



# **Elementary School Parent/Student Handbook 2022-2023**

## **Abby Kelley Foster Charter Public Elementary School**

10 New Bond Street, Worcester, MA 01606

Phone: 508-854-8400 | Fax: 508-595-0370

[www.akfcs.org](http://www.akfcs.org)

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

Abby Kelley Foster Charter Public School  
Elementary School Parent/Student Handbook

**Table of Contents**

Translation Notice	1
Principal's and Assistant Principal's Message	3
Overview	4
Elementary and Secondary Education Act	4
Non-Discrimination Act	4
Attendance Policy	4
Uniform Policy	8
Transportation Policy	11
Electronic Device Policy	13
School Nutrition Program	13
School Wellness Policy	14
School Safety	15
Student Records and Confidentiality	15
Student Transfers	16
School Health	17
Curriculum and Instructional Design	19
Parent Involvement and Communications	21
Special Education	24
Behavior Expectations	25
Typical Disciplinary Actions	27
Major Behavioral Infractions	28
Due Process Procedures	30
Discipline of Special Needs Students and Section 504	37
Physical Restraint Policy	41
Board of Trustees	43
Non-Discrimination Notice and Civil Rights and Safety Information	43
Internet Safety & Acceptable Use Policy	49
Bullying Prevention and Intervention Plan	53
Appendices to Policy	64

## Translation Notice

Dear Parents and Guardians:

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

-----

## AVISO DE TRADUCCIÓN

### Queridos Padres y Tutores:

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

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

-----

## AVISO DE TRADUÇÃO

### Caros Pais e Guardiões:

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

-----

## INFORMACJA nt. USŁUG TŁUMACZENIOWYCH

## Drodzy Rodzice i Opiekunowie:

Informator dla rodziców/uczniów (Parent/Student Handbook) jest ważnym dokumentem, wyjaśniającym szczegółowo zasady funkcjonowania i procedury obowiązujące w Stołecznej Szkole Publicznej (Charter Public School) Abby Kelley Foster. Informator zawiera informacje dotyczące: dyscypliny, obowiązujących procedur, praw obywatelskich, nauczania specjalnego, oraz polityki szkoły w zakresie poziomu nauczania i zasad ogólnych. Jeżeli Wasze dziecko będzie potrzebowało pomocy tłumacza, lub wystąpi konieczność przetłumaczenia dokumentów szkolnych, prosimy o kontakt z kierownikiem budynku w którym uczy się Wasze dziecko, celem uzgodnienia zakresu pomocy. Ponadto, jeżeli Państwo lub Wasze dziecko potrzebujecie pomocy tłumaczeniowej dla skorzystania z doradztwa w zakresie doboru kursów i poziomów w procesie nauczania lub wyboru koledżu, albo ogólnych wymagań dotyczących programu nauczania, czy też informacji dotyczących możliwości kształcenia zawodowego, prosimy o kontakt z kierownikiem budynku Waszego dziecka.

-----

## Awofog ne Ahwesofog:

Awofog ne sukuufu nkyerekyere nhoma ye book bi a eho hia yie, ekyerekyere ekwan ahoroo fa Abby Kelly Foster public school ho. Awofog ne asukuufu nhoma ka fa ahokye ne ahodie kwan a yefa so wo kwan pa so wo fahodie nkyerekere soronko, ene sukuu nkyerekyere nyinaa. Se wo ba no hyia se obi kyerekyere no saa nnema yi nyinaa ase a, ko hu sukuu no titinani. Afienso, se wo ba no nhyiaa nsem fa sukuu akwankyere, college akwankyere, sukuu nkyerekyere fa nsano adwuma ne adwuma ahoroo akwanya a ko hu sukuu no titina panin (Principal).

## Chè Paran e Gadyen:

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

---

## INFORMACJA nt. USŁUG TŁUMACZENIOWYCH Drodzy Rodzice i Opiekunowie:

Informator dla rodziców/uczniów (Parent/Student Handbook) jest ważnym dokumentem, wyjaśniającym szczegółowo zasady funkcjonowania i procedury obowiązujące w Stołecznej Szkole Publicznej (Charter Public School) Abby Kelley Foster. Informator zawiera informacje dotyczące: dyscypliny, obowiązujących procedur, praw obywatelskich, nauczania specjalnego, oraz polityki szkoły w zakresie poziomu nauczania i zasad ogólnych. Jeżeli Wasze dziecko będzie potrzebowało pomocy tłumacza, lub wystąpi konieczność przetłumaczenia dokumentów szkolnych, prosimy o kontakt z kierownikiem budynku w którym uczy się Wasze dziecko, celem uzgodnienia zakresu pomocy. Ponadto, jeżeli Państwo lub Wasze dziecko potrzebujecie pomocy tłumaczeniowej dla skorzystania z doradztwa w zakresie doboru kursów i poziomów w procesie nauczania lub wyboru koledżu, albo ogólnych wymagań dotyczących programu nauczania, czy też informacji dotyczących możliwości kształcenia zawodowego, prosimy o kontakt z kierownikiem budynku Waszego dziecka.

---

## Kính Thưa Quý Phụ Huynh và Người Giám Hộ:

Cẩm nang cho các Phụ Huynh/Học Sinh là một tài liệu quan trọng, thông tin chi tiết về chính sách và thủ tục của Trường Học Công Cộng Abby Kelly Foster. Cẩm nang cho các Phụ Huynh/Học Sinh bao gồm các thông tin liên quan đến: kỷ luật, do quá trình, các quyền công dân, giáo dục đặc biệt, học tập và các chính sách học chung

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

---

保護者の皆様、

ペアレント/スチュウデントハンドブックは Abby Kelley Foster Charter Public School の方針や手続きについて詳しく説明している重要な文書です。ハンドブックには規律、正規の法的な手続き、公民権、特殊教育、学問や一般的な方針について説明されています。保護者の方やお子様が通訳者や学校の書類を翻訳する必要がある場合は、お子様の担当の校長先生にお願いしてください。

さらに、保護者の方やお子様成績や、大学の進路に関するカウンセリング、またカリキュラム全般、就職についての情報の翻訳が必要な場合も、校長先生に依頼してください。

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

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

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

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

## **Principal's and Assistant Principal's Message**

---

Dear Families,

NEW ONE NEEDED

## Overview

---

The Abby Kelley Foster Charter Public School (referred to hereafter as Abby Kelley Foster or School) provides students with an environment that emphasizes the strength and structure of a rigorous academic program. The school was founded by a group of community leaders in Worcester dedicated to enhancing school choice in public education and is named after Abby Kelley Foster, a nineteenth century Worcester resident who was a leader in the abolitionist and women's rights movements. Our school opened in 1998 in a renovated mill building to serve students in the greater Worcester region. Today 1,426 students are enrolled in Kindergarten through Grade 12 studying a comprehensive liberal arts curriculum. **The School administration may amend or update the policies and procedures outlined in this handbook at any time during the school year.**

## Elementary and Secondary Education Act

---

Abby Kelley Foster makes every effort to comply with federal education regulations and requirements. This legislation requires school district personnel to notify parents/guardians of a variety of issues regarding their children's education.

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

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

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

## Non-Discrimination Act

---

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

## Attendance Policy

---

*Massachusetts General Law requires every child between the minimum and maximum ages established for school attendance by the Massachusetts Board of Education to attend school during the number of days required in each school year. Additionally, Massachusetts regulations require all students at the elementary school level to complete 900 hours of learning time each year.*

The Abby Kelley Foster staff believes that regular school attendance is imperative to ensure academic success. A student must attend school for at least a half day to be marked present. **Class attendance is one of the requirements for academic promotion.** Students removed from school during regular session lose valuable education time. **Students will be marked absent if they are dismissed early on a half day or before 12:05 p.m.**

**on a full day.** Additionally, such absences send a negative message to the child about the importance of being in school.

### **Tardiness**

Students should arrive by 8:45 a.m. for morning announcements and homeroom period; anyone who arrives after 8:45 a.m. will be marked tardy. There is no distinction made between an excused or unexcused tardy. If a student arrives after 8:45 a.m. the student will be marked tardy. Please make every effort to have each student arrive at school at the designated school starting time. Breakfast is served only until 8:45 a.m. The School will monitor tardiness and may assign appropriate consequences when necessary. Chronic tardiness may be subject to serious consequences.

### **Absences**

Parents must notify the school by **9:00 a.m.** the day that their child will be absent, either by phone or by e-mail. If the absence is not reported, the parent/guardian will receive an automated phone call from the school office. Students are required to bring a note to the homeroom teacher within two (2) days when they return to school that includes the following: the date of the absence, the reason for the absence, a phone number where a parent or guardian can be reached, and the parent/guardian signature. There is no distinction made between excused and unexcused absences, regardless of the reason, including for visits to the doctor.

### **Family Vacations during School Days**

Family vacations scheduled during school time or prior to the last day of school are strictly prohibited and considered unexcused absences, regardless of whether the School has been notified in advance. **The school will not provide missed work ahead of time for students during family vacations.** If a student misses an excessive amount of school days (14 or more) they may be retained if they have not met the end of year grade level expectations. Extended vacations have a detrimental effect on a child's educational program and negatively impact the environment for the other students in the class. Parents must discuss any possible extended absences with the school Principal.

### **Truancy and Parent Notification**

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

Parents and/or guardians will receive written notification throughout the year in the event of excessive absences. The failure of parents/guardians to receive these notifications does not change the facts or consequences regarding a student's absences. Parents or guardians may be called in for a meeting to address chronic tardiness or frequent absences.

### **Arrival**

Students arrive at the Elementary School between 8:30 - 8:40 a.m. There are several buses assigned to serve the elementary school, or parents may choose to drive their children to school. Breakfast is served from 8:30 until 8:45 a.m. each morning. **Please do not drop off your student(s) before 8:30 a.m. There are no adults present to supervise and protect your child(ren) at that time. Parents are responsible for supervising their child(ren) before 8:30 a.m.**

### **Elementary School Morning Program**

Abby Kelley offers a before school program that is run through the school district's business office. It is overseen by the before school coordinator, Deb Martunas, who can be reached at 508-854-8400 extension 2599 regarding availability, as there are a limited number of spots. The program runs from 7:00-8:30 a.m. on AKF school days and is held in the Activity Center. The program does not operate on snow days nor during school delays.

## **Elementary Dismissal Procedure**

The dismissal time for parent pick-ups on half days is **11:45 a.m.**, and dismissal time for parent pick-ups on regular full days is **3:15 p.m.** The busses will leave the elementary school at approximately **11:55 a.m.** on half days and at approximately **3:25 p.m.** on regular full days. The safety of our students is a priority. There are several procedures that need to be followed during arrival and dismissal times:

1. Parents and guardians who are dropping off or picking up their students **must** proceed single file through the drop off line, which enters through the back of the parking lot on Brooks Street and exits onto New Bond Street. Parents and guardians should not be dropping off students on the opposite side of Route 12 in order to be escorted across the street.
2. Our “Walker Line” which crosses Route 12 is **only** for those students who **walk** to and from home. For safety reasons, do not park on Route 12 and drop off your student. That area has become congested and has become a safety issue.
3. Elementary school students **are not** to be dropped off on New Bond Street in the morning. Our busses enter and exit on New Bond Street, and it is dangerous to have students exiting their cars at the same time.
4. Parents and guardians who are dropping off Middle School students must take a right after the Middle School and exit onto Brooks Street. **U-turns are not allowed** on New Bond Street in the morning.
5. Proceed single file through the drop off line and exit onto New Bond Street. Do not use handicapped spots as a drop off location for your elementary school student in the morning.
6. When dropping your child off in the morning, please allow them to exit the car once you are along the sidewalk. Please do not wait until you have reached the front door to allow your child to exit the car. This helps to keep traffic moving.
7. Staff members are outside to assist students if needed. However, to help the flow of traffic, please allow your child to exit the car on their own if they are capable.
8. Early dismissals should occur before 11:00 a.m. on half days and before 2:15 p.m. on full days. Buses begin to arrive a half hour prior to dismissal and the parking lot becomes congested. It is also difficult to reach homeroom teachers at the end of the school day. Dismissals that occur within a half hour of the end of the day may result in waiting in line with other families.
9. Middle School students are not allowed to dismiss elementary school students.

## **Dismissal Changes**

Please notify the school of any transportation/dismissal changes by phone **before 2:00 p.m. by calling the school at 508-854-8400 extension 3699 and speaking directly with the receptionist.**

## **Half Days of School**

Half day school sessions are planned for professional staff development and/or conferences throughout the school year. On those days, students are dismissed at 12:15 p.m. Lunch will not be served on these half days. **Early dismissal should occur before 11:00 a.m. on half days.** Dismissals that occur within a half hour of the end of the day may result in waiting in line with other families. Please check the school calendar and school newsletters regarding important dates.

## **Early Dismissal (for students picked up from school)**

Students should not be dismissed early from school unless it is absolutely necessary. Families should schedule appointments after school hours. **Early dismissal should occur before 11:00 a.m. on half days or before 2:15 p.m. on full days. Students will be marked absent if they are dismissed early on a half day or before 12:05 p.m. on a full day. Dismissals that occur within a half hour of the end of the day may result in waiting in line with other families.** If your child will be dismissed early, please send in a note that describes the reason for the dismissal and the time you will pick up your child. If your child will be picked up by someone other than a contact person listed on the emergency card, please give that person's name to your child's teacher; that person will also need to present a photo ID when dismissing the student.



## **Late Pick Ups**

It is the parent's responsibility to pick up students on time from school, from the school bus, and from school activities. **Students are considered a late pickup if they are not picked up from school by 3:30 p.m. on a full day 12:00 p.m. on a half day.** Parents who are tardy in picking up their child(ren) after school will be charged a \$25 fee (per child). If we cannot reach a parent or guardian by 5:00 p.m. on a full day and 1:30 p.m. on a half day, we will determine that the child has been abandoned and the Worcester Police Department will be notified. Additionally, as mandated reporters, we are required to file a form Massachusetts General Law Chapter 119 Section 51A, "Reporting of Suspected Abuse or Neglect of a Child."

## **Parent Responsibility for Picking Up Their Child(ren)**

Parents are responsible for picking up their child at the bus stop or at school at the end of the school day. They may also designate another responsible adult to pick up their child at school, or to meet their child at the bus stop. Please notify the School before 2:00 p.m. if there is a change in the person who will be picking up your child(ren) from the school or at the bus stop, so we can inform the bus driver.

Parents should wait for the child on the right side of the bus, so the student will not be required to cross in front of the bus or behind it. Parents must wait outside of their vehicles, where the bus doors open at the bus stop, regardless of the weather. This will allow the bus driver to verify that the appropriate person is picking up the students. Please arrive at the bus stop 10 minutes before the scheduled time.

**For the safety of our students, elementary school children will not be left at a bus stop if a parent (or other responsible party) is not there to meet them;** they will be brought back to the school. Students in Grade 3 may walk home from the bus stop if we have received a signed form from the parent/guardian, giving the child permission to walk home without an adult. Students who are returned to the school more than three times because a parent (or other responsible party) is not at the bus stop to meet them will lose their bus privileges for the remainder of the year. Parents will be charged a \$25 fee (per child) when their child is returned to school on the school bus. If the late fee is not paid, the child will lose their bus privilege.

The safety of our students is a priority. Please make arrangements to accommodate these requests.

## **School Cancellations and Delays**

### **Decision to Close or Delay:**

If inclement weather impacts the morning commute, the Executive Director will decide whether to cancel school or delay the opening of school. Although we generally follow the cancellation announcement of the Worcester Public School System, as a regional school there are times when we must consider the weather and road conditions beyond the Worcester area. Please note that plowing and treating roads is the Highway Department's first priority, and neighborhood sidewalks may not be cleared prior to the morning commute. Conditions will vary in different neighborhoods (especially side streets), and many sidewalks may not be cleared for some time after snowfall.

Parents are in the best position to judge the situation in their own neighborhood and to make decisions regarding safety. When you are deciding whether your child may walk to school or wait at a bus stop, or to drive your child to school, please be mindful of the conditions, especially given the height of snow banks at intersections and in parking lots.

During poor weather, parent pick up and drop off lines at schools and bus routes will typically run more slowly than on a normal day, so we appreciate your patience and understanding.

## **Communication of Closures and Delays**

In the event of a snow day or delayed opening, parents should listen to local radio stations AM580 (WTAG), AM680 (WRKO) and television stations WBZ 4, WCVB 5, FOX 25 or WHDH 7.

## **Delay Information**

In cases where some additional time for road treatment and snow removal from campuses will be needed for school to be held, the Executive Director may choose to delay the opening of school. Typically this will be a two-hour delay, but occasionally a one-hour or 90-minute delay may be put in effect. When there is a delay of any kind or a cancellation, the Before School Morning Program will be closed.

Please see the table below for the adjusted start times in the case of a delay. When a delay is called, students may not arrive at the school until one hour, 90 minutes or two hours later than the time they are allowed to arrive on a normal day, as there will not be access and supervision prior to that time. Bus routes will also begin one hour, 90 minutes or two hours later than on a normal day.

	1 Hour Delay	90 Minute Delay	2 Hour Delay
Arrival time	9:30-9:45	10:00-10:15	10:30-10:45

### **Early Dismissals**

Under rare circumstances, the Executive Director may determine that inclement weather that threatens to make the afternoon commute unsafe requires an early dismissal from school. If such a decision is made, we will notify families using our automated phone and e-mail system (One Call Now) so that all primary phone numbers and emails on record will be called. Families are asked to plan ahead regarding childcare for such a situation.

### **Uniform Policy**

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

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

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

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

### **Mask guidance**

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

### **Dress Code**

The School does not allow:

- Stripes, designs, writing or any logo other than AKFCS approved logo is not allowed on any uniform shirt.
- Hats and bandannas are not allowed in the building and are not part of the uniform.
- Shirts must be kept tucked in at all times and clean.

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

### **Uniform Shirts**

Color: Burgundy/maroon, with or without the Abby Kelley logo

Style: Knit polo/golf shirt with a collar, long or short sleeves

Stripes, logos or designs are not allowed on the shirts, other than the Abby Kelley Foster logo. Shirts must be tucked in and clean. Not all types of burgundy shirt are acceptable; for example cotton dress shirts, T-shirts, or sweatshirts are not part of the uniform.

### **Uniform Pants/Bottoms**

Color: Khaki

Style: Chino pants, shorts, skirt, skort, or jumper

All bottoms must fit comfortably, not too tight or baggy. The length of the pants should reach below the ankle.

Skirts, skorts, and jumpers must be knee length, no floor length skirts or mini-skirts. Shorts must be mid-thigh length; no "short shorts" will be allowed. Shorts may only be worn in August and September, May and June.

Khaki/ tan colored denim or denim-style pants are not allowed. Cargo pants (or pants with large pockets), capris, leggings/jeggings, or jams are not allowed.

### **Shoes**

Sneakers or closed toe flat shoes only. (No Crocs, sandals, flip flops, dress shoes with heels, or open toe shoes allowed)

**All students are required to wear sneakers while participating in physical education class. Those students without sneakers will receive a zero for that class.** Students may wear boots with no heel to school on snowy/rainy days.

### **Socks**

Color: White, Khaki, Burgundy, Brown or Black

Style: Ankle socks, knee socks, or tights.

Plain socks or tights must be worn. No designs, stripes or logos on the socks or tights are allowed.

### **Belt - Optional**

Color: Black

Belts may not have any design or color other than black.

### **Jewelry**

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

### **Sweater/Vest - Optional**

Color: Burgundy/maroon, with or without the Abby Kelley logo

Style: V neck pullover, button up cardigan, or a burgundy vest with/without buttons are the only acceptable options.

### **Makeup, Etc.**

Makeup, including artificial nails, and hair/body glitter, is not allowed for students in Grades K-3. Students will be asked to remove it. Temporary tattoos are not allowed. Perfume and cologne are not allowed for students in Grades K-3.

## **Hair**

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

## **Gym Uniforms**

Students are required to wear sneakers on physical education days without exception.

In addition, the Elementary School will allow students to wear the following appropriate gym uniform attire, all day, only on days they have physical education class.

- Gray or maroon full-length sweatpants (solid color only, no words, graphics, or logo except for AKFCS logo).
- Gray or maroon sweatshirt (solid color only, no words, graphics, or logo except for AKFCS logo).
- Gray or maroon long sleeve shirt (solid color only, no words, graphics, or logo except for AKFCS logo).
- Gray or maroon short sleeve t-shirt (solid color only, no words, graphics, or logo except for AKFCS logo).
- Gray or maroon shorts in warm weather only ((solid color only, no words, graphics, or logo except for AKFCS logo).
  - These gym uniform items can be purchased at any store. The AKFCS logo is available for an extra charge at Allen's Uniforms store and Tommy Hilfiger online store.

## **Kindergarten students ONLY**

Students in Kindergarten have the choice to wear either the Khaki pants/maroon shirt (traditional Elementary School uniform) or the appropriate gym uniform attire (gray/maroon pants, shorts, t-shirt) even on days they do not have gym. The flexibility for the uniform is to encourage independence, comfort, and self-help in the youngest students when it comes to play and bathroom breaks, especially.

## **Uniform Violations**

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

## **Non-School Related Items**

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

## **Transportation Policy**

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

and all Abby Kelley Foster busses. A bus suspension is not considered served if the child is absent from school, or if there is no school for any reason.

All students are eligible for transportation services. Please be aware that transportation will be provided from designated pick-up and drop-off points (cluster stops) within our charter region (Auburn, Holden, Leicester, Millbury, Oxford, Shrewsbury, Sutton, West Boylston, and Worcester) and that it will not be a door-to-door service.

Riding on the bus to and from school is an extension of the school day. The School and the transportation company acknowledge that students riding the bus are under the authority of the school bus driver. Students who do not meet bus riding rules and expectations will be reported to the School. Students who have difficulty behaving on the bus may lose the privilege to ride the bus and transportation will become the responsibility of the parent.

ONLY students in Grades K-3 will be allowed to ride on the Elementary School Bus. Early dismissals should occur before 2:15pm on full days. Students picked up after 3:30 pm will be charged a \$25 fee. Early dismissals should occur before 11:00am on half days. Students picked up after 12:00 pm will be charged a \$25 fee. Students who are not picked up at the bus stop and are returned to the school will be charged a fee of \$25 per child.

We strive to attain and maintain a safe and controlled environment for your child at all times throughout the school day. The School and the bus drivers reserve the right to assign seats for students on the bus, at their discretion. Please be advised that Abby Kelley Foster reserves the right to utilize video and/or audio recording devices on buses for purposes of monitoring student behavior. Due to confidentiality it is viewed by school personnel only. Unless you notify us otherwise, your signature on the return form of this Handbook constitutes an acknowledgement that you have been informed of and agree to the use of such recording devices. If you opt out of your student being videotaped or recorded, you may be required to provide transportation for your child. Parents do not have the right to view bus videos.

At no time are parents allowed to board a school bus. Any questions or concerns should be referred to the school Principal or Assistant Principal.

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

Parents/guardians must complete an Arrival/Dismissal Request Form, and indicate the preferred morning and afternoon transportation arrangements for their child(ren). The School will not allow students to ride on a different bus at any time during the school year; all students must ride the bus to which they have been assigned. Any student found in violation of their bus assignment may lose their transportation privileges. If a student changes their address, a new Arrival/Dismissal Request Form must be filled out and submitted to the school office; the parent will be notified if/when the transportation request had been approved.

### **Dismissal from School or the School Bus**

Parents are responsible for picking up their child at the bus stop or at school at the end of the school day. They may also designate another responsible adult to pick up their child at school, or to meet their child at the bus stop. Please notify the School before 2:00 p.m. if there is a change in the person who will be picking up your child(ren) from the school or at the bus stop, so we can inform the bus driver. Parents or guardians should wait for the child on the right side of the bus, where the doors open, so the student will not be required to cross in front of the bus or behind it. Please arrive at the bus stop 10 minutes before the scheduled time.

**For the safety of our students, elementary school children will not be left at a bus stop if a parent (or other responsible party) is not there to meet them;** they will be brought back to the school. Students who are returned to the school more than three times because a parent (or other responsible party) is not at the bus stop to meet them will lose their bus privileges for the remainder of the year. Parents will be charged a \$25 fee (per child) when their child is returned to school on the school bus. If the late fee is not paid, the child will lose their bus privilege. If we cannot reach a parent or guardian by 5:00 p.m. on a full day and 1:30 p.m. on a half day, we will determine that the child has been abandoned and the Worcester Police Department may be notified. Additionally, as mandated

reporters, we are required to file a form Massachusetts General Law Chapter 119 Section 51A, "Reporting of Suspected Abuse or Neglect of a Child."

## **Student Bus Rider Conduct Policy**

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

## **Bus Riding Rules and Expectations**

Abby Kelley Foster views bus transportation as an extension of the school day and acknowledges that students riding the bus are under the authority of the bus driver.

Types of behaviors that warrant a bus write up if the following expectations are not followed:

1. Students are to wait in orderly lines before boarding the bus.
2. Students may speak in quiet voices volume on the bus; excessive noise (loud talking, screaming and whistling, etc.) by students will not be tolerated.
3. Students will not eat or drink on the bus.
4. Students will leave the bus clean each day.
5. Students will not take anything out of their backpacks other than a book to read (including toys, paper, pencils, electronic devices, etc.).

Types of behavior that may result in a loss of bus riding privileges if the following expectations are not followed:

1. Students must board and exit the bus carefully without pushing or shoving others.
2. Students will remain seated on the bus and may be assigned seating by the driver or school staff.
3. Students will be courteous to the driver and each other on the bus.

## **Types of behaviors that WILL result in a loss of bus riding privileges if the following expectations are not followed**

1. Students who engage in fighting, wrestling, or boisterous behavior.
2. Students will not touch the emergency door unless instructed by the driver.
3. Students will not bring animals or dangerous items (lighters, sharp objects, fireworks, explosives, etc.) on the bus.
4. Students will not use loud or vulgar language on or around the bus.
5. Students will not put their head, arms, legs, or any body part outside the bus window.
6. Students will not damage or write on the bus. (any/all damages will be charged to the students)
7. Students will not throw items from the bus.
8. Students will not use racial slurs on or around the bus.
9. Students will not engage in sexual activity on the bus.
10. Students will not use their cell phone or any other electronic devices.

## **Bus Violations**

If a student cannot meet these rules and expectations, the student will be reported to the School for misbehavior and the parent may be notified. **If a student has difficulty behaving on the bus, he/she may be suspended from taking the bus, and transportation will become the responsibility of the parent.** Consistent minor infractions may lead to a loss of bus riding privileges. The Principal or Assistant Principal, in consultation with the School Administration, will determine the length of all bus suspensions. Bus suspensions will apply to any and all Abby Kelley Foster school busses. A student's **first offense** could lead to loss of bus riding privileges for a specified time period and up to the entire school year. Any student who ignores a bus suspension and attempts to ride the bus will be excluded from the bus and is subject to a bus suspension for an additional 5-30 days, to be determined by the Principal or Assistant Principal.

## **Electronic Device Policy**

Personal electronic devices of any kind including but not limited to laptops, tablets, and iPods, are not allowed on school premises, during field trips, or on school buses without expressed permission of appropriate school personnel. Any such device found on a student will be confiscated and held until a parent comes to the school to pick it up. However, cell phones may be brought to school but must be turned off and kept in the student's backpack while on the bus and on school property. Cell phones may not be used at any time on school grounds or school buses for any reason. If the cell phone makes noise or is taken out of the backpack at any time, it may be confiscated and held until a parent comes to the school to pick it up. In addition, Abby Kelley Foster is not responsible for lost or stolen property.

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

## **School Nutrition Program**

Abby Kelley Foster Charter Public Elementary School offers all students nutritional meals daily. The school contracts with Preferred Meals Systems, a registered vendor with the National School Nutrition Program. Nutritious, well-balanced meals are pre-packaged and cooked on campus. Breakfast is served until 8:45 a.m. each day. Lunch is a 55 minute period, including recess. **Sharing food with other students is prohibited in order to minimize the spread of viruses and the risk of allergic reaction.**

## **Meal Applications**

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

## **Payment System**

Abby Kelley Foster Charter Public School uses a bar coded ID card. This card is provided free by the school at the beginning of each year and is used for many purposes: Identification ~ Library ~ Meal Program. Replacement of lost ID card is a \$5.00 fee. The AKF School has an online payment option for your convenience. Visit [www.payschoolscentral.com](http://www.payschoolscentral.com) and set up a Credit Card payment for your child. This feature is at no expense to you. Checks can also be sent to the school – please make sure your child's name is on the check. Outstanding balance notices are sent home each week via email, please make sure the school has your correct address.

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

Elementary school children, in Kindergarten through Grade 3, will not be prohibited from charging meals. If you receive an outstanding balance notice and have any questions/concerns, contact the Director of Nutrition Services, Stephanie Ryder at 508-854-8400 x 2635. If a Free/Reduced Application has not been completed, one will be sent to you. The School can also provide you with *Hunger Prevention Resources*. If necessary, nonpayment of outstanding balances will be referred to the building principal for a conference so that a solution can be found.

## **School Wellness Policy**

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

Abby Kelley Foster will provide a learning environment for developing and practicing lifelong wellness habits. The entire school environment, not just the classroom, shall be aligned with healthy school goals to positively influence a student's understanding, beliefs and habits as they relate to good nutrition and regular physical activity. A healthy school environment should not be sacrificed because of a dependence on revenue from high-added fat,

high-added sugar, and low nutrient foods to support school programs. All foods available on school grounds and at school sponsored activities during the instructional day should meet or exceed the USDA's nutritional standards.

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

We must all consider the critical role student health plays in their academic stamina and performances. The school's environment should ensure students' basic nourishment and activity needs are met.

We have a school wide Wellness Committee that meets quarterly and reviews the implementation of the policy.

### **School Celebrations and Parties**

Due to the increase in food allergies, the School will no longer accept cupcakes, cakes, or food items for students' birthdays. Please be informed and understand that any food items brought into the building, other than for individual consumption, will be sent home immediately or donated for the safety and well-being of all children in our care. Please do not send birthday invitations to distribute during school hours; this should be done outside of school hours. The School provides a "Birthday Book" to all of our students in Grades K-3 on each student's birthday.

### **School Safety**

#### *School Visitors:*

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

#### *Fire Drills/Evacuations/Lock Down:*

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

In the event of an emergency, such as an off-site evacuation, lock down, etc., parents/guardians will be contacted via phone and/or e-mail via the One Call Now System. It is crucial that parents maintain up-to-date contact information with the school. Please call the front desk (x3699) at anytime to provide updated information.

### **Student Records and Confidentiality**

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

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



Parents must provide the school with copies of all legal documents regarding custody arrangements. Unless a copy of a court order or restraining order is given to the School, a non-custodial parent/ guardian or anyone listed on the student's emergency card will be allowed to dismiss or pick up a student from school.

### **Record Request from Non-Custodial Parents**

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

### **Release of Student Record Information**

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

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

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

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

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

### **Child Abuse and Neglect**

If a school staff member suspects that a student is being abused or neglected, he/she is required by law (M.G.L. Ch. 119 §51A) to report it to the Massachusetts Department of Children and Families. All reports are confidential. Mandated reporters are not required to notify parents after a 51A has been filed.

### **Emergency Information Forms**

At the beginning of each school year, parents or guardians must review, update, sign and return their child's emergency information form to the homeroom teacher. The information must be kept updated regarding who can be reached in case of an emergency. Please inform your child's homeroom teacher or the School office of any address or phone number changes throughout the year. Failure to provide updated contact information could result in the School filing a 51A with the Department of Children and Families.

### **Photographing/Videotaping/Social Media/Listing Names of Students**

We strive to attain and maintain a safe and controlled environment for your child at all times throughout the school day. To this end, please be advised that Abby Kelley Foster reserves the right to utilize video and/or audio recording devices on school property and school events. This also includes student accomplishments and school events publicized through print media including local newspapers, school newsletters, any school performance

programs, the school website, and social media. Unless you notify us otherwise, your signature on the return form of this Handbook constitutes an acknowledgement that you are aware of, have been informed of, and agree to the use of such recording and print devices.

## **Student Transfers**

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

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

**Abby Kelley Foster considers a student withdrawn from the School once the parent/guardian has completed and signed a withdrawal form and/or the School is in receipt of a release of records from another school district.**

## **School Health**

### *School Nurse:*

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

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

If school personnel believe that the student is experiencing a medical emergency, they will contact 911 for assistance. In the case of a medical situation, if the nurse's decision is to call 911, then the school administration is instructed to assist in the nurse's decision. If in that situation, a parent/guardian is present and on site, and does not want 911 to be called, the principal and the nurse will explain the emergency 911 protocol to the parent and contact 911 if he or she determines that the circumstances warrant intervention by emergency services.

## **Immunizations**

The School adheres to the Massachusetts requirements for student immunizations in order to register a child for school. Parents must submit a doctor's record stating that their child has been immunized against diphtheria, pertussis (whooping cough), tetanus, poliomyelitis, German measles (rubella), mumps, and hepatitis B. In addition, two doses of the varicella (chickenpox) immunization is required if a child has not had chickenpox. The records must include the month, day and year when the immunizations were given. The following are the required immunizations to register for Kindergarten – Grade 3:

3 doses of hepatitis B

5 doses of DTaP/DTP

4 doses of Polio

2 doses of MMR

2 doses of Varicella

Proof of lead screening is also required.

For more information, please see the DPH website at [www.mass.gov](http://www.mass.gov).  
MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH

Immunization Exemptions and Vaccine Preventable Disease Exclusion in School Settings.  
Definition of Allowable Exemptions (see MGL c. 76 §§15, 15C, 15D; 105 CMR 220)

### **Physical Examinations**

A periodic physical examination is important for all children and adolescents. Current Massachusetts law (105 CMR 200.000) requires physical examinations of school children 12 months before entry into school or within the first 30 days of entrance to school and at intervals of either three or four years thereafter.

### **Vision and Hearing Screening**

In accordance with M.G.L. c. 71, § 57, upon entering kindergarten or within 30 days after school entry, the parent or guardian of each child shall present certification that the student within the previous 12 months has passed a vision screening conducted by personnel approved by the Department. The hearing of each student in the public schools to be screened in the year of school entry and annually through grade 3 (or by age nine in the case of ungraded classrooms), once in grades 6 through 8 (ages 12 through 14 in the case of ungraded classrooms), and once in grades 9 through 12 (ages 15 through 18 in the case of ungraded classrooms).

For any student who does not pass a vision or hearing screening, a written plan shall be developed by the school nurse, in consultation to the extent possible with a student's parent or legal guardian, for appropriate follow up of the student.

### **BMI Screening**

Weight and height shall be measured for each student in grades 1, 4, 7, and 10. The student's Body Mass Index (BMI) score and corresponding percentile are calculated. Parents and legal guardians shall be provided with an opportunity to request, in writing, that their child's measurements not be taken.

### **Dental Screenings**

Abby Kelley Foster offers the opportunity for students to have a full dental screening through the Ronald McDonald Care Mobile including the application of fluoride twice a year.

### **Accidents**

The nurse or a trained staff member will administer initial treatments of minor injuries. The student's emergency contact person will be notified immediately by phone whenever medical treatment is administered to a student, and an Incident Report will be kept in the nurse's office. In such cases, it is crucial that the School has working phone numbers for a student's parents and for alternate contacts in the event that a parent is unavailable. **Please be vigilant in keeping your child's records updated.** If a staff member believes that the student is experiencing a medical emergency, they will contact 911 for assistance.

### **Religious Objections**

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

### **Abby Kelley Elementary Wellness Policies**

1. If your child has a temperature of **100.4 degrees or greater** within the last 24 hours they cannot be in school. Their temperature should be normal for 24 hours **without** the help of Tylenol, Motrin, or any other medication. Should your child return to school, the day after being sent home with a fever, parents/guardians will be called for pickup and are expected to come within an hour.
2. If your child has a **diagnosis of strep throat**, they need to remain at home until he/she has been on antibiotics for a full **24 hours**.

3. If your child has **vomited and is ill** during the previous night or in the morning, they cannot attend school.
4. If your child has **diarrhea and is ill** during the previous night or in the morning, they cannot attend school.
5. If your child has a **moist productive cough, chest congestion or thick nasal drainage**, they should remain home.
6. If your child has **red, itchy, or swollen eyes that itch or have yellow drainage**, they should be seen by a doctor.
7. If the nurse suspects your child may have **ringworm or impetigo**, you will be notified. He/she should be seen by a physician and may return to school with a doctor's note with a diagnosis. With these diagnoses, your child should remain at home until he/she has been on the course of treatment for a full 24 hours. With ringworm, the area should remain covered by a bandage while in school. (Please see the nurse for more information.)
8. **Please** contact the school or school nurse if your child has a communicable disease, such as **chicken pox, measles, ringworm, impetigo or scabies**.

### **Medication Policy**

Prescription medications may be administered at school by the nurse with a written order from a licensed healthcare provider, with parent permission, and in the original prescription labeled bottle.

For the safety of your child and others, children **CANNOT** transport medication to and from school. They must be handed off from a responsible adult, to a staff member, and the same when giving medication back.

Over the counter medication (acetaminophen, ibuprofen) will be administered by the school nurse with a signed written permission form. This form must be submitted every school year.

Epi pens must also be accompanied by an action plan and a doctor's order. Children will be **unable** to attend scheduled field trips without their emergency medications.

### **There will be no exceptions to these requirements.**

Elementary school students may bring cough drops, accompanied by a parent/guardian written consent and must leave them in the nurse's office as they are considered an over the counter medication.

### **Abby Kelley Lice Policy**

Abby Kelley checks all students for head lice at various times throughout the year. If a student is found to have head lice or nits (eggs), the student will not be allowed to attend school until proper treatment has been obtained and the student is nit free. **Children may not attend school with head lice or nits (eggs)**. To re-enter school a parent/legal guardian is required to bring the child to the nurse's office for a recheck before returning to class or riding the bus. The student must: 1. Have been treated with a medically approved lice and nit killer, and 2. have had all nits (eggs) removed from the hair shafts. If lice or nits are present, the student must leave school until free of lice and nits. The students must then be rechecked and meet the above requirements. Should lice or nits be found on the recheck, the parents/legal guardians must take the child to a doctor for treatment and present a letter signed by the doctor stating the student is without lice or nits. After re-entering school the student will be rechecked between seven and ten days for re-infestation. Absences due to lice are included in the general attendance policy and are unexcused.

### **Curriculum & Instructional Design**

At the heart of Abby Kelley Foster is a highly structured curriculum that sets high expectations and provides individualized monitoring to assist students in attaining ambitious goals.

## **Student Placement**

Abby Kelley Foster welcomes parental involvement in a child's educational program. However, parent letters requesting a particular teacher cannot be considered. Class lists are determined by the grade level team and the academic leadership team. Teachers and administrators consider a number of factors before final class lists are prepared, including gender distribution, achievement levels, and special needs.

## **Elementary School Homework**

We have revised our elementary school homework policy to include nightly reading (20 minutes per night) and practice of math facts nightly. As mentioned in our Attendance Policy, family vacations scheduled during school time or prior to the last day of school are strictly prohibited and considered unexcused absences, regardless of whether the School has been notified in advance. The school will not provide missed work ahead of time for students during family vacations.

## **Progress Reports/Report Cards**

Progress reports will be sent home to the parents of **students of concern** during the middle of the first, second, and third trimesters. Report cards will be distributed to the parents of all elementary school students three times per year. In addition, teachers will discuss students' performance and progress at the parent/teacher conferences, which are held twice during the school year. Parents should contact the teacher to discuss the progress reports/report cards and help develop a plan to ensure academic success. Please see the school calendar for the designated parent/teacher conference dates.

## **Promotion and Retention**

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

## **Summer School/Extended School Day**

Abby Kelley Foster may offer summer school and extended school day opportunities for students in need of additional assistance. Students in need of academic support will receive notice from the Principal prior to the beginning of the program.

## **Student Assessments and Standardized Testing**

We follow the Massachusetts State Frameworks in order to identify and monitor the academic progress and learning of each student in relation to the state standards. All students in Grades K-3 are required to take school-administered assessments throughout the school year. Our staff administer the student assessments in all content areas. The i-Ready Assessment is utilized for Grades K-3 for math and reading. Students in Grades K-2 also take the Benchmark Assessment System (BAS) Test to monitor their progress in reading. Since we are a public school, our Third Grade students are required to take the online State Assessment (MCAS 2.0) in the content areas of Math and ELA.

## **Textbooks, Library Books and Supplies**

All textbooks, library books and instructional materials furnished by the Abby Kelley Foster remain School property. Parents will be required to reimburse the School for lost or damaged books before new books are issued.

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

## **Student Performance Guidelines**

Performances are an integral part of the overall program of Abby Kelley Foster. Performances are not exclusive to musical ensembles and musical productions. The main objective is to allow all students the opportunity, at some point in the year, to present themselves on stage in front of an audience with confidence and to a high degree of proficiency. This could be in a monthly general class assembly, in front of peers and parents in the library, classroom or in an off-site production. Students in Grades K-3 will perform a minimum of one concert per year.

## **Parent Involvement & Communication**

### *Volunteering*

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

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

Parents are encouraged to participate in school-related activities, including those pertaining to curriculum and instruction, such as tutoring and storytelling. Volunteers may also be involved in monitoring the playground and assisting with School events. In addition, parents are encouraged to contribute their time and talent to organizing extracurricular activities and community outreach projects.

Volunteers should dress professionally in business casual attire. Discretion and confidentiality must be exercised. Volunteers must not discuss students, staff or classroom issues with others. Volunteers will coordinate their schedule with the classroom teacher. Early dismissal will be granted to volunteers, who must sign their child(ren) out at the reception desk.

## **Parent Plus Portal Information**

Parents are able to log into the Parent Plus Portal on [akfcs.org](http://akfcs.org). If you need information on how to log in, please email [itsupport@akfcs.org](mailto:itsupport@akfcs.org) to get your username and password. If you already have your login information and need assistance, there is information on [akfcs.org](http://akfcs.org) under "Parents/Students" called "Parent Plus Portal Information".

## **Parent Conferences**

Formal parent/teacher conferences are scheduled twice a year to facilitate open communication between parents and teachers regarding students' progress; refer to the School calendar for specific dates. Feel free to contact your child's homeroom teacher if additional meetings are desired. Every teacher has a phone with voicemail to receive your messages. In addition, each teacher has an email address to further ease communication.

## **When Parents Have a Concern**

We welcome the opportunity to reinforce the home/school partnership to ensure each student has a successful experience in school. Contacting the appropriate person and discussing your concerns can solve most problems. Generally, the best place to resolve an issue is with the source, the classroom teacher. In the event you have met or spoken with the teacher about your concern and you are still not satisfied with the solution, please contact the building principal. In the rare case your concern is not addressed sufficiently at the building level, please contact the Executive Director's office at 508-854-8400 extension 3656.

## **Phone Calls**

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

## **Newsletters**

A monthly newsletter is e-mailed out to families. If you prefer a paper copy, please e-mail or call Delines Hippert (dhippert@akfcs.org, 508-854-8400 extension 3699 ).

## **Field Trips**

Field trips are planned throughout the year to enrich the academic program. Parents/guardians will receive advance notice of all such trips. A permission slip must be signed by a student's parent/guardian in order for the student to participate in a field trip. Students without signed permission slips will remain at the School for that day.

Although the trips are arranged to enhance the curriculum, there may be times when students will not be allowed to participate due to unsafe behavior. The decision not to allow a student to participate will be determined by a team consisting of the school administration, the homeroom teacher, and the teacher organizing the trip. Parents will be notified in advance of this action.

Occasionally parents may be needed to serve as chaperones on class field trips. All chaperones must have a valid, clear CORI Check on file with the School. No parent should feel obligated to serve in this capacity, but parents are encouraged to volunteer if possible. The primary responsibility of a chaperone is to supervise the students. Chaperones are asked to take this responsibility seriously and to remain vigilant and attentive to the students' needs throughout the trip. Children who are not enrolled in the class may not accompany the chaperones. Classroom teachers will notify parents if they have been selected, or not selected, for the field trip.

Parents/guardians who attend school events and create a disruption in any way will not be able to volunteer for future events; further restrictions could also apply.

## **Distribution of Materials**

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

## **Fundraising**

The Executive Director or designee may permit occasional fundraising activities related to the school through the school's PTO. We respectfully request that students not solicit staff or other students for donations for outside organizations.

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

Abby Kelley Foster's Elementary School Parent/Teacher Organization (PTO) was formed to support the students and overall success of the School. Parents and guardians are encouraged to join. For more information, contact the Elementary School PTO at [espto@akfcs.org](mailto:espto@akfcs.org).

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

Parents/guardians of special education students meet during the school year to discuss programs, concerns and issues of the special needs children. For more information, contact the Special Education Director at x3625.

### **English Learners (EL) Parents' Group**

Parents/guardians of English language learner students meet during the school year with the ESL staff to discuss issues and subjects relative to the program. For more information or to join this group, contact the ESL Coordinator at x3664.

### **Title I Parent Organization**

Title I is a federally funded program designed to strengthen core programs in school districts by providing support services to selected students in order to achieve state standards. Students who are struggling academically may be eligible to receive Title I services in either math or English language arts. Title I support services are available to all students regardless of their socio-economic status.

Abby Kelley Foster provides parents with the opportunity to participate in many school wide activities. Our Title I parent group provides opportunities during the school year for parents to become more involved in the Title I program. In collaboration with the Title I staff, the parent group hosts a variety of events and parent information sessions throughout the year. Our Title I events allow students, parents, and siblings to participate in a variety of activities geared toward math and literacy development. The Title I program will fund, within reason, parent involvement meetings and activities that will enable parents to participate. Parents may participate in the planning and development of the school's improvement plan. This may include participation and presentations to the Board of Trustees, school administration, faculty and students. The Accountability Plan is designed to outline the strengths and weakness of the academic program, which includes monitoring adequate yearly progress (AYP) and faithfulness to the school charter. For more information, contact the Principal.

### **Observations**

In order for the school district to have verbal or written contact with an educational advocate or evaluator, a "Release of Information" form must be signed by the parent. This same form applies for requests for an advocate or evaluator to observe the student in the classroom.

A request for a parent, advocate, or evaluator observation shall be made to the school principal either through email, letter, or telephone at least 3 days in advance of the requested observation date. Principals will immediately notify the teachers involved and determine the appropriateness of the specific date requested. Requests for an observation shall include the purpose and desired outcome of the observation.

Principals should inform parents that their presence might influence the performance of their child that day, as well as the performance of other children. If applicable, the building principal will notify the Director of Special Education of the request to observe.

There will be periods of times when observations will not be scheduled, such as during MCAS or other district wide testing and during the first two weeks and the last two weeks of school. The duration and extent of the observation will be determined on an individual basis and shall be limited to an amount of time agreed up by the school principal.

The number of people scheduled to observe a child will be limited to 2 people and no children may accompany a parent, advocate, or evaluator. A staff member will accompany a parent, advocate, or evaluator for the duration of the observation. Those observing will be seated in an area that will not disrupt instruction. Staff members involved in a classroom observation will welcome observers to the class but will not interact with observers before, during, or immediately after the observation.

Those observing shall respect student confidentiality and will not share any impressions of other students with anyone. Observers will be asked to sign a statement that in the event that they obtain personally identifiable or confidential information during the course of an evaluation/observation, they will not disclose it.



Principals retain the authority to exercise their discretion at any time to reschedule or terminate an observation in the event of a building emergency or disruption that impacts the physical or emotional well-being of the children in the school.

Depending on the purposed of the observation, staff will schedule a meeting or make telephone contact to follow up on the observation.

## **Special Education**

### **Charter schools accept and serve students with disabilities.**

Charter schools are open to all grade-eligible students within the school's service area on a space available basis. If more students apply than there are available spaces, a lottery is held to randomly determine who will be admitted. All students who wish to attend a charter school have an equal chance of getting in regardless of, and without any consideration of, any need for special education services.

**See:** M.G.L. c. 71 §89 (l) states that charter schools shall be open to all students, on a space available basis, and shall not discriminate on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, gender identity, *mental or physical disability*, age, ancestry, athletic performance, *special need*, or proficiency in the English language or a foreign language, and academic achievement. (*Emphasis added*)

### **Charter schools must ensure that your student receives special education services if the student has been determined to be an eligible student with a disability by the Individualized Education Program (IEP) team.**

Charter schools must ensure that students with disabilities receive the special education services to which they are entitled. The services may consist of special education instruction and related services in the least restrictive environment, or consist only of related services needed to access the general education curriculum. The amount and location of services (where services will be delivered) is determined by the student's IEP team and is documented in the student's IEP. As determined by your student's IEP team, your charter school will provide services in a placement that is:

- a. Full inclusion- the student is in the general education classroom for 80%-100% of the school day; or
- b. Partial inclusion- the student is in the general education classroom 40-80% of the school day; or
- c. Substantially separate- the student is out of the general education classroom more than 60% of the school day.

### **Your student must receive related services if the IEP team determines the student needs them.**

Charter schools must provide related services to students with disabilities if the IEP team determines that the services are necessary for the student to benefit from special education or, if the student does not require special education instruction, that the related services are necessary to ensure the student's access to the general education curriculum. Examples of these services include: speech therapy, occupational therapy, physical therapy, psychological counseling, and/or adjustment counseling.

### **Charter schools are required to meet the needs of qualified students with disabilities under Section 504 of the Rehabilitation Act of 1973, as amended, even if the student is not eligible as a student with disabilities under federal and state special education laws.**

Charter schools are required to provide a free appropriate public education to qualified students with disabilities under Section 504 of the Rehabilitation Act of 1973, as amended.

## **Behavior Expectations**

Abby Kelley Foster views all behavioral violations seriously. The Executive Director (Superintendent as referred under Massachusetts General Law) and school administration reserve the right to consider any and all relevant information in its disciplinary decision making, and will impose consequences on a case by case basis.

## **Elementary School Rules**

All students are expected to follow the three rules listed below. Students who do not adhere to the school rules may be subject to disciplinary action as determined by the administration.

1. Be Responsible
2. Be Respectful
3. Be Honest

## **Code of Conduct**

Abby Kelley Foster recognizes that effective instruction requires an orderly environment focused on learning, and that the school has an important role to play in supporting parents' efforts to teach basic values to their children. The School's *Code of Conduct* clearly defines expectations for student conduct, focusing on ten character virtues: responsibility, truth, respect, kindness, self-discipline, fairness, perseverance, friendship, courage, and citizenship.

These values are the cornerstone of the School's mission statement. Students focus on a different character virtue each month throughout the school year. Students are encouraged to model the character virtues in their daily actions and to develop the habits that characterize a civil society. In library class each week, our librarian uses different stories in literature as a tool to reinforce the monthly character virtues. Parents can help reinforce such lessons by talking about the character virtues and encouraging students to model them at home.

The faculty and staff at Abby Kelley Foster are dedicated to providing the School's students with the skills necessary to reason and communicate. Central to this mission is the creation of a School community characterized by caring, discipline, order, and respect.

The School's *Code of Conduct* has been designed to guide the efforts of teachers and staff in creating a safe, orderly environment and to reinforce the primary mission of the School: rigorous academic learning. The Code, which states clearly all School-wide rules governing student behavior as well as the consequences for breaking the rules, will serve as a contract among parents, students, and staff.

Establishing a policy that promotes character education and discipline is an ongoing process. Alone this Code will not ensure School discipline, nor will it develop an individual's character. As part of a comprehensive effort supported by all members of the School community, however, it will guide the process. Faculty and staff will work continuously to achieve as much consistency as possible with regard to disciplinary matters, and they will be prepared to revise and adapt disciplinary procedures as necessary.

## **Acknowledging Appropriate Conduct**

At Abby Kelley Foster, students will be encouraged to make appropriate choices regarding their personal conduct. The following paragraphs outline the chief means by which faculty and staff will ensure order and support the development of good character at the School.

## **Positive Interactions and Positive Feedback**

Positive interactions will include greeting students, talking to students, making eye contact, smiling, and overtly praising students when such accolades are deserved. When praising students, staff will attempt to provide them with specific information about which behaviors are contributing to success.

## **Character Counts**

At Abby Kelley Foster, we believe that character development is an integral part of a student's education. We have developed a system that recognizes character strengths in our students. Each month has a designated character virtue that is taught, and weekly, a student from each homeroom is elected by his/her teacher for best exemplifying

that virtue. These students have their pictures taken and displayed in the lobby. They also receive a certificate and have breakfast with the other winners for that week.

### **Correcting Inappropriate Conduct**

It is expected that the majority of students at the School will strive to meet the expectations for responsibility and self-discipline. It is also understood that no single set of procedures will be effective in helping every student develop the skills and attitudes necessary for success. Therefore, a series of interventions will be designed for students who have not been motivated by the School-wide procedures. Teachers will work closely with parents and support staff in order to provide the appropriate intervention and/or support plan to help students be successful.

Students will learn that certain actions are unacceptable and that misbehavior has consequences. Students who engage in misbehavior will be required to make amends and/or restore the situation.

In general, teachers handle the day-to-day behavior in their classrooms. In extreme situations, school administrators will become involved. Teachers will work closely with parents and support staff in order to provide the appropriate interventions and/or support plans to help students be successful.

*Some examples of misbehaviors include, but are not limited to:*

1. Constant talking
2. Refusing to remain in an assigned seat
3. Being argumentative
4. Refusing to complete assignments
5. Disrupting class
6. Using inappropriate language
7. Sleeping in class
8. Roaming the building
9. Not complying with the uniform policy

*Some examples of more serious misbehaviors that will remain in the child's discipline/permanent record include:*

1. Cheating
2. Lying
3. Stealing
4. Damaging or destroying school property
5. Bullying
6. Insubordinate behavior
7. Physically dangerous behavior
8. Illegal behavior
9. Engaging in minor physical altercations

**Insubordinate behavior** is the direct refusal to comply with a reasonable staff instruction and/or speaking to staff members disrespectfully through tone of voice and language usage and non-verbal mannerisms.

**Physically dangerous behavior** includes fighting, assault, and/or physical intimidation. Staff will use professional judgment to determine whether or not to intervene or to use non-violent passive physical restraint.

If a staff member is aware that a student has been or is engaged in illegal activity, the staff member will refer the case to the Principal. To preserve the safety and welfare of all students, the administration reserves the right to search a student's belongings and school property to confirm or rule out allegations of illegal activity. This includes tobacco products, alcohol, drugs, any other illegal substance, or weapons. The Principal will notify the student's parents/guardians and make all decisions regarding whether to contact the appropriate law enforcement authorities.

### **Typical Disciplinary Actions**

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

### **Restitution**

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

### **Loss of Privileges**

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

### **Notes Home**

Students are sometimes asked to write a note home to account for their behavior. When a parent receives a note, it must be signed and returned to the teacher on the following day. Students who fail to return the note will incur further consequences.

### **Phone Calls to Parents**

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

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

An assigned number of days that a student is removed from school. If a student is suspended, he/she may not appear on school grounds for any purpose during the school day, participate in, or attend any extra-curricular activities during the period of suspension. Students on all types of suspensions are responsible for any missed work. Teachers may elect to assign extra work to students who are on any type suspension, at the teacher's discretion. Missed, makeup, or extra work will be provided to the student at the convenience and discretion of the teacher(s) and/or building administrator(s).

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

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

### **Searches**

Searches by school officials of students and their belongings will be conducted in accordance with applicable laws and regulations. Students and their personal belongings, including but not limited to purses, backpacks, computers, cameras, cell phones, other electronic devices, and clothing, as well as student vehicles on school property or at school events, are subject to search by school personnel to the extent that the search is reasonable under all the circumstances. In the event of a search of a student or their belongings, the parent(s) or guardian(s) will be notified. To the extent possible, searches will be conducted by a school official in the presence of another adult. In the event a student is found to be in the possession of an object or substance that may give rise to a crime, the police may be notified. When the school refers a student to the police, the parent(s) or guardian(s) will be notified. Objects, substances, or other items that are prohibited by the school rules may be held by a school official and returned to the parent(s) or guardian(s). Students have no expectation of privacy in their lockers or desks. The school retains joint custody of all lockers and desks, and such lockers and desks are subject to search by school officials at any time.

### **Major Behavioral Infractions**

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

### **Alcohol/Illegal Substances**

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

### **Tobacco**

Use or possession of any tobacco products by any individual in any school building or facility, on school grounds or buses, or during any school sponsored trips or events, is prohibited at all times. Students found possessing or distributing tobacco or any other related tobacco products will be subject to disciplinary action as deemed appropriate by school officials. Parent(s) or guardian(s) will be notified of any such infraction, and the behavior may be reported to the guidance counselor.

### **Group Behavior**

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

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

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

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

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

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

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

### **Hazing**

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

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

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

**Section 18:** Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

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

**Section 19:** Each institution of secondary education and each public and private institution of post secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution’s compliance with this section’s requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution’s recognition or endorsement of said unaffiliated student groups, teams or organizations.

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

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

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

## **Physical Behavior**

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

## **Cheating/Plagiarism**

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

## **Due Process Procedures**

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

1. Child’s Teacher
2. Child’s Principal
3. Executive Director
4. Board of Trustees

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

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

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

### **A. Notice of Student and Parent Rights Under G.L. c. 71 §37H**

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

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

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

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

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

### **B. Notice of Rights Under G.L. c. 71 §37H½**

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

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

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

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

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

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



notification of his right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the superintendent.

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

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

### **C. Notice of Student and Parent Rights Under G.L. c. 71 §37H¾**

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

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

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

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

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

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

- (a) the disciplinary offense;
- (b) the basis for the charge;

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

The principal is required to make and document reasonable efforts to notify the parent verbally of the opportunity to attend the hearing. The principal is presumed to have made reasonable efforts, and therefore may conduct a hearing without the parent present, if the principal has sent written notice (by hand delivery, first-class mail, certified mail, email, or any other method of delivery agreed to by the principal and parent) and has documented at least two attempts to contact the parent in the manner specified by the parent for emergency notification.

## **Emergency Removal**

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

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

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

## **Hearing Rights**

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

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

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

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

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

### **Principal's Hearing Under §37H<sup>3</sup>: Long-Term Suspension**

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

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

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

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

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

1. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
2. Set out the key facts and conclusions reached by the principal;
3. Identify the length and effective date of the suspension, as well as a date of return to school;
4. Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school;
5. Inform the student of the right to appeal the principal's decision to the superintendent or designee (only if the principal has imposed a long-term suspension). Notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate, and shall include the following information stated in plain language:
  - a) the process for appealing the decision, including that the student or parent must file a written notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that
  - b) the long-term suspension will remain in effect unless and until the superintendent decides to reverse the principal's determination on appeal.

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

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

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

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

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

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

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

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

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

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

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

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

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

The principal shall also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the principal is

unable to reach the parent after making and documenting at least two attempts to do so, such attempts shall constitute reasonable efforts for purposes of verbally informing the parent of the in-school suspension.

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

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

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

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

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

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

### **D. Services During Removals and School-Wide Education Service Plan**

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

Abby Kelley Foster has developed a school-wide Education Service Plan for all students who are expelled or suspended from school for more than 10 consecutive school days, whether in or out of school. Principals shall ensure these students have an opportunity to make academic progress during the period of suspension or expulsion, to make up assignments and earn credits missed, including, but not limited to, homework, quizzes, exams, papers and projects missed.

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

If Abby Kelley Foster expels a student or suspends a student for more than 10 consecutive school days, Abby Kelley Foster is required to provide the student and the parent or guardian of the student with a list of alternative educational services. Upon selection of an alternative educational service by the student and the student's parent or guardian, the school or school district shall facilitate and verify enrollment in the service.

### **Discipline of Special Needs Students and Section 504**

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

Under federal and state laws and regulations, students with disabilities may not be discriminated against on the basis of their disability or impairment. The following procedures will be implemented to comply with state and federal law and regulations regarding the discipline of students with disabilities.

A student's Individualized Education Program (IEP) will indicate if the student is unable to meet the regular discipline code, or if the school's code of conduct will be modified because of the student's individual needs. Any modifications to the code will be described in the IEP.

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

Prior to any removal of a Section 504 student that constitutes a change of placement, the school district will convene the Section 504 Team to conduct a causation conference. The Section 504 Team considers available information and makes a determination concerning the relationship between the behavior and the student's disability. If the student's behavior is caused by the student's disability, the school may not discipline the student in a manner which results in a change of placement for the student. If the behavior is not caused by the student's disability, the school may discipline the student in the same manner as non-disabled students. Special education students may be removed (suspended) from their educational placement for up to ten days in a school year without receiving services. *For additional information, please refer to the updated discipline code for more information on all students' rights to services during disciplinary removals.)*

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

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

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

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

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

Interim alternative educational placements are determined by the IEP Team.

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

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

## **School Discipline**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Nothing in this part prohibits an agency from reporting a crime committed by a child with a disability to appropriate authorities or to prevent State law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a child with a disability.

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



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

### **Physical Restraint Policy**

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

- to administer a physical restraint only when needed to protect a student and/or a member of the school community from imminent, serious, physical harm; and
  - to prevent or minimize any harm to the student as a result of the use of physical restraint. Use of restraint - Physical restraint may be used only in the following circumstances:
    - when non-physical interventions would not be effective; and
    - when the student's behavior poses a threat of imminent, serious, physical harm to self and/or others.
1. Limitations on use of restraint - Physical restraint in a public education program shall be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm.
  2. Prohibitions - Physical restraint is prohibited in the following circumstances:
    - as a means of punishment; or
    - as a response to property destruction, disruption of school order, a student's refusal to comply with a school rule or staff directive, or verbal threats that to not constitute a threat of imminent, serious, physical harm.

### ***Definitions:***

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

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

### ***Training:***

An overview of physical restraint policies and procedures are required for all staff. Each principal shall determine a time and method to provide all program staff with training regarding Abby Kelley Foster's restraint policy. Such training shall occur within the first month of each school year, and for employees hired after the school year begins, within a month of their employment.

At the beginning of each school year, the principal of each public education program, or his/her designee, shall identify program staff that are authorized to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. Such staff shall participate in in-depth training in the use of physical restraint. The Department of Elementary and Secondary Education recommends that such training be at least sixteen (16) hours in length.

### ***Reporting Requirements:***

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

The staff member who administered the restraint shall verbally inform the administration of the restraint as soon as possible, and by written report no later than the next school working day. The written report shall be provided to

the principal or director of the program, or his/her designee, except that the principal or director shall prepare the report if the principal or director has administered the restraint. The principal or director, or his/her designee, shall maintain an on-going record of all reported instances of physical restraint, which shall be made available for review by the Department of Elementary and Secondary Education, upon request.

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

### ***Special Circumstances:***

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

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

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

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

The following documentation regarding individual waiver of reporting requirements will be maintained on-site in the student's file and will be made available for inspection to the Department of Elementary and Secondary Education upon request: 1). Informed written consent of parent(s)/guardian(s) to the waiver, which shall specify those reporting requirements listed above that the parent(s)/guardian(s) agree to waive; and 2.) Specific information regarding when and how the parent(s)/guardian(s) will be informed regarding the administration of all restraints to the individual student.

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

### **Students With Disabilities**

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

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

### **Board of Trustees**

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

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

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

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

## **Non-Discrimination Notice and Civil Rights and Safety Information**

### **For School Personnel, Parents, and Students**

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

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

- **Title I of the Americans with Disabilities Act of 1990:** Prohibits discrimination, exclusion from participation, and denial of benefits on the basis of disability in employment.
- **Title II of the Americans with Disabilities Act of 1990:** Prohibits discrimination, exclusion from participation, and denial of benefits on the basis of disability in educational programming.
- **Title IX of the Education Amendments of 1972:** Prohibits discrimination, exclusion from participation, and denial of benefits in educational programs on the basis of sex.
- **Title VI of the Civil Rights Act of 1964:** Prohibits discrimination, exclusion from participation, and denial of benefits based on race, color, or national origin.
- **Section 504 of the Rehabilitation Act of 1973:** Prohibits discrimination, exclusion from participation, and denial of benefits based on disability.
- **M.G.L. Ch. 76 §5:** Prohibits discrimination in all public schools on the basis of race, color, sex, national origin, religion, and sexual orientation.

### *1. Statement*

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

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

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

### *2. Commitment to Prevention:*

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

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

- a. School employees must intervene in ongoing civil rights violations and episodes of wrongful harassment whenever witnessed or reported to the extent that intervention can be done safely. School employees must report a civil rights violation or episode of wrongful harassment to the School Civil Rights Administrator. A designated Civil Rights Administrator must intervene in ongoing matters of civil rights violations and episodes of wrongful harassment, summoning assistance as necessary.
- b. The primary objective of school intervention in a civil rights matter is to put a swift end to, and prevent any recurrence of, any wrongful conduct, so as to ensure the safety of all students and a school environment free of wrongful harassment and civil rights violations. Intervention should be undertaken immediately, as needed on a short-term basis, and more comprehensively once a civil rights violation has been found to occur. The school will take all necessary steps within its authority to implement the objective of stopping continuing civil rights violations and wrongful harassment, and restoring and preserving an environment free of such conduct.
- c. Effective, and if need be escalating, measures should be used to definitively stop harassment and violence. School officials should immediately consider and use regular administrative actions to defuse a civil rights situation wherever possible: separating victim or complainant and offender, ordering the offender to stay away from the victim, or assigning additional security. Relevant school disciplinary hearings should begin and proceed on an expedited basis where there is a threat of ongoing interference with civil rights. Disciplinary action appropriate to the offender's conduct should be taken when a violation is found. Potential criminal conduct will be reported to law enforcement, and legal remedies pursued as necessary to protect civil rights.

### *4. Designation of Civil Rights Administrator:*

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

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

### *5. Identification of Prohibited Conduct:*

- a. Definitions
  - Bias Incident means any act, including conduct or speech, directed at or which occurs to a person or property because of actual or perceived race, religion, color, ethnicity, disability, gender, or sexual orientation. A bias incident may or may not be a criminal act.
  - Bias Indicators are objective facts and circumstances, which suggest that an action was motivated in whole or in part by a particular type of bias.
  - Bias Motives recognized by Massachusetts's law as causing hate crimes include prejudice based on race, religion, color, ethnicity, disability, gender, and sexual orientation.
  - Civil Rights Violations involve interfering by threats, intimidation, or coercion, with someone's enjoyment of constitutional or statutory rights. Rights protected against interference include non-discrimination in access to advantages and privileges of a public school education. The term "civil rights violation" also covers bias-related and sexual harassment and bias crimes, so the term is applied generically to any civil or criminal law infractions.

- Discrimination consists of actions taken against another or others, which treat them unequally because of race, religion, color, national origin, disability, sexual orientation, or gender bias.
  - Harassment consists of unwelcome verbal, written or physical conduct targeting specific person(s), which is sufficiently severe, persistent, or pervasive to create an intimidating, hostile, humiliating, or offensive school environment, or substantially interfere with the progress of a student's education. Physical harassment includes pushing, hitting, punching or other unwanted contact between students. It also includes any case of a student not permitting another student freedom of movement by blocking the way or otherwise hampering passage. Any student who engages in physical, sexual, or verbal harassment is subject to a range of disciplinary measures up to and including expulsion.
  - Bias-Related Harassment will present bias indicators, most commonly epithets: name-calling derogatory to a particular racial, religious, or sexual orientation group;
  - Sexual Harassment covers instances of physical or verbal conduct of a sexual nature, not limited to but including sexual advances, which foster a hostile educational environment for the victim. Sexually harassing behaviors include, but are not limited to: display or circulation of written materials or pictures derogatory to a gender or sexual orientation, writings or drawings placed on school properties, uninvited remarks and gestures, unwanted sexual comments, spreading sexual gossip, pressure for sexual activity, unwanted physical contact such as touching, pinching, patting, rubbing, etc., homophobic behavior, e.g. gay and lesbian harassment.
  - Hate Crimes include any criminal acts to which recognized types of bias motives are an evident contributing factor. Criminal bias-motivated conduct entails, at a minimum, threats. Criminal conduct includes acts putting someone in fear of immediate physical harm (assaults), and actual physical violence (assault and battery), and grows most serious if a victim suffers any bodily injury. Repeated threatening or menacing actions like following someone can amount to the crime of stalking.
  - Hostile Environment exists when a person has been or is subjected to threats, intimidation, or coercion by another (or others) or is reasonably in fear for his or her safety. Whether a school environment has become hostile must be evaluated based on the totality of the circumstances. Repeated instances of bias-related and sexual harassment create a hostile environment for the victim. A single act of harassment can also create a hostile or intimidating environment if sufficiently severe. A hostile environment does not necessarily entail that a student exhibits quantifiable harm, such as a drop in grades.
  - Stalking, a felony, consists of intentional conduct involving 1) two or more acts directed at a specific person, 2) which would cause an average person substantial distress, 3) where the perpetrator has made threats causing the targeted person fear of death or injury.
- b. Common Bias Indicators
- Bias-related oral comments or epithets
  - Bias-related markings, drawings, or graffiti
  - Use of bias-related symbols
  - No clear economic motive for an assault and battery
  - Crime involving disproportionate cruelty or brutality
  - Offender history of crimes of similar nature and victims of the same group
- c. Examples of Civil Rights Violations and Bias Incidents
- Unwelcome verbal, written, or physical conduct directed at the characteristics of a person's race or color, such as nicknames emphasizing stereotypes, racial slurs, comments on manner of speaking, and negative references to racial customs (racial and color harassment)
  - Unwelcome verbal, written, or physical conduct, directed at the characteristics of a person's religion, such as derogatory comments regarding surnames, religious tradition, or religious clothing, or religious slurs, or graffiti (religious harassment)
  - Conduct directed at the characteristics of a person's national origin, such as negative comments regarding surnames, manner of speaking, customs, language, or ethnic slurs (national origin harassment)
  - Conduct directed at the characteristics of a person's sexual orientation-actual, perceived, or asserted-such as negative name-calling and imitating mannerisms (sexual orientation harassment)
  - Conduct directed at the characteristics of a person's disabling condition, such as imitating manner of speech or movement, or interference with necessary equipment (disability harassment)
  - Physical conduct putting someone in fear of imminent harm, coupled with name-calling of a bigoted nature (crime of assault)

- Repeated, purposeful following of someone, coupled with evident bias against the victim's actual or perceived group status (civil rights violation or crime of stalking)
- Painting swastikas on walls or other public or private property (crime of vandalism)
- Hitting someone because of his or her actual or perceived group status (crime of battery)

d. **Scope of Information**

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

6. *Procedures for Responding to and Investigation Incidents*

- a. Whenever a staff person witnesses, or some third party reports, a possible civil rights violation, the School's designated Civil Rights Administrator must be notified. The School's Civil Rights Administrator should immediately begin an investigation. In an emergency, 911 must be called.
- b. A student coming forward to report a civil rights violation s/he has experienced should be directed to the School's designated Civil Rights Administrator after any emergency needs are attended. Consideration should be given to whether any immediate or interim steps are necessary to ensure the safety of and avert retaliation against the complainant.
- c. The investigation must determine whether a civil rights violation has in fact occurred. An immediate aim of the investigation should be preservation and gathering of evidence from the scene of an incident. Bias-related graffiti should be photographed then removed. The investigator should seek to interview all victims and witnesses at the scene, or as soon thereafter as possible, and then interview others who may have relevant knowledge as well. The investigation may also consist of any other methods and documents deemed relevant and useful.
- d. All the circumstances as found should be carefully evaluated for the presence of bias indicators that would characterize the matter as a civil rights violation. The investigation should make a finding as to whether civil rights infraction in violation of this policy has occurred based on the definitions of wrongful conduct supplied at Section 6.

7. *Complaint Procedures in cases of sexual, racial and/or other harassment:*

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

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

- a. Non-disciplinary Corrective Actions: Potential civil rights violations can be addressed with steps that are not

punitive in character, without the necessity of disciplinary proceedings. These steps generally lie within the ordinary discretion of principals and school officials. Examples of non-disciplinary actions that may be appropriate in some instances include counseling, assignment to participate in a diversity awareness training program, separating offender and victim, parent conferences, and special work assignments such as a composition on a civil rights-related subject.

- b. **Disciplinary Proceedings:** Violations of the civil rights of a student or school employee which are found to have occurred after a hearing warrant the imposition of sanctions up to and including suspension and expulsion (for students), and suspension or termination (for employees). Disciplinary actions will be taken toward the goals of eliminating the offending conduct, preventing reoccurrence, and reestablishing a school environment conducive for the victim to learn. The school may consider completion of a youth diversion program as a sanction for student violators, standing alone or in conjunction with other disciplinary actions, for violations of civil rights.
- c. **Failure to Act by Administrators and Teachers:** Upon completion of information dissemination, administrators and teachers have a duty to act to stop witnessed sexual or bias harassment and hate crimes, as safely as can be done; and to report occurrences to the civil rights administrators and sometimes the police. A clear failure to act as this policy would direct should in the first instance entail that the individual undergo further training in hate crimes, diversity issues, and the requirements of school policy. The school administration will develop further sanctions and actions to address repeated instances of a failure to act in accordance with this policy.

## *9. Commitment to Non-Retaliation*

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

## *10. Referral to Law Enforcement*

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

## *11. Documentation Requirements*

- a. **Record keeping:** The Civil Rights Administrator will be responsible for keeping records of all civil rights violations and hate crimes reported for the School. These records shall be grouped according to school year and grade. In addition to recording the particulars of the incident itself, the system should record the actions taken in response and the results of the investigation and intervention. The Civil Rights Administrator shall keep this information gathered at a central place such as a school civil rights office.
- b. **Monitoring and Tracking to Identify Patterns:** Records should be maintained so as to permit administrators to detect patterns in civil rights violations, repeat offenders, and problem locations. Responsive action should be tailored based on the pattern information that records reveal.

## *12. Dissemination of Information and Training*

- a. This information shall be conspicuously posted throughout each school building in areas accessible to pupils and staff members.
- b. This information shall appear in the faculty and student handbook.
- c. The Civil Rights Administrator will provide instruction in the provisions of this information to teachers, other

employees and students.

- d. This information shall be reviewed at least annually for compliance with state and federal law.

### *13. Additional Information: Section 504 of the Rehabilitation Act*

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with a disability in any program receiving federal financial assistance. In order to fulfill obligations under Section 504, Abby Kelley Foster has the responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability should knowingly be permitted in any of the programs and practices of the School system.

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

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

Questions should be directed to the designated Civil Rights Administrator.

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

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

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

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

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

The ADA requires that the School focus on the ability, not the disability, of the individual. Abby Kelley Foster will consider reasonable accommodations providing the individual can perform essential functions of the position. It is



not required, however, to give preferential treatment to individuals with disabilities or lower the expected standards of performance.

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

## **SCHOOL TECHNOLOGY**

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

#### **I. Introduction**

The Abby Kelley Foster Charter Public School is pleased to make available to students access to interconnected computer systems and to the Internet, the worldwide network that provides various means of accessing significant educational materials and opportunities. In order for the Abby Kelley Foster Charter Public School to be able to continue to make its computer network and Internet access available, all students must take responsibility for appropriate and lawful use of this access. Students must understand that one student's misuse of the network and Internet access may jeopardize the ability of all students to enjoy such access. While the school's teachers and other staff will make reasonable efforts to supervise student use of network and Internet access, they must have student cooperation in exercising and promoting responsible use of this access. If you have any question about this policy, you should contact the building principal. If any user violates this policy, the student's access will be denied, if not already provided, or withdrawn and he or she may be subject to additional disciplinary action.

#### **II. Policy Statement**

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

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

#### **III. Acceptable Uses**

##### ***Educational Purposes Only***

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

#### **IV. Unacceptable Uses**

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

1. Unauthorized access, "hacking", and/or other unlawful activities;
2. Unauthorized disclosure, use, and dissemination of personal identification information regarding minors.
3. Sending or displaying offensive messages or pictures
4. Using obscene language
5. Giving personal information, such as complete name, phone number, address or identifiable photo without permission from teacher and parent or guardian.
6. Harassing, insulting or attacking others (cyberbullying)
7. Damaging or modifying computers, computer systems or network resources, whether physically or through use of software means such as deletion, formatting, viruses, hacking, phishing, cracking

8. Violating copyright laws. All communications and information accessible via the network are private property unless otherwise stated.
9. Using others' passwords
10. Trespassing in others' folders, work or files
11. Intentionally wasting limited resources
12. Installing any software, shareware or freeware without Principal approval and installation by onsite contact person
13. Employing the network for commercial purposes, financial gain or fraud
14. The network, wired and wireless, is for educational uses only. Non-educational use is prohibited.

## **V. Net Etiquette**

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

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

## **VI. Internet Safety**

### **A. General Warning**

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

### **B. Personal Safety**

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

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

### **C. "Hacking" and Other Illegal Activities**

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

### **D. Confidentiality of Student Information**

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

1. home addresses
2. telephone number

3. credit card numbers
4. Social Security numbers.
5. Photographs
6. video

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

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

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

#### **F. Employed Restriction Measures**

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

##### **1. Filtering**

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

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

##### **2. Monitoring**

In addition to the root level filtering, the school also utilizes various additional 3rd party monitoring and computer lab management tools which allow teachers to further control the use of classroom computers. The staff

and students are advised that any and all electronic communication transmitted using the school network, email system, or other school licensed software or services are potentially viewable to AKFCPS and school administration. Furthermore, this communication is admissible in court.

### **3. Education**

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

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

### **VII. Adoption**

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

Updates and amendments will be made and published as needed.

## **AKF Bullying Prevention and Intervention Plan**

### **BULLYING PLEDGE**

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

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

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

The Pledge: I make a COMMITMENT to take a stand against bullying. I will treat others with RESPECT and KINDNESS. I will have the COMPASSION to not be a bully and the COURAGE to not be a bystander. It is my RESPONSIBILITY to help others being bullied and to report bullying.

Responding to bullying: Tell them to stop and tell a trusted adult.

### **I. PURPOSE**

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

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

### **II. LEADERSHIP AND IMPLEMENTATION**

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

**A. Public involvement in developing the plan.**

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

**B. Assessing needs and resources.**

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

Abby Kelley Foster will survey our students, staff and families on an annual basis to assess school climate and safety issues. In addition, the school will collect and analyze school safety data on a monthly basis to determine areas of concern. The student survey can be used with faculty, staff, and parents/guardians to assist in determining school climate needs. All data collection will be completed by the assistant principal and reported to the school administration on a monthly basis. The school will monitor behavior in all school buildings, on the school bus and during school sponsored activities. The data collected will help to identify patterns of behaviors and areas of concern, and will inform decision-making for prevention strategies including, but not limited to, adult supervision, professional development, age-appropriate curricula, and in-school support services. Abby Kelley Foster will at least once every four years beginning with 2015/16 school year, the district will administer a Department of Elementary and Secondary-developed student survey to assess school climate and the prevalence, nature, and severity of bullying in our schools. Additionally, the school will annually report bullying incident data to the Department.

**C. Planning and oversight.**

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

**D. Priority Statement**

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

We recognize that certain students may be more vulnerable to become targets of bullying, harassment, or teasing based on actual or perceived characteristics, including race, color, religion, ancestry, national origin, sex,

socioeconomic, status, homelessness, academic status, gender identity or expression, physical appearance, or sensory, disability, or by association with a person who has or is perceived to have one or more of these characteristics. The school or district will identify specific steps it will take to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

Abby Kelley Foster Charter Public School has established separate discrimination or harassment policies that include these or other categories of students with the student and employee handbooks. Nothing in this section shall alter the obligations of a school district, charter school, non-public school, approved private day or residential school or collaborative school to remediate any discrimination or harassment based on a person's membership in a legally protected category under local, state or federal law.

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

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

### **III. TRAINING AND PROFESSIONAL DEVELOPMENT**

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

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

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

#### **B. Ongoing professional development.**

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

1. developmentally (or age-) appropriate strategies to prevent bullying;
2. developmentally (or age-) appropriate strategies for 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; and
6. Internet safety issues as they relate to cyberbullying.

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

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

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

#### **C. Written notice to staff.**

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

### **IV. ACCESS TO RESOURCES AND SERVICES**

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

#### **A. Identifying resources.**

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

#### **B. Counseling and other services.**

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

collaboratively as possible. School counselors work with administrators to provide linguistically appropriate resources to identified families.

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

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

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

#### **C. Students with disabilities.**

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

#### **D. Referral to outside services.**

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

### **V. ACADEMIC AND NON-ACADEMIC ACTIVITIES**

The Abby Kelley Foster Charter Public School will provide age appropriate instruction on bullying prevention in each grade that is incorporated into the School's evidenced based curricula and character education curriculum. Effective instruction includes classroom approaches, whole school initiatives, and focused strategies for bullying prevention and social skills development.

#### **A. Specific bullying prevention approaches.**

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

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



Intervention Plan. The Plan should include specific information about how and when the school or district will review the Plan with students.

8. Initiatives will also teach students about the student-related sections of the Abby Kelley Foster Charter Public School Bullying Prevention and Intervention Plan through school assemblies and/or class meetings annually.

#### **B. Instructional programming currently in place.**

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

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

#### **C. General teaching approaches that support bullying prevention efforts.**

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

1. Setting clear expectations for students and establishing school and classroom routines;
2. Creating safe school and classroom environments for all students, including for students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students;
3. Using appropriate and positive responses and reinforcement, even when students require discipline;
4. Using positive behavioral supports;
5. Encouraging adults to develop positive relationships with students;
6. Modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;
7. Using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development;
8. Using the Internet safely; and
9. Supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

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

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

A school district, charter school, non-public school, approved private day or residential school or collaborative school may establish separate discrimination or harassment policies that include these or other categories of students. Nothing in this section shall alter the obligations of a school district, charter school, non-public school, approved private day or residential school or collaborative school to remediate any

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

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

### **A. Reporting bullying or retaliation.**

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

Use of an Incident Reporting Form is not required as a condition of making a report. The school or district will: 1) include a copy of the Incident Reporting Form in the beginning of the year packets for students and parents or guardians; 2) make it available in the school's main office, the counseling office, the school nurse's office, and other locations determined by the principal or designee; and 3) post it on the school's website. The Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

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

#### **1. Reporting by Staff**

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

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

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

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

#### **1. Safety**

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

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

## **2. Obligations to Notify Others**

### **a. Notice to parents or guardians**

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

### **b. Notice to Another School or District.**

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

### **c. Notice to Law Enforcement.**

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

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

## **C. Investigation**

The principal or designee will investigate promptly all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved.

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

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

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

#### **D. Determinations**

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

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

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

The principal or designee shall inform the parent or guardian of the target about the Department of Elementary and Secondary Education's problem resolution system and the process for accessing that system, regardless of the outcome of the bullying determination.

#### **E. Responses to Bullying**

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

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

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

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

##### **2. Taking Disciplinary Action**

If the principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with the Plan and with the school's or district's code of conduct.

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

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

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

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

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal or designee will contact the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the principal or designee will work with appropriate school staff to implement them immediately.

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

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

## **VII. COLLABORATION WITH FAMILIES**

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

### **A. Parent education and resources.**

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

### **B. Notification requirements**

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

## **VIII. PROHIBITION AGAINST BULLYING AND RETALIATION**

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

### **Acts of bullying, which include cyber bullying, are prohibited**

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 the school, and at a location, activity, function, or program that is not school-related through the use of technology or an electronic device that is not owned, leased, or used by a school, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying is also prohibited. As stated in M.G.L. c. 71, § 37O, nothing in the Abby Kelley Foster Behavior Prevention and Intervention Plan requires the school to staff any non-school related activities, functions, or programs.

## **IX. Problem Resolution System**

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

Any parent wishing to file a claim/concern or seeking assistance outside of the district may do so with the Department of Elementary and Secondary Education Program Resolution System (PRS). That information can be found at: [DESE PRS](#), emails can be sent to [compliance@doe.mass.edu](mailto:compliance@doe.mass.edu) or individuals can call 781-338-3700. Hard copies of this information is also available at the Executive Director's office.

## **X. DEFINITIONS**

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

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

Bullying, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students or a member of a school staff of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

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

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

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

**Retaliation** is any form of intimidation, reprisal, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying. **School Staff** includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, and bus drivers, and athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals. **Target** is a student against whom bullying, cyber bullying, or retaliation has been perpetrated.

## **XI. RELATIONSHIP TO OTHER LAWS**

Consistent with state and federal laws, and the policies of the school or district, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, religion, ancestry, national origin, sex, socioeconomic status, academic status, gender identity or expression, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.

Nothing in the Plan prevents the school or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or school or district policies.

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

## **APPENDICES TO POLICY**

### *Responsibilities of School Personnel and Students in Relation to Witnessed or Reported Bias Incidents*

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

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

#### **Teachers Only**

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

#### **School Staff Specifically**

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

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

Be available to receive reports of civil rights violations from students, faculty, and other administrators.  
Respond promptly to a report of a civil rights violation by intervening if possible, ensuring that individuals are safe and free from harassment, and by starting an investigation and quickly ascertaining the facts.

Put a stop to ongoing harassment immediately and effectively, and refer victims to support services and resources available in the area.

Take remedial, corrective, and disciplinary action as warranted following the investigation, and consistent with school policies and the Code of Conduct.

Take steps to avert retaliation against individuals who report civil rights violations, and act immediately to ensure the individual's safety and freedom from harassment.

Communicate and coordinate efforts with police on a regular, ongoing basis, and develop a working partnership with police officers assigned to Abby Kelley Foster Charter Public School and civil rights issues.

Undergo specialized training to maintain knowledge of hate crimes and civil rights issues as they affect schools.

Coordinate school prevention programming and activities, drawing on available resources and tools.

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

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

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

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

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

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

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

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

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

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

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

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

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