student indicates in writing that he or she wants to share decision-making with you or wants you to continue to have authority to make decisions about his or her educational program. The school district must discuss with you and your student the impact of this transfer of rights at least a year before the student's eighteenth birthday. As the parent of an adult student with a disability, you will continue to receive all the required notices from the school, and you will continue to be able to inspect your student's educational records, even if your student makes his or her own educational decisions.

2.3 When will a special education surrogate parent give consent?

**34 CFR §300.519 (g)
and 603 CMR 28.07 (7)**

If a student is in the custody of the Department of Children and Families, or the student's parents or guardian cannot be identified or located or have had their parental rights terminated, the DESE has a responsibility to ensure there is an adult with no conflicting interests to make special education decisions on behalf of the student. This person is called a special education surrogate parent. The DESE determines if it is necessary to appoint a special education surrogate parent for the student. If appointed, a special education surrogate parent has the same rights and responsibilities as a parent in special educational matters for the student.

2.4 How do i withdraw consent?

34 CFR §300.300(b)(4) and 300.9

If you have given consent to special education and related services and now wish to revoke your consent, you must do so in writing. You may withdraw your consent to all special education and related services, to a specific service or to placement or to the district's use of MassHealth or Medicaid benefits for your student. Once the school district receives your letter, the district will send you a notice stating the change, if any, in educational placement and services that result from your revocation of consent. Once you withdraw your consent to all special education and related services, the school district is no longer required to make FAPE available or to have an IEP meeting or develop an IEP for your student. School districts are not required to amend your

student's record to remove references to special education services as a result of your revocation of consent.

3. Is the School District Required to Evaluate a Student Upon Request By a Parent?

**34 CFR §300.301 and
603 CMR 28.04**

A student must receive a complete and comprehensive evaluation to determine if the student has a disability and is eligible for special education and, if eligible, to assist in determining appropriate special education and related services that may be necessary. Parents who have a concern about their child's development or have a suspicion about a possible disability may refer their child for an initial evaluation. Special words need not be used in making a referral for an initial evaluation. Upon receipt of such a request for an initial evaluation, the school district must send notice to the parent and must seek the parent's consent to conduct an evaluation. (A school district will rarely have occasion to refuse to conduct an initial evaluation and may do so only if the parent or other individual making the referral has no suspicion of disability or is not concerned about the student's development).

Where appropriate, the school district may also provide the parent with information concerning other supportive services that may better suit a particular student's needs. However, a school district may not refuse to evaluate a student who has been referred for an evaluation as described above, on the basis of a pre-referral program or in order to try other instructional support activities or for any other reason. Additionally, the law provides for periodic reevaluations to ensure that the student is benefiting from and continues to require special education. The parent's consent will always be required prior to these reevaluations.

4. What is an Independent Educational Evaluation?

**4 CFR §300.502 and
603 CMR 28.04(5)**

An Independent Educational Evaluation (IEE) is an evaluation conducted by a qualified examiner who is not employed by the school district responsible for the education of your student.

You have the right to request an IEE of your student at public expense if you disagree with the school district's evaluation. If you request an IEE, the school district must provide you with information about where you may obtain an IEE and about the state requirements that apply to IEEs.

4.1 When is an Independent Educational Evaluation conducted at public expense?

In Massachusetts, under state law, you will receive an IEE at full or shared public expense if you meet income eligibility requirements. Students who are eligible for free or reduced cost meals are entitled to an IEE at public expense. Other students are eligible for a shared cost IEE according to a sliding fee scale. Sharing your financial information with the school district is completely voluntary on your part. If you choose to share such information, the school district must immediately notify you in writing whether or not you are eligible for full or partial funding of an IEE and proceed to fund the IEE based on eligibility. Your right to a publicly funded IEE through income eligibility will extend for 16 months from the date of the school district's evaluation with which you disagree.

If you do not meet income eligibility requirements or choose not to disclose financial information, the district must consider your request for a publicly funded IEE under federal law. Within 5 days, the district may either agree to provide an IEE at public expense or request a hearing at the Bureau of Special Education Appeals (BSEA) to demonstrate that the evaluation conducted by the district was comprehensive and appropriate. More details regarding IEEs are available in the DESE Administrative Advisories 2004-1 and 2001-3 available from your local school district and on the DESE Web site <http://www.doe.mass.edu/sped/advisories/?section=admin>.

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You are entitled to only one IEE of your student at public expense each time your school district conducts an evaluation. You may have independent evaluations conducted at your own expense at any time.

4.2 The results of IEEs must be considered within 10 days by the school district

If you obtain an IEE of your student at public expense or you share with the school district an evaluation of your student that you obtained at private expense, your school district must convene a Team meeting within ten school working days after receiving the evaluation information. The Team will consider the evaluation results and determine what, if any, changes should be made to your student's IEP.

5. When can you see your student's student records?

**34 CFR 300.611 and
603 CMR 23.00**

The student record consists of your student's transcript and temporary school record and includes health records, tests, evaluations, discipline records and other records pertaining to your student's special education eligibility or program.³ Personally identifiable information about your student is confidential and may not be disclosed to anyone other than teachers and educational officials without your consent.

You and your student (if your student is 14 or older) have a right to look at any and all of the student's records within 10 days of your request and before any IEP meeting or due process hearing.⁴ You may also have copies of the information upon request for a reasonable charge limited to the cost of reproduction. You may not be charged for costs associated with the search for and retrieval of your student's records.

In addition, you can meet with professionally qualified school personnel to have the records explained. You may also have your representative (advocate, consultant, or attorney) inspect, review, and interpret your student's record if you give your specific, written informed consent. All of the rights associated with the student record are contained in the Massachusetts Student Record Regulations 603 CMR 23.00. Those regulations can be found at <http://www.doe.mass.edu/lawsregs/603cmr23.html> or by requesting a copy of the regulations from the school district or DESE.

Generally only the parent, eligible student, authorized school personnel, and state and federal education officials are allowed to see the student record without the specific, informed, written consent of the parent or adult student. The school district may be required to provide some information to state and federal officials as the result of a court order or in response to a health and safety or law enforcement issue. Helpful information about these and other student records issues can be found at <http://www.doe.mass.edu/lawsregs/advisory/cmr23qanda.html>.

6. How can parents and schools resolve disputes?

**34 CFR 300.151, 300.506 –
300.518 and 603 CMR 28.08**

State and federal special education laws provide many opportunities for parents to be involved in educational planning for their student who has a disability. If parents and school districts disagree about changes relating to the identification, evaluation, or educational placement of a student with a disability, or the FAPE services provided to a student with a disability, the laws provide a menu of ways to resolve the disagreement. Your student shall remain in his or her current education program and placement during any

³ If a student's parents revoke their consent for special education services after such services have been initially provided, school districts are not required to amend the student's records to remove references to special education services.

⁴ The school district can only limit access to the student record if it has received a legal document such as a restraining order or a divorce or custody decree that restricts access to information about the student's.

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dispute regarding placement or services, unless you and the school district agree otherwise or your student's placement is changed as a result of [discipline](#).

Following are alternatives ways that you and your school district can resolve disagreements.

6.1 Bring the dispute to the attention of local public school officials

As a first step to resolve your dispute, you may contact your school Principal, the Administrator of Special Education or your Superintendent to ask for help. It is a good practice to write a letter explaining the situation about which you are concerned.

6.2 Use the DESE Problem Resolution System

If you feel that you need help from outside of your school district, you may contact the DESE, Problem Resolution System Office (PRS) at 781-338-3700 to use the state Problem Resolution System described at <http://www.doe.mass.edu/pqa/prs/>. You can file a complaint with the PRS office about any violation of state or federal education law or obtain help from PRS staff to resolve the problem informally. If you want a formal investigation by PRS, you will have to submit your complaint in writing. PRS staff will assist you in preparing and submitting the complaint. Your written complaint should include: a statement of your concerns, your attempts to resolve your concerns, the actions by the school you believe would resolve your concerns and your signature and contact information. If your complaint is about a specific student, you should provide the student's name and residential address and the name of the school. The issues that you are complaining about, however, must have occurred no more than one year before PRS receives your complaint. If you choose to file a formal complaint with the Problem Resolution System, you must also send a copy of your written complaint to the school district that is the subject of the complaint. PRS will resolve your complaint within 60 days and send you a copy of the findings and decision.

Filing a formal complaint with PRS will not prevent you from using other methods, such as conversations with your local school district, mediation, or a [due process hearing](#) at the Bureau of Special Education Appeals (discussed below) to resolve your complaint.⁵ If you request a due process hearing, however, a complaint that you file through the problem resolution system will be set aside until the due process hearing is completed.

⁵ For a comparison of how the problem resolution system resolves a complaint with how a complaint is resolved through a due process hearing see: <http://www.doe.mass.edu/sped/docs.html>.

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6.3 Ask for a neutral mediator to be appointed.

[Mediation](#)⁶ is a service provided by a neutral individual who is trained in special education law and in methods of negotiation. Mediation can be scheduled whenever the parents and schools have a disagreement about special education matters, even if a complaint was made through the PRS Problem Resolution System. The mediator helps the parent and school district talk about their disagreement and reach a settlement that both sides can accept. Discussions during mediations are confidential and nothing that is said by either party can be used later if the dispute becomes the subject of a formal hearing or court proceeding. Once an agreement is reached, it will be put in writing, both sides will sign it, and it may be enforced by a court.

Mediation can be set up by contacting the BSEA at 781-397-4750. The mediator will schedule a meeting with you and the school district within 30 days of the request for mediation. Meetings will be held at a convenient time and place. Participation is voluntary, therefore both the school district and the parents must agree to participate in mediation. There is no fee for the service.

Additional information about how mediation works is available from the BSEA 781-397-4750 and can be found in their publications ["Frequently Asked Questions about Mediation"](#)⁷ and the ["Explanation of Mediation"](#).⁸

6.4 Request a due process hearing and participate in a resolution meeting

If you and the school district have been unable to work out your disagreement, then you are entitled to have a neutral and impartial hearing officer listen to both sides of the dispute, hear testimony, examine evidence, and make a decision. This hearing is convened by the BSEA and is called a due process hearing. The BSEA hearing officer is trained in special education law and must not have any personal or professional connection to you or anyone else who is involved in the disagreement.

The due process hearing will consider disputes about eligibility; evaluation; IEPs; educational placement decisions, including those resulting from discipline; FAPE; provision of special education; or procedural protections of state and federal law for students with disabilities. You must file for a hearing within two years of when you knew, or should have known⁹ about the events that form the basis for your complaint. This time period can be extended if you can show that you were prevented from filing for a hearing because the school district misrepresented that it had resolved the issue in your complaint or if the district withheld certain required information from you.

Either you or your school district can file a written [due process hearing request](#)¹⁰ with the other party and send a copy to the BSEA to obtain a due process hearing. The BSEA has developed a [Hearing Request Form](#)¹¹ that you may use, or you can write your own letter instead of using the form, but you must be sure to include your student's name and residential address (or contact information if the student is homeless); the name of your student's school; a description of the problem you are concerned about, including specific facts relating to the problem; and a proposed

⁶ A description of the mediation process can be found on the DESE Web site at <http://www.mass.gov/anf/hearings-and-appeals/bureau-of-special-education-appeals-bsea/mediation/>.

⁷ <http://www.mass.gov/anf/hearings-and-appeals/bureau-of-special-education-appeals-bsea/mediation/mediation-faqs.html>.

⁸ <http://www.mass.gov/anf/docs/dala/bsea/mediation-brochure-2012.doc>

⁹ The phrase "or should have known" reminds you that you have a responsibility to be aware of your student's program.

¹⁰ Information on the due process hearing request can be found at: <http://www.mass.gov/anf/hearings-and-appeals/bureau-of-special-education-appeals-bsea/due-process-hearings/>.

¹¹ <https://www.mass.gov/doc/hearing-request-form/download>

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solution to the problem. Note that the hearing will be limited to the issues that are identified in the complaint.

You must send your due process hearing request to the school district (or other party to the complaint) and a copy to the BSEA. If the due process complaint does not provide enough information, the opposing party may challenge its *sufficiency* within 15 days. The BSEA will decide whether the complaint is sufficient within 5 days of the challenge. Additional information may be added to the complaint if the opposing party agrees or if the hearing officer gives permission. If additional issues are added to the complaint at a later time, however, the hearing timetable begins all over again.

If there is no challenge to the sufficiency of the complaint, then the hearing process continues. If the school district has not already sent a [prior written notice](#) to you about the issue that you are complaining about, then within 10 calendar days of receiving your due process hearing request, the school district must send you a written response to the complaint.

Note: If the school district has filed the due process hearing request, the parent must respond within 10 calendar days of receiving the hearing request, and specifically address the issues that the school district raised.

After you file a due process hearing request, the school district has 30 days to work with you to resolve the disagreement before the due process hearing may occur.¹²

The school district is required to set up a resolution meeting within 15 calendar days of receiving your due process complaint.¹³ The school district will determine with you which members of the IEP Team must attend the meeting. Someone from the school district who can make decisions about your student's program must attend the meeting. The school district's lawyer *may not* attend unless you have a lawyer who is attending the meeting.

You must participate in the resolution meeting unless you *and* the school district agree, in writing, not to have the meeting or if you and the school district decide to use the [mediation process](#). If you refuse to participate in the resolution meeting, the hearing may not go forward.

If you are willing to meet, but the school district refuses or delays the resolution meeting more than 15 days after receiving notice of your hearing request, then you can ask the hearing officer to proceed with the hearing process. If you meet, but the school district has not resolved the due process complaint to your satisfaction within 30 days of your filing the complaint, then the due process hearing may go forward.

The resolution process ends when one of the following events occurs:

- When you and the school district agree, in writing, to end the resolution period;
- At the end of the 30 day resolution period;
- At the end of mediation; or
- When you and an official of the school district sign a document that spells out your agreement that resolves your dispute. This is a "settlement agreement" and can be enforced by a state or federal court. Note that if you and the school district enter into an agreement as a result of a resolution meeting, either you or the school district may void the agreement within 3 business days of the time that both you and the school district signed the agreement.

¹² If you and the school district agree to mediation, you may agree to continue the mediation after the 30 day period.

¹³ No resolution session is required if the school district has requested the due process hearing.

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6.5 Present your evidence to an impartial hearing officer during a due process hearing

When you file a due process complaint, the BSEA will set a hearing date, assign a hearing officer, and send you detailed information about the hearing process and a list of free or low-cost attorneys and advocates whom you may contact for help.

During the due process hearing you and the school district will each present evidence and provide the testimony of witnesses to an impartial hearing officer from the BSEA. At any due process hearing, including a hearing relating to disciplinary procedures, you may:

- be accompanied, advised and represented by a lawyer and/or advocate;
- have your student present at the hearing;
- have the hearing open to the public;
- present evidence such as documents and reports;
- request, or require through subpoena, witnesses to come to the hearing and answer questions;
- see any evidence that is to be used at the hearing at least five business days ahead of time and ask the hearing officer to keep out any evidence that you have not seen; and
- obtain a written or, at your option, electronic, word-for-word record of the hearing findings of fact and decision at no cost to you. To obtain a written record of the hearing, you must make your request in writing.

Additional information about due process hearings can be obtained from the BSEA at 781-397-4750 and from the BSEA Web site: <http://www.mass.gov/dala/bsea>.

Hearings are conducted according to the Massachusetts Administrative Procedure Act¹⁴ and the BSEA [Hearing Rules](#).¹⁵ The hearing officer must issue a final decision within 45 days of the end of the resolution period described above unless the hearing officer has granted extensions of time at the request of either party. The hearing officer will send a copy of the decision to you and to the school district. Both the parents and the school district must abide by the decision of the hearing officer.

A hearing officer's decision on whether your student is being offered a FAPE must be based on a finding that your student's special education rights were violated or a determination that the school district failed to fulfill its other obligations to your student under the special education laws and regulations. If you have complained about a violation of the special education procedures (such as failure to hold a proper team meeting, poor record keeping, or failure to follow timelines) a hearing officer may find that your student did not receive FAPE *only if* the failure to follow the procedures:

- Interfered with your student's right to a FAPE;
- Significantly interfered with your ability to be involved in decisions about your student's education; or
- Deprived your student of an educational benefit.

The decision of the hearing officer is a final agency decision and cannot be reconsidered by the BSEA or changed by the DESE. Hearing decisions are public¹⁶ and are available on the BSEA Web site at <https://www.mass.gov/bsea-decisions-and-rulings>.

¹⁴ M.G.L. c.30A

¹⁵ <http://www.mass.gov/anf/docs/dala/bsea/hearing-rules.doc>.

¹⁶ Hearing decisions are published after redacting information that would allow the student to be readily identified.

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6.6 Appeal a hearing decision to a state or federal court

If either the parent or the school district disagrees with the decision of the hearing officer, they can seek review of that decision in state or federal court. Any such request for review must be filed within 90 days of the decision.

6.7 Attorneys' fees

34 CFR §300.517

Each party is responsible for paying its own attorney's fees unless the court decides otherwise. If you obtain a favorable result in a written hearing decision or court proceeding, the court ¹⁷ may decide that the school district should pay your reasonable attorneys' fees. Note, however, that you will not be able to obtain these fees for the time spent litigating your case after the district made a settlement offer if

- the district made a written offer of settlement 10 or more days before the hearing,
- you did not accept the offer within 10 days, and
- the outcome of the hearing was no better than the settlement offer.

If the school district obtains a favorable decision, a court could order your attorney to pay the school district's legal expenses if the court finds that your attorney filed a complaint or continued to litigate after learning that the complaint had no basis in fact, was unreasonable, was frivolous, or was pursued for an improper purpose. A court may also order you or your attorney to pay legal expenses if your request for a due process hearing or subsequent cause of action was presented for an improper purpose, such as to harass, to cause unnecessary delay or to needlessly increase the cost of litigation.

7. What are your responsibilities if you place your student in a private school and you believe your school district should reimburse you for the tuition?

34 CFR §300.148

There are some occasions when a parent believes that the public school is not providing a FAPE to the student and the parent decides to place the student in a private school. A parent may enroll his or her student in private school at private expense at any time. If, however, the parent believes that the public school should be responsible for the costs of the student's education in the private school, the parent must tell the school district of objections to the student's IEP and program, reject the IEP, inform the school district of his or her intent to remove the student and enroll the student in a private school, and request a hearing by the BSEA. A parent must inform the school district before removing the student from the public school either orally at the last Team meeting before the removal or in writing at least 10 business days before removing the student from school.

The school district is not required to pay for a student to attend a private school if the school district has made a FAPE available to the student. Disagreements between parents and the school district about whether the student's program provides a FAPE and requests for financial reimbursement for the cost of a private program may be resolved through due process procedures discussed earlier in this document. The hearing officer will determine whether the school district made a FAPE available to your student. If the hearing officer finds that the school district did *not* provide your student with a FAPE, that you followed the above steps, and that the private school placement was appropriate, the hearing officer, after considering all of the circumstances surrounding the removal of the student, may require the school district to reimburse you for all or part of the cost of the private school placement.

¹⁷ A BSEA Hearing Officer may not award attorney's fees.

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8. What must be done to plan for your student's transition from high school? 34 CFR §300.43

Planning for your student's transition from school to postschool opportunities will facilitate your student's ability to successfully participate in activities such as post-secondary education, work, and community and adult life. Planning for transition must be based on your student's strengths, preferences, interests, and needs, must begin when your student is 14, and must be discussed each year at a Team meeting. The school district must discuss your student's transition needs with you and your student¹⁸ and must consider the goals for your student after he or she completes school by graduating with a regular high school diploma or reaching the age of 22. School districts must use the [Transition Planning Form](#)¹⁹ to record the results of this annual discussion. The student's IEP must include measurable post-secondary transition goals, objectives and services based upon an appropriate assessment of his or her disability and transition needs.

Graduation with a regular high school diploma is a change of placement and ends the student's eligibility for special education. The school district must inform you if and when the district expects your student to graduate with a regular high school diploma. This discussion should take place during the Team meeting no less than 1 year in advance of the student's graduation.

9. How may a school discipline a student with a disability? 34 CFR §300.530

Public schools must have procedures and standards in place to assure a safe learning environment for students. Schools are expected, and high schools are required, to publish their rules of conduct so that students know how they are expected to behave. If a student misbehaves and violates the school code of conduct, the school may discipline the student. Discipline must be fair and even-handed.

In general, any student may be suspended or removed from school for disciplinary reasons for a short time, which is no more than 10 days. Before any removal or suspension the student must be told what he or she is accused of having done and must be given a chance to tell his or her side of the story. During a short disciplinary removal, the school is not required to provide instruction to a disabled student unless it is does so for non-disabled students. Once a student with a disability has been removed from the school placement for more than 10 cumulative days during the school year the student must receive educational services that will allow the student to continue to participate in the general education curriculum and to progress toward the goals set out in his or her IEP. School officials must consult with at least one of the student's teachers to determine what services are necessary. These services must begin on the 11th school day of a student's disciplinary removal during the school year and continue during the disciplinary removal.

Schools must follow special disciplinary rules for students with disabilities who have been found eligible for special education.²⁰ A chart depicting the operation of these disciplinary rules can be found on the DESE Web site.²¹ These special disciplinary rules apply as soon as a student is removed from his or her current education placement²² for more than 10 days in a row, or if a student is removed for disciplinary reasons for more than a total of 10 days in any school year and there is a pattern of removal for comparable behaviors. The school must notify you as soon as the decision is made to remove your student from his or her education placement for more than 10 days and provide you with a copy of this Notice.

¹⁸ The student should be invited to attend the Team meeting to discuss postsecondary goals and transition.

¹⁹ <http://www.doe.mass.edu/sped/28MR/28m9.docx>

²⁰ The special education disciplinary rules also apply to some students who have not yet been found eligible for special education. If, prior to the conduct in question, the parent has put his or her concern that the student's has a possible disability in writing to supervisory or administrative personnel or the student's teacher; if the teacher or other staff has expressed concerns about the student's pattern of behavior directly to the director of special education or other supervisory personnel, or if the student has been referred for an evaluation that has not yet been completed these special rules apply. The special education disciplinary rules *do not* apply if the parent has refused to consent to the evaluation, if the student has previously been found to be not eligible for special education, or if the parent has revoked consent to special education and related services.

²¹ http://www.doe.mass.edu/sped/IDEA2004/spr_meetings/disc_chart.doc

²² Placement is determined by the IEP Team and is the location where IEP services are provided.

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The student's IEP Team must meet within 10 days of the school's decision to impose the discipline. At this meeting, called a "*manifestation determination*," you and other members of the IEP Team will determine if the misbehavior was caused by or had a direct relationship to the student's disability, or was the direct result of the school's failure to provide the services required by the student's IEP. In making the manifestation determination, you and other members of the IEP team must consider relevant information from your student's file, including your student's IEP, your and the teachers' observations of your student's behavior, and any relevant information you provide.

If the team determines that the student's behavior *was not* caused by or directly related to the student's disability or the failure to properly implement the IEP, then a student with a disability can be disciplined in the same manner and for the same length of time as other students are disciplined for the same offense. The IEP Team, however, must determine the interim alternative educational setting (IAES) where the student will be placed and the educational services that will be provided. An IAES is a setting other than the student's current placement that enables the student to continue to receive educational services according to his or her IEP. School personnel may consider the student's unique circumstances in determining whether a change in placement is appropriate for a student with a disability.

If the Team determines that the student's behavior was caused by or directly related to the student's disability or the failure to properly implement the IEP, then the student must be returned to the last approved IEP placement unless you and the IEP Team decide on a different placement. The student must also be provided a functional behavioral assessment. A functional behavioral assessment or FBA is a comprehensive assessment of behavior that provides the IEP Team with information about the student's behavior and identifies behavioral intervention services and program modifications that are designed to address the behavioral violation so it does not recur. If the student has already had a functional behavioral assessment and has a behavioral intervention plan, then the IEP Team should determine if any changes should be made to the behavioral intervention plan. If the behavior was caused by the failure to properly implement the IEP, the school must take immediate steps to remedy the deficiencies.

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

9.1 Appeal of a disciplinary decision

If a parent disagrees with any decision regarding placement of his or her student under the disciplinary provisions or disagrees with the manifestation determination, or if the school district believes that maintaining the current placement of the student is substantially likely to result in an injury to the student or to others, either the parent or the school district may appeal the decision by [requesting a hearing](#) with the BSEA, as described earlier in this document.

The BSEA will convene a hearing on a disciplinary placement or manifestation determination on an expedited schedule.²³ During the appeal of a disciplinary placement or manifestation determination, the student must remain in the IAES until the hearing officer makes a decision or the disciplinary period is completed, unless the parent and the school district agree to a different placement.

²³ See BSEA Hearing Rule II.C. Expedited Hearing. <http://www.mass.gov/anf/docs/dala/bsea/hearing-rules.doc> p.7.

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10. Where can the laws and regulations and other useful information be found?

10.1 laws and regulations

You can find the full text of the state Special Education law in Massachusetts General Law Chapter 71B. The state law is popularly known as “Chapter 766.” The state special education regulations are found in the Code of Massachusetts Regulations (CMR) at 603 CMR 28.00. The law and the regulations and other helpful resources are on the DESE Web site.²⁴

The federal special education law is the Individuals with Disabilities Education Act, known as “IDEA.” The federal statute is located in the United States Code at 20 U.S.C. § 1400. The implementing regulations for IDEA may be found in the Code of Federal Regulations (CFR) at Chapter 34, Section 300. A copy of the federal statute and regulations and explanatory information can be found on the U.S. Department of Education Web site at <http://idea.ed.gov/>.

10.2 Individualized Education Program process guide and forms

A general overview of how the special education process works (taken from the IEP guide prepared by the USDOE) can be found at <http://www.doe.mass.edu/sped/iep>.

For the DESE explanation of the how an IEP is developed, consult the IEP Process Guide and the standard IEP forms available on the DESE Web site: <http://www.doe.mass.edu/sped/iep>.

10.3 Table of abbreviations

Many common special educational phrases are abbreviated by acronyms composed of the initial letters of the phrase. For your convenience the acronyms and phrases used in this document are listed below:

BSEA:	Bureau of Special Education Appeals
CFR:	Code of Federal Regulations
CMR:	Code of Massachusetts Regulations
DESE:	Massachusetts Department of Elementary and Secondary Education
FAPE:	Free Appropriate Public Education
FBA:	Functional Behavioral Assessment
IAES:	Interim Alternative Educational Setting
IDEA:	Individuals with Disabilities Education Act
IEE:	Independent Educational Evaluation
IEP:	Individualized Education Program
PRS:	Problem Resolution System

²⁴ <http://www.doe.mass.edu/sped/laws.html>

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10.4 Table of Web sites

The DESE publishes extensive information for parents and school districts on its internet Websites. These Websites include pertinent laws, agency policies and useful documents that explain the special education process.

Autism Spectrum Disorder:

http://www.doe.mass.edu/sped/advisories/07_1ta.html

Bureau of Special Education Appeals

<https://www.mass.gov/bsea-decisions-and-rulings>

<http://www.mass.gov/anf/docs/dala/bsea/hearing-rules.doc>

<http://www.mass.gov/anf/docs/dala/bsea/hearing.doc>

<http://www.mass.gov/anf/hearings-and-appeals/bureau-of-special-education-appeals-bsea/mediation/>

<http://www.mass.gov/anf/docs/dala/bsea/mediation-brochure-2012.doc>

<http://www.mass.gov/anf/hearings-and-appeals/bureau-of-special-education-appeals-bsea/mediation/mediation-faqs.html>

<http://www.mass.gov/anf/docs/dala/bsea/>

Consent to Access MassHealth (Medicaid):

http://www.doe.mass.edu/sped/advisories/13_1.html

<http://www.doe.mass.edu/sped/28mr/28m13.docm>

Discipline:

http://www.doe.mass.edu/sped/IDEA2004/spr_meetings/disc_chart.doc

Individuals with Disabilities Education Act:

<http://idea.ed.gov/>

The Basic Special Education Process under IDEA:

<http://www.doe.mass.edu/sped/iep/process.doc>

Individualized Education Program:

<http://www.doe.mass.edu/sped/iep>

Individual Education Program Process Guide:

<http://www.doe.mass.edu/sped/iep/proguide.pdf>

Independent Educational Evaluation:

<http://www.doe.mass.edu/sped/advisories/?section=admin>

Observation of Education Programs by Parents and Their Designees for Evaluation Purposes:

http://www.doe.mass.edu/sped/advisories/09_2.html

Parent's Notice of Procedural Safeguards:

<http://www.doe.mass.edu/sped/prb>

PRS Problem Resolution System compared to BSEA Due Process Complaint:

<http://www.doe.mass.edu/sped/complaintchart.doc>

Program Quality Assurance Services Problem Resolution System:

<http://www.doe.mass.edu/prs/>

Special Education Laws and Regulations:

<http://www.doe.mass.edu/sped/laws.html>

Special Education Surrogate Parent:

<http://www.doe.mass.edu/sped/advisories/2013SurrogateParent.html>

Special Education Transition Planning Form:

<http://www.doe.mass.edu/sped/28MR/28m9.docx>

Student Records Regulations:

<http://www.doe.mass.edu/lawsregs/603cmr23.html>

Student Records Questions and Answers

<http://www.doe.mass.edu/lawsregs/advisory/cmr23qanda.html?section>

Transition Planning:

<http://www.doe.mass.edu/sped/cspd/mod4.html#>

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APPENDIX H

EMERGENCY REMOVAL NOTICE

Date

Parent Name

Address

Dear Parent/Guardian:

Your child, _____ is charged with violating the SICS Code of Conduct on _____ . The specific facts leading to this allegation are:

Please be advised that the investigation into this matter is ongoing and the school district reserves the right to amend this notice and to adjust the charges as appropriate.

Consistent with Massachusetts Student Discipline regulations, 603 CMR 53.07 and M.G.L. c. 71, § 37H^{3/4}, I have decided to impose an **emergency temporary removal** of the student from school for two (2) school days as I have concluded that the continued presence of the student at school poses a danger to persons and property, or materially and substantially disrupts the order of the school. In my judgment, there is no alternative to temporary emergency removal which alleviates this danger or disruption. **During this temporary removal, the Student is not allowed on school grounds or at school-related activities or events. A violation of this school policy will be considered a trespass resulting in immediate notification of the Springfield Police Department.**

The student has the opportunity for a hearing with me before the expiration of the two (2) school day emergency temporary removal. I will send you another notice with the hearing date and time. If you have any questions, please contact me at

Sincerely,

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APPENDIX I

LONG-TERM OUT-OF-SCHOOL SUSPENSION HEARING NOTICE UNDER M.G.L. c. 71, § 37H ¾

Date

Parent Name

Address

Via: Certified Mail, Electronic Email

Re: Student Name

Notice of Long-Term Out-of-School Suspension Hearing under M.G.L. c. 71, § 37H ¾

Dear Parent/Gaurdian:

Your child, Student Name, is alleged to have committed a violation of school rules, namely "Offense".

The factual basis for the alleged violation is: On _____ the Student was involved in the following conduct:

_____, which is a violation of _____
_____. A copy of the Student-Parent Handbook is available on the school website and also at the Principal's Office.

Please be advised that the investigation into this matter is ongoing and the school reserves the right to amend this notice and to adjust the charges as appropriate.

Because your child is potentially subject to an out-of-school suspension for more than ten (10) days within the school year, the school provided your child oral notice of the allegations against them and the disciplinary due process set forth below. Additionally, the school contacted you to notify you of the disciplinary offense described above, the basis for the charge and that your child is potentially subject to discipline of more than ten (10) days of out-of-school suspension in a school year.

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In accordance with the oral notice provided to you, I have scheduled a disciplinary hearing to consider whether your child committed the disciplinary offense, and, if so, what disciplinary remedy or consequence will be imposed. The hearing will take place on **Date / Time / Location**.

At this hearing, I will hear and consider the disciplinary offense and any information about the incident and the factual basis for the charges. You and the Student may dispute the charges, present information, and may discuss with me the Student's conduct and any mitigating circumstances that I should consider in determining consequences for the Student. SICS policy and state laws/regulations require that I exercise discretion in determining disciplinary consequences for the Student, and I will do so in this matter.

Prior to the hearing, you and your child will have the opportunity, if you choose, to review your child's records and to review documents that the school may rely on in determining whether your child committed the offense of which they are accused and, if so, the appropriate sanction therefore.

At the discipline hearing, you and your child have the right to be represented by counsel or a lay person of your choice (at private expense); the right to produce witnesses on your child's behalf and to present an explanation of the alleged incident, but your child may not be compelled to testify; the right to cross-examine witnesses presented by the school district; and, the right to request that the hearing be audio recorded and to receive a copy of the audio recording upon request. You and your child also have the right to interpreter services at the hearing if needed to participate. Please notify me of such a need immediately in writing so that the school can make prompt arrangements for interpreter services. In addition, to the extent that you do intend to bring an attorney to the hearing, it is necessary that you notify my office no less than twenty-four hours prior to the hearing in order to arrange for the participation of the school's attorney.

After hearing the evidence, I will determine whether the Student committed the disciplinary offense and what consequence will be imposed. I will issue a decision to you in writing. During any suspension, the Student is entitled to maintain their academic standing by continuing to complete their assignments and make academic progress.

Finally, please note that to the extent that a long-term suspension is imposed following the discipline hearing, you and your child will have the right to file a written appeal with **Justin Baker, Director**, within five (5) calendar days of the effective date of my determination.

Please contact my office at _____ to confirm this hearing date and time. Additionally, if you have any questions about this matter, please contact me directly.

Sincerely,

APPENDIX J

Long Term Suspension Decision Letter

Date

Parent Name

Address

Re: Student Name

Dear Parent Name

In accordance with the formal disciplinary hearing held on Hearing Date, it has been determined that Student Name will serve a # of day(s) Long-Term Out-of-School Suspension setting for "Offense" from Dates pursuant to:

- "Student / Parent Handbook"; Page #, Listed Offense

The suspension will commence on DATE and the Student may return to school on DATE.

In attendance the hearing were the following persons:

In making my decision, I have carefully weighed the following information and evidence presented to me at hearing:

- _____
- _____

I have based my decision on the following facts and information and any mitigating circumstances:

- _____
- _____

During the suspension, the Student may make up assignments or other schoolwork as needed to make academic progress. This opportunity includes access to the school-wide education plan which addresses state and local academic standards and curriculum frameworks under Massachusetts law. Staff Name will be reaching out to discuss Student's Name Educational Service Plan with you. If the Student receives educational services pursuant to an IEP, the Student's Team will convene to address provision of educational services during the suspension.

Since the Student received a long-term suspension, you and your child will have the right to file a written appeal with Director Maretta Thomsen, or a designee of her choice, within five (5) calendar days of the effective date of my determination. The Director or designee shall hold the hearing within three (3) school days of receipt of the appeal. At the appeal hearing before the Director or designee, you and/or your student have the right to be represented by counsel or a lay person of your choice (at your own expense), the right to produce witnesses on behalf of your Student and for your Student to give his/her explanation of the incident, the right to cross-examine the school's witnesses, and the right to have the hearing recorded by audio recording. You have the right to a copy of the audio recording of the appeal hearing

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upon request. The long-term suspension will remain in effect unless or until the Director or designee reverses my decision on appeal. The decision of the Director or designee shall be the final decision of the school with regard to the suspension.

During the period of suspension, students are not allowed on school grounds or at school-related activities or events. A violation of this school policy will be considered a trespass resulting in immediate notification of the Springfield Police Department.

[] If this box is checked, your child is a student who receives educational services pursuant to an IEP or 504 Plan and the Special Education Department will contact you to arrange for a manifestation determination meeting if appropriate.

Sincerely,

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APPENDIX K

SHORT-TERM OUT-OF-SCHOOL SUSPENSION HEARING NOTICE UNDER M.G.L. c. 71, § 37H ¾

Date

Parent Name

Address

Via: Certified Mail, Electronic Email

Re: Student Name

Notice of Short-Term Out-of-School Suspension Hearing under M.G.L. c. 71, § 37H ¾

Dear Parent/Guardian:

Your child, Student Name, is alleged to have committed a violation of school rules, namely "Offense".

The factual basis for the alleged violation is: On _____ the Student was involved in the following conduct:

_____, which is a violation of _____.
_____. A copy of the Student-Parent Handbook is available on the school website and also at the Principal's Office.

Please be advised that the investigation into this matter is ongoing and the school reserves the right to amend this notice and to adjust the charges as appropriate.

As a result of the alleged conduct, I am considering a short-term suspension of the Student, which is defined by the Massachusetts Student Discipline regulations, 603 CMR 53.02, as a "removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less." Prior to any suspension, the Student has the right to a hearing before me or my designee. **A hearing has been scheduled for Date/Time/Location.**

The purpose of this hearing is to 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 SMC or designee shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The Student also shall have an opportunity to present information, including mitigating facts, that the principal should consider in determining whether other remedies and consequences may be appropriate as set forth in 603 CMR 53.05. The SMC or

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designee shall provide the parent/guardian, if present, an opportunity to discuss the Student's conduct and offer information, including mitigating circumstances, that the SMC or designee should consider in determining consequences for the Student.

Based on the preponderance of the available information, including mitigating circumstances, the SMC or designee shall determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed. SICS policy and state laws/regulations require that I/my designee exercise discretion in determining disciplinary consequences for the Student, and I/my designee will do so in this matter.

Following the hearing, I or my designee will issue a decision to you in writing. During any period of suspension, the Student is entitled to maintain their academic standing by continuing to complete their assignments and make academic progress.

There is no appeal of a short-term suspension to the Director.

You and your child have the right to interpreter services at the hearing if needed to participate. Please notify me of such a need immediately in writing so that the school can make prompt arrangements for interpreter services. In addition, to the extent that you do intend to bring an attorney to the hearing, it is necessary that you notify my office no less than twenty-four hours prior to the hearing in order to arrange for the participation of the school's attorney.

Please contact my office at _____ to confirm this hearing date and time. Additionally, if you have any questions about this matter, please contact me directly.

Sincerely,

APPENDIX L
Short Term Suspension Notice

Date

Parent Name

Address

Re: Notice of Short-Term Suspension

Dear Parent/Guardian Name:

After hearing on _____, I have determined that there is sufficient and credible evidence to determine that your child, Student Name, committed the offense. *You and your child received a letter titled "Potential Short Term Suspension Hearing Notice" prior to this suspension.*

I have based my decision on the following facts and information and any mitigating circumstances:

- _____
- _____

As a result, I have decided that a short-term suspension is warranted.

Student Name is suspended from date to date.

Student Name may return to school on date.

In the event of inclement weather or school cancellation, all suspensions/disciplinary consequences will be served the next day.

Pursuant to the Massachusetts Student Discipline regulations, 603 CMR 53.02, a "short-term suspension" is defined as "removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less." **During periods of suspension, students are not allowed on school grounds or at school-related activities or events. A violation of this school policy will be considered a trespass resulting in immediate notification of the Springfield Police Department.**

During this period of suspension, the student has the opportunity to make-up assignments or other schoolwork as needed to maintain his/her academic standing and progress.

There is no appeal to the Director for a short-term suspension. If you have any questions about access academic opportunities during this short- term suspension please contact _____.

Sincerely,

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APPENDIX M
Notice of In-School Suspension

Date

Parent Name

Address

Re: Notice of In-School Suspension

Dear Parent/Guardian Name:

This letter is to advise you that your child, Student Name, will serve an In-School Suspension for # school day (s) for offence, which your child was determined to have committed. *You and your child received a letter titled "Potential Short-Term Suspension Hearing Notice" prior to this suspension.*

The in-school suspension will commence on _____ and end on _____. In the event of inclement weather or school cancellation, any suspension days will be served the following day. During the period of suspension, your child will have the opportunity to make up assignments and other schoolwork as needed to make academic progress.

The Massachusetts Student Discipline regulations, 603 CMR 53.00, defines an "in-school suspension" as "removal of a student from regular classroom activities, but not from the school premises, for no more than (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions during the school year." There is no right to appeal this decision.

If you would like to meet to discuss this in-school suspension, please contact me at _____ at your earliest convenience so that we can discuss the behavior and your child's academic performance, along with options for responding to this behavior going forward.

Sincerely,

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APPENDIX N

NOTICE TO DIRECTOR OF POSSIBLE SUSPENSION: KINDERGARTEN THROUGH THIRD GRADE STUDENT

TO: Director or Designee

FROM:

DATE: _____

This notice is being provided consistent with 603CMR 53.08(e).

Please be advised that on *(date)* _____ I held a hearing to determine whether to impose a suspension on *(name of student)* _____, who is in grade _____. After considering all of the information and documentation, I have decided to impose an out-of-school suspension upon the Student for _____ days. The reason for this suspension is set forth in the Notice of Suspension Determination attached to this letter.

Sincerely,

APPENDIX O

NOTICE OF HEARING UNDER M.G.L. Ch. 71, § 37H

Date

Parent Name

Address

RE: Notice of Hearing under M.G.L. Ch. 71, §37H

Dear Parent/Guardian:

This correspondence is to inform you that your child, STUDENT NAME, has been charged with:

- ☐ A. Possession of a Dangerous Weapon, including, but not limited to, a gun or a knife, on school premises or at a school-sponsored or school-related event, including an athletic game.
- ☐ B. Possession of a Controlled Substance, as defined by M.G.L. c. 94C, including, but not limited to, marijuana, cocaine and heroin, on school premises or at a school-sponsored or school-related event, including an athletic game.
- ☐ C. Assault on a Member of the Educational Staff, including, but not limited to, a principal, assistant principal, teacher, teacher's aide, on school premises or at a school-sponsored or school-related event, including an athletic game.

which is a violation of state law, M.G.L. Chapter 71, §37H, and the SABIS Code of Conduct.

Under Massachusetts General Laws Ch. 71, §37H, I am authorized to suspend or expel the Student if I find that he/she committed the above indicated offense.

The Student is entitled to a hearing before me, as Principal, prior to my making any determination under the statute. At that hearing, the Student may be represented by counsel at your own expense. In addition, the Student will be afforded the opportunity to present evidence and witnesses on their behalf. After this hearing, I will render a decision orally on the day of the hearing and in writing no later than the following school day outlining the basis for this action and appeal rights if applicable. Under the law, I have the authority to issue a long-term suspension or expulsion of the student. During the period of long-term suspension or expulsion, the Student is entitled to continue to receive educational services pursuant to state law.

I have scheduled a hearing to determine these matters on TIME AND DATE at LOCATION. Please inform my office as soon as possible if you intend to have an attorney accompany you. If so, counsel for SICS will attend this hearing. Additionally, if you or the Student needs an

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interpreter, please let us know at least 48 hours before the hearing so that we can arrange for an interpreter. Please call my office at PHONE NUMBER to confirm this hearing time. If the hearing must be rescheduled to accommodate attorneys, we will set a new time as soon as possible.

Please be advised that the investigation in this matter is ongoing and the school department reserves the right to amend this notice and to supplement the charges as appropriate.

[] If this box is checked, your child is a student who receives educational services pursuant to an IEP or 504 Plan and the Special Education Department will contact you to arrange for a manifestation determination meeting if appropriate.

Sincerely,

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APPENDIX P

NOTICE OF DETERMINATION UNDER M.G.L. Ch. 71, § 37H

Date

Parent/Guardian/Student Name

Address

RE: Notice of Determination under M.G.L. Ch. 71, § 37H

Dear Parent/Guardian:

As you know, your child, STUDENT'S NAME, was charged with:

- ☐ A. Possession of a Dangerous Weapon, including, but not limited to, a gun or a knife, on school premises or at a school-sponsored or school-related event, including an athletic game.
- ☐ B. Possession of a Controlled Substance, as defined by M.G.L. c. 94C, including, but not limited to, marijuana, cocaine and heroin, on school premises or at a school-sponsored or school-related event, including an athletic game.
- ☐ C. Assault on a Member of the Educational Staff, including, but not limited to, a principal, assistant principal, teacher, teacher's aide, on school premises or at a school-sponsored or school-related event, including an athletic game.

which is a violation of state law, M.G.L. Chapter 71, §37H and the SABIS Code of Conduct.

On [DATE], I held a due process hearing with you and [LIST OF HEARING ATTENDEES]. At the due process hearing, your child was provided with the opportunity to have representation at your expense and to present evidence and witnesses on their behalf.

At the due process hearing, I considered information, including but not limited to the following information: interviews with your child, [be specific]

_____, and other information, including your child's prior discipline history, attendance and grades.

After careful consideration of this information, I have made the following determination:

Due to the very serious nature of the discipline infractions, I impose a short-term/long-term suspension upon the Student for [specify number of school days or the remainder of the school year]. As a condition of the Student's return to school, the Student is required to [add any conditions]_____.

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During periods of suspension, the Student is not allowed on school grounds or at school-related activities or events. A violation of this school policy will be considered a trespass resulting in immediate notification of the Springfield Police Department.

Under M.G.L. c. 71, § 37H, there is no right to appeal a short-term or long-term suspension to the Director, only an expulsion (suspension over 90 school days).

The Student may receive educational services during this period of suspension as an opportunity to make academic progress during the suspension period. **SICS Wide Education Plan is enclosed for your review.** If you have any questions about this plan, please contact me. **If the Student receives educational services pursuant to an IEP, the Student's Team will convene to address provision of educational services during the suspension.**

[] If this box is checked, your child is a student who receives educational services pursuant to an IEP or 504 Plan and the Special Education Department will contact you to arrange for a manifestation determination meeting.

Please contact my office if you have any questions.

Sincerely,

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APPENDIX Q

NOTICE OF HEARING UNDER M.G.L. Ch. 71, § 37H½

Date

Parent/Guardian/Student Name

Address

RE: Notice of Hearing under M.G.L. Ch. 71, §37H½

Dear Parent/Guardian:

This letter is to notify you that I have been informed that STUDENT has been charged with LIST FELONY(IES), which is a felony/are felonies under Massachusetts law.

Under Massachusetts General Laws Ch. 71, §37H½, I am authorized to suspend your child if I determine that their continued presence in school would have a substantial detrimental effect on the school community.

Your child is entitled to a hearing before me, as Principal, prior to my making any determination under the statute. At that hearing, your child may be represented by counsel at your own expense. In addition, your child will be afforded the opportunity to present evidence and witnesses on his behalf. After this hearing, I will inform you in writing of my decision. Under the law, I have the authority to suspend a student during the pendency of felony charges or to exclude the student from school for a period of time which I deem appropriate, if he/she is convicted. During the period of long-term suspension or expulsion, the student is entitled to continue to receive educational services pursuant to state law.

I have scheduled a hearing to determine these matters on TIME AND DATE at LOCATION. Please inform my office as soon as possible if you intend to have an attorney accompany you. If so, counsel for SABIS will attend this hearing. Additionally, if you or the Student needs an interpreter, please let us know at least 48 hours before the hearing so that we can arrange for an interpreter. Please call my office at TELEPHONE NUMBER to confirm this hearing time. If the hearing must be rescheduled to accommodate attorneys, we will set a new time as soon as possible.

[] If this box is checked, your child is a student who receives educational services pursuant to an IEP or 504 Plan and the Special Education Department will contact you to arrange for a manifestation determination meeting if appropriate.

Sincerely,

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