

AMESBURY PUBLIC SCHOOLS

# Student Handbook

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Amesbury Academy Charter Public School

**Principal Eryn Maguire**

**2014-2015**

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*Revised 1-10-12, 8-24-12, 11/14*

## **INTRODUCTION**

Amesbury Academy Charter Public School is a Horace Mann Public Charter School that was established in 2001 through application to the Massachusetts Department of Elementary and Secondary Education by the Amesbury Public School System. Amesbury Academy serves students from Amesbury only.

## **MISSION STATEMENT**

Amesbury Academy Charter Public School will exhibit unconditional commitment to every child, ensuring that all students experience success through the development of attitudes and skills necessary for life-long learning. We will provide the highest quality staff, meaningful learning experiences, and a vitally involved community. Our goals include achievement as well as mastery of the skills needed to become workers, parents and citizens in a democratic society.

## **ENROLLMENT POLICY**

*Voted April 30, 2002*

Amesbury Academy Charter Public School shall not discriminate on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language or foreign language, or prior academic achievement.

Eligibility for enrollment is consistent with the school's grade levels as documented in the Amesbury Academy Charter Public School's charter. The ultimate enrollment of Amesbury Academy Charter Public School will be fifty students that number to be divided equitably among grades nine through twelve.

Amesbury Academy Charter Public School shall not administer tests to potential applicants or predicate enrollment on results from any test of ability or achievement. Requirements for enrollment in Amesbury Academy Charter Public School, including, but not limited to attendance at informational meetings and interviews, shall not be designed, intended or used to discriminate.

In conformance with M.G.L. c. 71, Section 89, enrollment in a Horace Mann Charter (Amesbury Academy Charter Public School) shall be conducted as follows:

- priority shall be given first to any students actually enrolled in said school on the date that the final application is filed with the Board of Education and to their siblings. In such cases where there are fewer spaces in a Horace Mann charter (Amesbury Academy Charter Public School) than eligible applicants who were enrolled in said school, the Charter School shall hold an enrollment lottery;
- if there are more spaces available than eligible applicants from the school, and there are more applicants than spaces available who reside in Amesbury in which Amesbury Academy Charter Public School is located and who are currently enrolled in the public schools of the Amesbury School district in which the Horace Mann charter school is located, Amesbury Academy Charter Public School shall hold an enrollment lottery for all such applicants;

- if there are more spaces available than there are eligible applicants for a given grade level, the remaining spaces may be filled with students from other grade levels, following procedures outlined in (a) and (b).
- if there are more spaces available than eligible applicants from the school or district, and there are more applicants than spaces available who reside outside the town of Amesbury in which the Horace Mann charter school is located, Amesbury Academy Charter Public School shall hold an enrollment lottery for all such applicants.

If the principal enrollment process fails to produce an adequate number of enrolled students, Amesbury Academy Charter Public School may repeat the process more than once, if necessary, providing such process is fair and open, with reasonable public notice given at least one week prior to the application deadline. As spaces become available during the school year, the school may repeat the enrollment process to fill these openings. No student entering an enrollment process may be admitted ahead of other eligible students who were previously placed on a waiting list during a prior enrollment process.

Amesbury Academy Charter Public School will place names of Amesbury district students not selected in an enrollment lottery on a waiting list in the order of the names that were drawn. Students on the waiting list may be enrolled, as spaces become available. There will be two separate waiting lists, one for middle school and one for high school.

All lotteries shall be conducted in public with a disinterested party drawing names and with reasonable public notice given at least one week prior to the lottery.

If space is available after the first option was given to Amesbury school district students, students outside the district may apply via School Choice. Students applying via School Choice will be placed on the appropriate waiting list after Amesbury students.

**Revised:**

**3/01**

**3/02**

**7/02**

**9/14**

**Reviewed/No revisions:**

**7/12**

**BOARD OF TRUSTEES**

Lyn Griffin  
Michele Robinson  
Debra LaValley  
Jerry Cabana  
Jim Babbin

**ADMINISTRATIVE STAFF**

Eryn Maguire, Principal

**ACADEMIC STAFF**

Bethany Noseworthy – Guidance Counselor  
Michael Hildt–Special Education Teacher  
Elizabeth Backler – Science Teacher  
Thomas Olsen – Math Teacher  
Patrick Pingeton – English Teacher  
Patrick Hamilton – Social Studies Teacher  
Melissa Nadeau – Instructional Specialist  
Dana Fangerquist – Administrative Assistant

**NURSING STAFF**

Florence Kennedy - Nurse

## **COMPREHENSIVE DEVELOPMENTAL GUIDANCE AND COUNSELING PROGRAM**

Professional school counselors provide and carry out a comprehensive developmental guidance and counseling program which focuses on the uniqueness of *all* students in three areas of development: academic, career and personal/social. These areas or domains are in alignment with the American School Counselor Association (ASCA) national standards and follow the Amesbury Academy Charter Public School Counseling domains. The program components include the guidance curriculum, individual planning, responsive services and program management.

## **DUTIES OF SCHOOL COUNSELOR**

- Provide direct counseling services to students individually and in support groups.
- Implement classroom lessons focusing on orientation to the school, graduation requirements, career exploration, post secondary options, and academic skills.
- Serve as liaisons between parents, school staff, students and the community.
- Consult with teachers and staff members.
- Coordinate meetings between students, parents and staff.
- Facilitate referrals to school and community services and or agencies.
- Disseminate information to parents/guardians about graduation requirements, academic programming, and postsecondary planning through large-groups workshops.
- Advise students on academic planning, graduation requirements, personal/social concerns and career decision-making skills.
- Provide career guidance to students individually and in large groups.
- Assist students with the college selection and application process.
- Review confidential and other school records.
- Serve on school and community committees.

## **PARENT INVOLVEMENT**

Parent involvement in the educational process is critical to your child's success. Parents should feel free to contact the teachers with questions and concerns during normal work hours. Research shows that student success is linked to parent involvement. Parents/Guardians are encouraged to become involved in Academy activities in addition to keeping in regular communication with children's teachers. The Amesbury Parent Advisory Council meets the third Wednesday of each month at 6:00 p.m. at the Academy. We ask that you please make every effort to attend. Additionally, parents of students with special needs are encouraged to join the Special Education Amesbury Parent Advisory Council (SEAPAC). The Academy ensures school-linked services through coordination with The Pettengill House, a social service agency. Additionally, the Amesbury Academy requires each parent/guardian to sign a School-Parent Guardian Compact that establishes our mutual responsibility to educate each child as follows:

## **SCHOOL-PARENT/GUARDIAN COMPACT**

The Amesbury Academy Charter Public School and the parents/guardians of the students participating in activities, services, and programs funded by Title I, Part A of the Elementary and Secondary Education Act (ESEA) (participating children), agree that this compact outlines how parents/guardians, the entire school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents/guardians will build and develop a partnership that will help children achieve the State's high standards.

This compact is in effect during school year 2014-2015.

### **School Responsibilities**

The Amesbury Academy Charter Public School will:

1. Provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the participating children to meet the State's student academic achievement standards.
2. Hold parent/guardian-teacher conferences during which this compact will be discussed as it relates to the individual child's achievement. These conferences will be held at the beginning of each school year.
3. Provide parents/guardians with frequent reports on their children's progress. Specifically, the school will provide quarterly progress reports, beginning four weeks after the first day of school and in the middle of each quarter following. Additionally, report cards are issued at the end of each quarter. The 2014-2015 schedule for report cards and progress reports is provided in this document and at [www.amesburyma.gov](http://www.amesburyma.gov).
4. Provide parents/guardians reasonable access to staff. Specifically, staff will be available for consultation with parents/guardians as follows: Between 7:30 and 8:30 a.m. and 1:30 and 2:30 p.m. and by appointment or via e-mail.
5. Provide parents/guardians opportunities to volunteer and participate in their child's classes, observe classroom activities, and school-wide activities. Examples include:
  - Assisting with community service learning projects
  - Volunteering with annual fundraisers such as the Father/Daughter Dance
  - Attending monthly parent advisory council meetings

### **Parent/Guardian Responsibilities**

We, as parents/guardians, will support our children's learning in the following ways:

- Monitoring attendance by ensuring that my child(ren) will arrive promptly for school each day and attend school regularly. When at all possible, medical and other appointments for my child(ren) will be made after school is dismissed
- Volunteering for school fundraisers and community service learning projects
- Participating, as appropriate, in decisions related to my child(ren)'s education
- Promoting positive use of my child(ren)'s free time
- Encouraging my child to fulfill their work study commitment
- Staying informed about my child's education and communicating with the school by promptly reading all notices from the school or the school district either received by my child or by mail and responding, as appropriate. Also, I will routinely visit the school website
- Serving, to the extent possible, on policy advisory groups, such as the Parent Advisory Council

### **Student Responsibilities**

We, as students, will share the responsibility to improve our academic achievement and achieve the state's high standards. Specifically, we will:

- Work to the best of our potential in school and demonstrate positive work habits
- Give to my parents/guardian all notices and information received by me from the Academy
- Participate actively in community service learning
- Participate actively in completing my work study obligation

### **Additional required school responsibilities:**

- Involve parents/guardians in the planning, review, and improvement of the schools parental involvement policy, in an organized, ongoing, and timely way
- Involve parents and guardians in the joint development of any schoolwide program plan, in an organized, ongoing, and timely way, through the annual parent survey and invitation to Board of Trustee meetings
- Hold an annual meeting to inform parents/guardians of the school's participation in Title I, Part A programs, and to explain the Title I, Part A requirements, and the right of parents/guardians to be involved in Title I, Part A programs. The school will convene the meeting at the beginning of each academic year, with 2 sessions, one held in the evening and one during the day to ensure that all parents/guardians are able to attend. The school will invite to this meeting all parents/guardians of children participating in Title I, Part A programs (participating students) and will encourage them to attend.
- Provide information to parents/guardians of participating students in an understandable and uniform format, including alternative formats upon the request of parents/guardians with disabilities, and, to the extent practicable, in a language parents/guardians can understand.
- Provide to parents/guardians of participating children information in a timely manner about Title I, Part A programs that includes a description and explanation of the school's curriculum, the forms of academic assessment used to measure children's progress, and the proficiency levels students are expected to meet.
- On the request of parents/guardians provided opportunities for regular meetings for them to formulate suggestions, and to participate, as appropriate, in decisions about the

education of their children. The school will respond to any such suggestions as soon as practicably possible.

- Provide to each parent/guardian an individual student report about the performance of their child on the State assessment in at least mathematics and English language arts/reading.
- Provide each parent/guardian timely notice when their child has been assigned or has been taught for four (4) or more consecutive weeks by a teacher who is not highly qualified within the meaning of the term in section 200.56 of the Title I Final Regulations (67 Fed. Reg. 71710, December 2, 2002).

## **RIGHTS OF 18 YEAR OLD STUDENTS**

Eighteen year olds have particular rights in school. When a student turns eighteen, he/she has some of the same legal rights as an adult. However, the school can continue to keep parents informed about student progress and whereabouts. Students turning 17 years of age and older will be given a form allowing them the option to exercise their legal rights once they reach the age of majority.

The school cannot require that parents sign permission slips for field trips. An eighteen year old student can give himself/herself permission to go on a trip.

The school cannot require that an eighteen year old student have absence notes signed by a parent. If school officials wish to verify the truth of an absence note, they may require the signature of another adult. The school can notify a student's parents when a student is absent. The rights of 18-year-olds have been limited by Chapter 480 of the Acts of 1981 which amends the Student Records Regulations. Parents now have access to the record even if the student is 18. All written communication to 18 year old students will also be sent to parents or guardians.

Eighteen year olds must still follow the regulations of the school in all areas, including dismissal procedures.

## **GRADING**

Report cards are issued on a quarterly basis. Midterm progress reports are sent home each quarter. These reports are sent to the parents and guardians of the students. Academic letter grades are based on actual achievement. Conduct, attitude, attendance, cooperation and responsibility are all considered in giving the grade. Each teacher has a syllabus that outlines their grading strategy. This is presented to all students at the start of the school year. All Students have Individualized Learning Plan (ILP). Special Education students have an Individualized Education Plan (IEP). Students keep portfolios that are linked to Individual Learning Plans and/or Individual Education Plans. Portfolios and grades are both linked to Amesbury Academy Charter Public School's exit standards and benchmarks. Work is individualized and aligned with the students Individualized Learning Plan or Individualized Education Plan. Credits are awarded at the end of the year for classes that have been passed. Students who are not maintaining a C average will be offered tutoring before and after school. A student who has endured extenuating circumstances may be given an INC, Incomplete, by teachers.

**Report Cards, Progress Reports**

Report cards are issued four times a year, at the end of each quarter. The following terminology and procedures will be used for grade reporting:

A =	90 - 100	Outstanding Work
B =	80 - 89	Good Work/Above Average
C =	70 - 79	Average/Satisfactory Work
D =	60 - 69	Passing/Not Satisfactory
F =	0 - 59	Failing
INC =	Incomplete –	

Incompletes are given at the teacher's discretion on quarter report cards, *not* mid-term progress reports. Students have two weeks from the end of the quarter to complete a portion of their missing work if they have had extenuating circumstances that have affected their attendance. Teachers will update the students grade after the two week time period. Please note, if the absences are not excused, the participation portion of the teacher's grade average must reflect these absences as 0's.

The 2014-2015 schedule for the distribution of report cards and progress reports is as follows:

**QUARTER DATE**  
**2014-2015**

**FIRST QUARTER**

Begins:	Tuesday, September 2, 2014
Progress reports submitted on:	Friday, October 3 <sup>rd</sup> , 2014
Quarter Ends:	Friday, November 7, 2014

**SECOND QUARTER**

Begins:	Monday, November 10, 2014
Progress reports submitted on:	Thursday, December 12, 2014
Quarter Ends:	Friday, January 30, 2015

**THIRD QUARTER**

Begins:	Monday, February 2, 2015
Progress reports submitted on:	Friday, March 13, 2015
Quarter Ends:	Friday, April 17, 2015

**FOURTH QUARTER**

Begins:	Monday, April 27, 2015
Senior progress rep. submitted:	Friday, May 15, 2015
Underclass progress rep. submitted:	Friday, May 22, 2015
Quarter Ends:	Thursday, June 25 <sup>th</sup> , 2015

Report cards and progress reports will be mailed one (1) week following the closing dates listed above.

## REMEDIATION POLICY

By the end of the second marking period, teaching teams will identify students who are in danger of needing remediation. A meeting will be called involving the student, caregivers, Academy Staff and the Principal. A plan will be devised that will remediate the student and provide weekly or monthly check-ins for progress as needed.

## ATHLETICS

The following sports and extra-curricular activities are offered by the Amesbury Academy Charter Public School and Amesbury High School.

Amesbury Academy Charter Public School and the Amesbury Academy Charter Public School do not discriminate against any student on the basis of race, color, national origin, sex, disability, religion or sexual orientation.

### Fall Winter Spring

Cheerleading

Basketball (Boys & Girls)

Baseball

Cross Country (Boys & Girls)

Cheerleading Softball

Field Hockey

Ice Hockey

Tennis

Football

Indoor Track

Track and Field

Golf Co-Op

Wrestling w/Whittier

Soccer (Boys & Girls)

In order to be eligible to participate in co-curricular athletics, a student must pass a required physical examination each year. Private physicals are good for 13 months. All athletes must also conform to the rules of the MIAA.

### Academic Requirements

A student must be secure during the last marking period preceding the contest passing grades in at least three courses. The student cannot fail more than four courses during the year. Eligibility shall be determined only on the date when the report cards for that ranking period have been issued to the parents/guardians of the students.

**A.** A student who repeats work upon which the student has once received credit cannot count that subject a second time for eligibility.

**B.** A student cannot count for eligibility any subject taken during the summer vacation, unless that subject has previously been failed.

**C.** Students receiving services under Chapter 766 whose individualized education plan is a 502.4 or more restrictive prototype, may be declared academically eligible by their principal or designee provided that all other eligibility requirements are met.

### **Substance Abuse**

The following rules will apply when athletes are on or off the school grounds, with the exception of the use of tobacco, where the following will govern the extra health rules must be followed. MIAA Rule 62 – The Chemical Health Rule states that from the first allowable day of fall practice, through the end of the academic year or final athletic competition of the year, whichever is later, a student shall not, regardless of the quantity, be in the presence of, use or consume, possess, buy/sell or give away any beverage containing alcohol, marijuana or any controlled substance or tobacco. It is not a violation for a student to be in possession of a legally defined drug specifically prescribed for the student's own use by the student's doctor. In order for a chemical health suspension to be completed, a student athlete must remain a member of the team and finish the season in good standing during which the suspension was served.

### **Local Amesbury Sports Rules**

1. No student shall take part in any practice or athletic contest on any day in which he/she is absent from school during the day without the expressed consent of the principal or principal's designee. **TO BE CONSIDERED PRESENT FOR THE PURPOSE OF THIS RULE THE STUDENT MUST BE PRESENT IN SCHOOL FOR AT LEAST HALF THE DAY.** Any student dismissed from school due to illness will not be allowed to participate in any athletic or co-curricular event on that day. If a student is not present for the last day of school in a week, they are not eligible for participation in co-curricular events until they have attended school for the required amount of time in a given day.

2. Practice and games are normally scheduled during vacation periods. The pressures placed upon the student athlete are lightened due to the decrease in academic demands during vacation periods. It is extremely important that student athletes who have made a commitment to their athletic program have an obligation to his or her teammates and coaches to prepare as well as possible in order to compete safely in the sport. It is understood that missing practices will lead to issues concerning safety, missed skills and knowledge while absent from competitive training. These concerns mandate a delay in returning to active competition. Upon returning from a vacation, the vacationing student athlete will immediately begin practicing and dress for games.

a. A student who has missed four to six days should practice a minimum of three days prior to participating in a game.

b. A student who has missed three or less days should practice a minimum of two days prior to participating in a game.

c. However, it will be at the coach's discretion to evaluate the length of the absence and the amount of re-conditioning necessary for their sport.

3. No student shall participate in any athletics at Amesbury High School unless s/he is willing to:

a. Attend all practice sessions and games unless ill or excused.

b. Observe such other rules as may be made by the coaches and/or trainer. (Failure to abide by these rules may result in a student being dismissed from the squad.)

4. No student shall change from one sport to another after the first scheduled contest has been played without the expressed approval of the Dean of Activities.
5. No student will be allowed to compete in any athletic activity prior to the passing of a physical examination and the receipt of a parent permission form.
6. Amesbury High School offers Football Cheering and Winter Sports Cheering. Winter sports cheering will consist of one squad of 20 members. Freshman will be allowed to try out for cheerleading along with sophomores and juniors. Also, there will be mandatory try-outs for all cheerleaders each year. The only exception will be the captain of each squad.
7. The head coach has the option of recommending cutting team members from any team if excessive participants warrant such action. Coaches utilizing this option are required to receive approval from the Dean of Activities and High School Principal or designee before making any cuts.
8. Afternoon practices must not be scheduled before 3:00 p.m. on school days. Practices must not last longer than 3 hours.

#### **Award Requirements Conditions Governing All Sports**

1. Candidates for any award must:
  - a. Display upright conduct and the spirit of fair play at all times.
  - b. Exhibit respect for the school personnel, coaches, game official and opponents.
  - c. Return all equipment or make proper restitution.
2. All candidates for any award shall be recommended by the head coach and approved by the athletic Principal and the principal.
3. A member of the squad for two years or more, including junior and senior years, having shown conscientious attendance at practices and games, even through he/she fails to meet game requirements may be awarded a letter.
4. Injury to a team member having played in seasons prior to the injury, which prevents him/her from playing the required number of periods, may not prevent the team member from getting an award.
5. To be eligible for an award a team member must finish the playing season as a bona fide member of the playing squad.
6. Starting with the Class of 2013, multiple violations of MIAA rules may result in the loss of eligibility for academic awards.
  - A. **FOOTBALL** - Play in one half of the total quarters of varsity games.
  - B. **FIELD HOCKEY** - Play one half the total halves of varsity games.
  - C. **SOCCER** - Play in one half of the total halves of varsity games.
  - D. **CROSS COUNTRY** - Participate in 50% of the varsity meets and finish in the top 10 within the team.

- E. **BASKETBALL** - Play in one half of the total number of quarters of varsity games.
- F. **ICE HOCKEY** - Play in one half of the total periods of varsity games. Goalies are the exception.
- G. **BASEBALL AND SOFTBALL** - Play in one half of the total innings of varsity games. Pitchers are the exception.
- H. **TRACK** - Earn at least an average of one point per varsity meet.
- I. **TENNIS** - Participate in one half of all varsity matches.
- J. **GOLF** - Participate in one half of the varsity matches.
- K. **CHEERLEADING** - must finish the season in good standing.
- L. **MANAGERS** - Complete two years of service, one of which must be during the junior or senior year. Managers must attend varsity practices and games on a daily basis.
- M. **SCOREKEEPERS, BALLGIRLS, BALLBOYS, ETC.**

Must complete of three years of service.

7. In exceptional cases, the head coach may make recommendations for letter awards.

8. **Rules for individual sports.** It is the duty of the head coach to establish rules for his/her sport which are not covered by the general rules and regulations. These rules will apply to all levels: varsity, JV, and freshman. Each coach will put the rules in writing and inform all players and parents/guardians of the rules by letter prior to the start of the season. A copy of these rules will also be given to the Dean of Activities and the High School principal or designee.

### **MIAA Student Ambassadors**

Student athletes have the opportunity to be student ambassadors who sit on the MIAA Board of Directors. In order to do so, a student who is a junior or senior may submit his / her name to the Athletic Director who will choose two representatives to sit on the board.

### **Spectators**

Amesbury High School fans are encouraged to be in attendance at contests at home and away during the year. Students are reminded that their actions reflect upon AHS and the City of Amesbury. Amesbury High School students attending games, at home or away, are subject to the directives and supervision of the principal, deans, and teachers.

The following rules will be enforced at all AHS contests in any of the facilities utilized:

1. No signs or banners, except those approved by the administration will be permitted.
2. No noisemakers, horns, bells, etc., of any kind may be brought to the contest. Offenders will be asked to leave the contest.

### **User Fees**

Athletes will be charged a user fee each season that he/she plays. If, in the event, a student cannot honor the user fee, he/she may for a waiver of the fee.

### **Hazing**

Hazing of any kind - covert or overt - is prohibited. Chapter 269 as amended by Chapter 665 of the Laws of Massachusetts prohibits the practice of hazing and provide for a punishment of a fine, imprisonment, or both. "Hazing" is defined in Chapter 269 as "Any conduct or method of initiation which willfully or recklessly endangers the physical or mental health of any student or person"... Students engaging in this kind of practice shall be expelled from the club or activity doing the hazing. The expulsion will include the loss of all benefits, privileges, or awards ordinarily associated with, or earned by, membership in that particular group. Furthermore, those students are subject to prosecution as described above.

## **CO-CURRICULAR ACTIVITIES**

Academy students are permitted to join co-curricular clubs and activities that are not available at the Academy. Co-curricular activities include:

### **Art and Camera Club**

Students meet on a regular basis to enhance their art and camera skills.

### **Band Activities**

Involvement in the band can take a student to the stadium, to the auditorium, to the gymnasium and even to the streets of Amesbury. See Mr. Horan for details.

### **Big Brother/Big Sister**

Juniors and seniors are assigned to a teacher at either the Cashman or the Amesbury Elementary School and, on occasion, the Middle School. The teacher will have the students work with individuals or small groups doing reading or math or whatever the students need. The group also helps collect items for the Pettengill House.

### **Chorus**

Choral groups perform at various school and community events throughout the school year. Students can be members of a select group or the large group chorus. See Mrs. Meyer for further details.

### **Connected**

*Connected* is Amesbury High School's own TV news magazine, shown monthly on Channel 18. Every month, *Connected* members strive to bring the people of Amesbury an unbiased, in-depth look at what's happening in Amesbury's schools, from after school programs to educational issues that are important to both students and parents. A *Connected* member may choose to do on-screen work, such as being an anchor or reporter, or work behind the scenes writing and editing stories. Members are encouraged to work on stories after school. Anyone who can and will commit may join at any time. If you are interested in joining, please visit the A.V. Room near the library.

### **Drama Club**

Students learn the art of drama through skits and weekly skill building. Students will put on a fall play and spring musical. Students will learn all aspects of how to do this. The club also does fundraising. The club is open to all students and normally meets on Wednesdays.

**Environmental Club**

Students will explore different environmental issues in the community. Activities will be decided upon by the club, but will include recycling bottles, monitoring trails in town and participating in various programs such as dealing with exotic plants and helping threatened species within Amesbury. The club is open to all students and meetings are usually held on Tuesdays.

**Gay/Straight Alliance**

This organization seeks to create a group united by acceptance and understanding through programs such as the Day of Silence and Harmony Day.

**Peer Leaders**

Peer leaders do a variety of community service and peer outreach and education activities. Peer leaders educate elementary and middle school students, design education campaigns at the Academy and participate in numerous community based health and human service projects. The organization is open to all grades and meets weekly on Tuesdays.

Calendar 2014-2015

August 2014							September 2014							20	20	October 2014							22	42
S	M	T	W	Th	F	Sa	S	M	T	W	Th	F	Sa	S	M	T	W	Th	F	Sa				
					1																			
	4	5	6	7	8			<b>H</b>	<b>ST</b>	3	4	5					<b>PRT</b>	2	3					
	11	12	13	14	15			8	<b>PD*</b>	10	11	12			6	7	8	9	10					
	18	19	20	21	22			15	16	17	18	19			<b>H</b>	14	15	16	17					
	25	26	<b>T</b>	<b>PD</b>	<b>V</b>			22	23	24	25	26			20	21	22	23	24					
								29	30						27	28	29	30	31					
November 2014							December 2014							16	58	January 2015							19	94
S	M	T	W	Th	F	Sa	S	M	T	W	Th	F	Sa	S	M	T	W	Th	F	Sa				
	3	<b>PD*</b>	5	6	7			1	2	3	4	5						<b>H</b>	<b>V</b>					
	10	<b>H</b>	12	13	14			8	9	10	11	12			5	6	7	8	9					
	17	18	19	20	21			15	16	17	18	19			12	13	14	15	16					
	24	25	<b>ER</b>	<b>H</b>	<b>V</b>			22	23	<b>V</b>	<b>H</b>	<b>V</b>			<b>H</b>	20	21	22	23					
								<b>V</b>	<b>V</b>	<b>V</b>					26	27	28	29	30					
February 2015							March 2015							15	109	April 2015							16	147
S	M	T	W	Th	F	Sa	S	M	T	W	Th	F	Sa	S	M	T	W	Th	F	Sa				
								2	3	<b>PRT</b>	5	6					<b>PRT</b>	2	<b>H</b>					
	2	3	<b>PRT</b>	5	6			9	10	11	12	13			6	7	8	9	10					
	9	10	11	12	13			16	17	18	19	20			13	14	15	16	17					
	<b>H</b>	<b>V</b>	<b>V</b>	<b>V</b>	<b>V</b>			23	24	25	26	27			<b>H</b>	<b>V</b>	<b>V</b>	<b>V</b>	<b>V</b>					
	23	24	25	26	27			30	31						27	28	29	30						
May 2015							June 2015							20	167								14	181
S	M	T	W	Th	F	Sa	S	M	T	W	Th	F	Sa											
					1			1	2	3	4	5												
	4	5	<b>PRT</b>	7	8			8	9	10	11	12												
	11	12	13	14	15			15	16	17	<b>18</b>	<b>M</b>												
	18	19	20	21	22			<b>M</b>	<b>M</b>	<b>M</b>	<b>M</b>	26												
	<b>H</b>	26	27	28	29			29	30															

**INDICATES NO SCHOOL**

**STUDENT YEAR:**

**SCHOOL STARTS:** 9/2/14

**SCHOOL ENDS:** 6/18/15 (181<sup>st</sup> Day)

<p><b>CALENDAR CODES:</b></p> <p><b>V</b> – School Vacation</p> <p><b>TI</b> – New Teacher Induction Days (No School)</p> <p><b>H</b> – Holiday (No School)</p> <p><b>ER</b> – Early Release Day (See Release Times)</p> <p><b>PD</b> – Prof. Dev. (No School)</p> <p><b>PRT</b> – Professional Release Time Day (See Release Times)</p> <p><b>ST</b> – Student’s First Day</p> <p><b>T</b> – Teachers/Staff Only (No School)</p>	<p><b>SCHOOL HOURS:</b></p> <table border="0"> <tr> <td>7:30-2:30</td> <td><b>High School</b></td> <td>10:50</td> <td>12:30</td> </tr> <tr> <td>7:40-2:25</td> <td><b>Middle School</b></td> <td>10:50</td> <td>12:30</td> </tr> <tr> <td>8:30-3:00</td> <td><b>Elementary</b></td> <td>11:30</td> <td>1:00</td> </tr> </table> <p><b>No School Announcements:</b> Connect-Ed, WBZ, WCVB, WHDH, and Fox 25</p> <p><b>*Election Days: 9/9/14 &amp; 11/4/14</b></p> <p>Disclaimer: In the case of excessive snow days or other reasons to close school, the Superintendent may use the Good Friday no school day as a school day and/or declare school on Saturday.</p>	7:30-2:30	<b>High School</b>	10:50	12:30	7:40-2:25	<b>Middle School</b>	10:50	12:30	8:30-3:00	<b>Elementary</b>	11:30	1:00
7:30-2:30	<b>High School</b>	10:50	12:30										
7:40-2:25	<b>Middle School</b>	10:50	12:30										
8:30-3:00	<b>Elementary</b>	11:30	1:00										



## 2014–2015 Statewide MCAS Testing Schedule

Test	Regular Administration Date	Alternate Administration Date
ELA Composition (Grades 4, 7, and 10)	March 24	April 2
ELA Composition Make-Up (Grades 4, 7, and 10)	April 2	April 8
Grade 10 ELA Reading Comprehension, Sessions 1 and 2	March 25	March 31
Grade 10 ELA Reading Comprehension, Session 3	March 26	April 1
Grade 10 Mathematics, Session 1	May 12	May 19
Grade 10 Mathematics, Session 2	May 13	May 20
High School STE, Session 1	June 2	June 8
High School STE, Session 2	June 3	June 9

Added Amendment, - March 10, 2015

## **NO SCHOOL INFORMATION**

Amesbury Academy Charter Public School will cancel school or hold a delayed opening due to weather when Amesbury Public Schools cancels school or delays an opening. Announcements of no school or delayed opening will be made through the Ed-Connect automated telephone notification system. Also, school closings or delayed openings will be announced on local radio and television news programs.

## **SCHOOL SCHEDULE**

The Academy offers an individualized program. Because there is a school-to-work component in the students' day, the academic program for the high school is in session from 8:30 a.m. until 1:30 p.m. Students participate in an internship/work program for five (5) hours per week, before or after school. There are 181 school days at the Academy, following the Amesbury Public School schedule. Teachers participate in staff development during the school year and a summer institute during the summer months.

### **Amesbury Academy Schedule**

8:30 to 8:45 – Advising  
8:50 to 10:00 – Block 1  
10:00 to 11:00 – Block 2  
11:00 to 11:30 – Lunch  
11:30 to 12:30 – Block 3  
12:30 to 1:25 – Block 4  
1:25 to 1:30 – End of Day Meeting

Five additional hours of work study per week are required of all students in order to meet the 990 hour student obligation of the Department of Education.

## **SCHOOL-TO-WORK INTERNSHIP**

The Amesbury Academy Charter Public School Charter incorporates a commitment to develop career awareness, career path options, and 21st Century Skills in all students by graduation in order to prepare them for advanced study or meaningful employment. One of the four themes upon which the school curriculum was built, career awareness, is integral to the philosophy of preparing students to become “workers, parents, citizens in a democratic society.” Toward this end, all students who attend the Amesbury Academy Charter Public School are required to participate in a school-to-work or internship program a minimum of 5 hours weekly.

The Guidance Counselor at The Academy works with the academic teachers to offer career related skills and to coordinate and supervise the work/study, internship, and community service aspects of the program. Students earn one credit per quarter for a total of 4 credits yearly in this area. The program incorporates a reflective writing component that assists students in

setting and achieving their goals and becoming proficient in each of the nine competencies outlined in the Massachusetts Work Based Learning Plan. Internship supervisors and employers agree to assist students in achieving the competencies as evidenced by measures captured in the Individualized Learning Plan. A comprehensive curriculum has been written which links career and technical skills to academic, workplace, and 21<sup>st</sup> Century Skills. Delivery of this curriculum supplements the internship and work placements for any student who may be unable to complete the internship/work requirement during any semester.

## **COMMUNITY SERVICE LEARNING**

Community Service Learning is integrated into the academic program at the Academy. All students participate in service activities that are determined by faculty and students as they explore social issues that affect our world. The service theme of the Academy is "Think Globally, Act Locally."

## **FIELD TRIPS**

Students represent the Amesbury Academy Charter Public School while on a field trip. It is important that everyone follows the Code of Conduct and uses safe and courteous behavior while on field trips. All school rules apply to field trips and special programs. Field trips are extensions of the curriculum. All students are expected to participate in field trips.

## **CLOTHING AND DRESS REGULATIONS**

Students are expected to come to school in appropriate clothing. Students are not allowed to wear bandanas or any form of gang apparel or clothing with sexual or drug-related messages. Clothing which compromises student safety will not be allowed.

## **ACCEPTABLE USE POLICY**

Use of the internet and computer networks is a privilege, increasingly essential to learning that offers new freedoms and demands new responsibilities. The purpose of a computer network is educational. No user shall use the network to perform any act that is illegal or unethical and the school is not liable for the actions of the network users. Use of the network may be monitored. Therefore, users shall observe all provisions of copyright law in using material obtained from the network resources. Use of the network to knowingly pass along viruses, infiltrate programs or to dismantle operating systems is prohibited. Users communicating via the network are expected to use appropriate language at all times and must abide by school guidelines on appropriate use of computers and the network. Violation of these guidelines or purposeful damage to computers will result in loss of network privileges and/or suspension from school according to the rules set forth in school handbooks. Use of the network has not been established as a public access or public forum. Users shall not use the network resources for commercial purposes or political lobbying.

## **Cell Phone Policy**

Cell phone use during school hours, 8:30 to 1:30, is not permitted for any reason. If students need to make a phone call or receive a phone they can use the school phone at 978-388-8037.

Students have two options regarding their cell phones:

1. Check your phone in at the office before school, and retrieve it at the end of the school day.
2. Keep your cell phone off, away and out of site, in a purse, backpack or pocket.

If at any time a teacher or staff member witnesses a student using his/her phone for any purpose, (texting, checking the time, using apps, listening to music, using a social media site, etc.) the phone will be confiscated and put in a safe location by the staff member. The student can retrieve the phone at the end of the day.

If the student refuses to turn in the cell phone to the staff person, the student will be directed to the main office. A parent/guardian will be called and the phone will be picked up.

## **CODE OF CONDUCT**

The word discipline is derived from the Latin word for learning. Thus, an effective discipline program must be based on the positive aspects of teaching and learning, rather than be negatively associated with punishment. The goal of discipline is to help students learn how to be responsible and caring members of their family, their school and their community. This process requires empathy and structure. The rules of a school should be few in number, convey what is expected and be stated in positive terms. Fairness and consistency are paramount in this regard.

The ultimate goal of good discipline is to create an environment that is safe and conducive to effective learning because its members have good self-control, make responsible choices for behavior and show respect and caring for others. Therefore, the guidelines for behavior for all students at The Academy on the school premises and at school-sponsored events and activities may be summarized by the following fundamental principles:

1. Respect Yourself
2. Respect Others
3. Respect Property

Students will work with the Academy faculty to develop specific rules. These rules will become part of the code of conduct. The agreed upon rules will be clear, and students will be expected to follow these rules. If the student breaks a rule, there will be an appropriate consequence, and the teacher and student will develop a plan for new behavior following the principles of Glasser's Reality Therapy. In general, teachers will attempt to invoke consequences that are logically related to the original misdeed. For instance, the following will address the loss or damage to school property: Students who lose or willfully damage school property may be expected to pay for the cost of replacing or repairing the property. While such consequences are effective, they are not sufficient in themselves to produce lasting improvement in behavior. Positive reinforcement of appropriate behavior must also be present.

## ATTENDANCE

Attendance at school is the shared responsibility of parent/guardians and students. Attendance is directly related to school success. Attendance at all classes is mandatory unless a student is properly excused or dismissed by school staff. A student may receive an excused absence for 1) personal illness (dismissal by nurse or administration only); 2) family emergency; 3) approved dismissal for medical, dental or legal appointment; 4) class field trips; 5) jury duty, and 6) other approved educational events.

Students requesting dismissal for reasons 2, 3, and 6 must bring a written request to the teacher before school on the day of dismissal. The request must be signed by a parent or guardian and must specify the reason for dismissal. The student must sign out in the early dismissal book in before leaving school.

Students with excused absences shall have at least as many days to make up work as their absence with a minimum of 2 days. Attendance terminology is as follows:

- Absence is the nonattendance of a student on those days when school is in session.
- Tardiness is being late for school and/or class.
- Examples of excused absence are, but are not limited to, the following reasons: personal illness, quarantine or death in the family.
- Examples of unexcused absence are, but not limited to, the following reasons: absence through parental neglect, illegally employed, truancy, cutting class, baby-sitting, household work, and out-of-school suspension.
- In accordance with Massachusetts General Law Chapter 76, Section 18 Entitled MGL C76, 518, a student may be terminated after 15 consecutive days of unauthorized absence.

Any absence from class will require contact from the student's parent or guardian explaining the reason (s) for missing school. A doctor's note will be required for any absence of three or more consecutive days at the discretion of the Academy Principal

## TARDINESS

Being on time for class is an imperative, as all students must adhere to the time on learning plan. All missed class time must be made up during the buy-back time on the day that the tardiness was incurred. Chronic tardiness (three or more days in a school week) by any student will require the student and his/her parents to meet with staff to resolve the tardiness issue. Adult aged students, over eighteen (18) years of age, have the option of including their parents when they meet with the staff. Refusal to meet these conditions will lead to suspension or expulsion. Any child below the age of sixteen (16) years of age with seven (7) unexcused absences or tardiness per quarter may be subject to the filing of a Child Requiring Services (CRA) application with the Essex County Juvenile Court, at the discretion of the Academy Principal.

## CELL PHONES AND PORTABLE COMMUNICATION DEVICES

The School Committee recognizes that today's society is different from previous generations. Cell phones and portable communication devices or tablets play an important part in employee and student safety and communications. Cell phones and PCDs are defined as current and emerging technologies that are wireless units that send and/or receive electronic communications in an analog or digital data transmission. The possession or use of cell phones and PCDs are prescribed for students as follows:

Students:

- a. Students may possess and carry cell phones and PCDs; however, these units must be turned off during the academic school day to ensure that disruptions and interference of the instructional and academic climate of the school do not occur. Please refer to building-specific policies as noted in student handbook.
- b. The school administration may, in its sole discretion, grant exceptions for cell phones and PCD use based upon critical need and appropriate documentation.
- c. Students who violate this policy may face disciplinary actions by the administration. Additionally, cell phones that are used during the day will be confiscated; students may pick them up after school. Repeated infractions may result in parent notification.
- d. Amesbury Public Schools will not be liable for any property not picked up within 2 school days.

**PROMOTING CIVIL RIGHTS AND PROHIBITING HARASSMENT, SEXUAL HARASSMENT, HAZING, BULLYING, CYBER BULLYING, SEXTING, DISCRIMINATION, AND HATE CRIMES**  
**JFCB/GBCBC**

**I. GOALS**

The Amesbury Public School District is committed to providing our students equal educational opportunities and a safe learning environment free from harassment, bullying, discrimination, and hate crimes, where all school community members treat each other with respect and appreciate the rich diversity in our schools. This Policy is an integral part of the District's comprehensive efforts to promote learning, eliminate all forms of violent, harmful, and disruptive behavior and enable students to achieve their personal and academic potential and become successful citizens in our increasingly diverse society.

The District will not tolerate any unlawful or disruptive behavior, including any form of harassment, bullying, discrimination, or hate crimes in our schools or school-related activities. The District will promptly<sup>[1]</sup> investigate all reports and complaints of harassment, bullying, discrimination, and hate crimes, and take prompt, effective action to end that behavior and prevent its reoccurrence. Action will include, where appropriate, referral to a law enforcement agency. The District will support this Policy in all aspects of its activities, including its curricula, instructional programs, staff development, extracurricular activities, and parental involvement.

## **II. GENERAL STATEMENT OF POLICY**

The Amesbury Public School District prohibits all forms of harassment, discrimination, and hate crimes based on race, color, religion, national origin, ethnicity, sex, sexual orientation, age, or disability. The civil rights of all school community members are guaranteed by law, and the protection of those rights is of utmost importance and priority to our School District. The District also prohibits bullying of school community members or other harmful conduct for reasons unrelated to race, color, religion, national origin, ethnicity, sex, sexual orientation, age, or disability. The District will also not tolerate retaliation against persons who take action consistent with this Policy.<sup>[2]</sup>

### **A. APPLICATION**

This Policy applies to all sites and activities that the District supervises, controls, or where it has jurisdiction under the law, including school grounds, property immediately adjacent to school grounds, or at a school-sponsored or school-related activity, function or program, at a school bus stop, on a school bus or other vehicle owned, leased or used by the District, or through the use of technology or an electronic device owned, leased, or used by a school district or school. The bullying policy applies to any location, activity, function or program that is not school-related or through the use of technology or an electronic device that is not owned, leased or used by the district, if the act or acts in question create a hostile environment at school for the target, infringe on the rights of the target at school or materially and substantially disrupt the education process or the orderly operation of the school. It applies to all students, school committee members, school employees, independent contractors, school volunteers, parents and legal guardians of students, and visitors to District schools. Nothing in this Policy, however, is designed or intended to limit the District's authority to discipline or take remedial action under General Laws Chapter 71, §37H or other authority, or in response to violent, harmful, or disruptive behavior, regardless of whether this Policy covers the conduct.

### **B. DISCIPLINARY AND CORRECTIVE ACTION**

Violation of this Policy is a serious offense. Violators will be subject to appropriate disciplinary and/or corrective action to correct and end the conduct, prevent its reoccurrence, and protect and restore a sense of safety for the complainant and other similarly-situated individuals from harassment, discrimination, hate crimes, retaliation, and bullying in the future.

### **C. DEFINITIONS**

The definitions of terms used in this Policy, including descriptions of conduct this Policy prohibits, appear in the "Glossary of Terms."

## **III. RESPONSIBILITIES**

### **A. Each School Community Member is responsible for:**

1. complying with this Policy, where applicable;
2. ensuring that (s)he does not harass, discriminate against, or commit a crime against another person on school grounds or in a school-related

activity because of that person's race, color, religion, national origin, ethnicity, sex, sexual orientation, age, genetics or disability;

3. ensuring that (s)he does not bully another person;
4. ensuring that (s)he does not retaliate against any other person for reporting or filing a complaint, for aiding or encouraging the filing of a report or complaint, or for cooperating in an investigation of harassment, bullying, discrimination, or a hate crime; and
5. cooperating in the investigation of reports or complaints of harassment, bullying, discrimination, retaliation, or a hate crime.

**B. Each School Employee, Independent Contractor and School Volunteer is ALSO responsible for:**

1. responding appropriately when witnessing harassment, bullying, discrimination, retaliation, or a hate crime on school grounds or in a school-related activity;
2. cooperating with the District's efforts to prevent, respond effectively to, and eliminate harassment, bullying, discrimination, and hate crimes; and
3. promptly reporting all information s(he) knows concerning possible harassment, bullying, discrimination, retaliation, or a hate crime to a designated school official when (s)he witnesses or becomes aware of that conduct.

**IV. PROTECTION AGAINST RETALIATION**

The District will take appropriate steps to protect from retaliation persons who take action consistent with this Policy, or who report, or file a complaint or cooperate in an investigation of a violation of this Policy. Threats or acts of retaliation, whether person-to-person, by electronic means, or through third parties, are serious offenses that will subject the violator to significant disciplinary and other corrective action.

**V. REPORTING AND RESOLUTION PROCESS**

**A. DESIGNATED OFFICIALS FOR REPORTING**

1. In Each School Building  
The school principal or the District's Equity Coordinator are responsible for receiving reports and complaints of violations of this Policy at the school level. A report or complaint of a violation of this Policy may be filed with the Equity Coordinator, Elizabeth McAndrews, 5 Highland Street, Amesbury, MA, 978-388-4800.
2. For the Central Administration  
The District Equity Coordinator is responsible for receiving and addressing reports or complaints of violations of this Policy at the district level. A report or complaint involving the District Equity Coordinator should be filed with the

Superintendent; a report or complaint involving the Superintendent with the School Committee.

## **B. REPORTING PROCEDURES**

1. Any school employee, independent contractor, or school volunteer who becomes aware or has a reasonable belief that harassment, bullying, discrimination, retaliation, or a hate crime has occurred or may have occurred must promptly report the alleged incident(s) to a designated official.
2. Any student or other person (who is not a school employee, independent contractor or school volunteer) who becomes aware or has a reasonable belief that harassment, bullying, discrimination, retaliation, or a hate crime has occurred or may have occurred is strongly encouraged to and should promptly report the incident(s) to a designated official. In situations where a student or other person does not feel comfortable reporting the incident to a designated official, (s)he may report it to a trusted school employee, who must promptly transmit the report to a designated official.
3. Any school community member may also report possible incidents of harassment, bullying, discrimination, retaliation, or a hate crime directly to a Principal, the District Equity Coordinator or to the Superintendent. Students or other persons may also make anonymous reports.
4. Upon receipt of a written or oral report or complaint, the principal (or his/her designee) and the District Equity Coordinator will promptly notify one another of the facts alleged and any initial action taken.
5. When a report or complaint involves physical injury, the principal (or his/her designee) will promptly report the incident to the Superintendent.
6. All complaints or reports about a violation of this Policy must be documented on the District's "Reporting/Complaint Form". The form is available at the front office of each school and at the central office. If a complainant or reporter is either unwilling or unable to complete the District's Reporting/Complaint Form, the school principal (or designee) who receives the oral complaint or report will promptly prepare a written report, by filling out the District's Reporting/Complaint Form, using, to the extent practicable, the reporter's or complainant's own words to describe the potential violation.
7. On the District's Reporting/Complaint Form, the principal (or designee) will summarize any initial action taken and forward a copy to the District Equity Coordinator.
8. Reporting Sexual Abuse and Other Serious Criminal Conduct
  - a. General Laws Chapter 119, Section 51A, makes administrators, teachers, school nurses, guidance counselors and other school staff members mandated reporters for purposes of reporting child abuse and neglect to the Department of Children and Families (DCF). Under G.L. c. 119, Section 51A, a school staff member who has reasonable cause to believe that a

student under the age of 18 years is suffering physical, sexual, or emotional abuse, or neglect, by a parent, guardian, school staff member, or other caretaker, must immediately report the abuse or neglect either directly to the DCF or to the person designated by the school to accept those reports, who, in turn, must promptly report the abuse to the DCF.

- b. The principal, Equity Coordinator and/or Superintendent will report certain forms of sexual harassment and conduct (i.e., unwanted sexual touching or sexual assault) that may constitute a crime to the local police.
- c. The principal, Equity Coordinator and/or Superintendent will report physical injury, destruction of public property, potential hate crimes, certain bullying conduct and other acts of a criminal nature to the local police for criminal investigation.

### **C. FILING A COMPLAINT OR REPORT**

1. The complainant or reporter files a written complaint or report with a designated official, using the District's Reporting/Complaint Form, identifying the name(s) of the subject of the complaint, if known; describing the facts and circumstances of the incident or pattern of behavior; providing the time(s) and date(s) of the incident(s); and identifying any witnesses and relevant documentary information.
2. A complainant or reporter may also file an oral complaint or report. In those circumstances, a designated official will complete the District's Reporting/Complaint Form based on the oral information, using, to the extent practicable, the complainant or reporter's own words. The complainant will sign the Reporting/Complaint Form.

### **D. PROCEEDINGS**

#### **STEP ONE**

The designated official will separately meet in a timely manner with the complainant and the subject of the complaint. If a student is involved, the parent(s) or guardian(s) will be notified and may be invited to attend the meeting. The official will talk about the formal process, explain the prohibition against retaliation, and determine the corrective action the complainant seeks. The designated official will also explain that the investigation will be kept as confidential as possible, but that the District cannot promise absolute confidentiality, and may not be able to withhold the complainant's identity from the subject of the complaint, since such a promise could interfere with the District's ability to enforce its Policy, conduct a fair and thorough investigation, or impose disciplinary or corrective action.

#### **STEP TWO**

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

#### **STEP THREE**

The designated official, in consultation with the District Equity Coordinator, will determine whether the allegations have been substantiated, and whether the Policy, or if the subject of the complaint is a student, the Student Code of Conduct, has

been violated. If the complaint is substantiated, the designated official, in consultation with the District Equity Coordinator, will decide, based on the investigative findings, on the appropriate action. If legal issues arise, the designated official will seek the advice and guidance of legal counsel for the District.

The designated official, in consultation with the District Equity Coordinator, will prepare a written report that includes the investigative findings, the investigative steps taken, and the reasons for those findings. These findings will specify whether the allegations have been substantiated, whether the Policy, or if the subject of the complaint is a student, the Student Code of Conduct, has been violated, and any decision for disciplinary and corrective action.

The principal, the employee's supervisor (if the subject of the complaint is an employee), or the Superintendent will impose any disciplinary or corrective action. The disciplinary actions will balance the need for accountability with need to teach appropriate behavior. The disciplinary actions will be consistent with the Student Code of Conduct, and state and federal law.

#### **STEP FOUR**

The designated official will promptly notify the complainant and the subject of the complaint in writing to let them know whether the complaint has been substantiated. If the complaint is substantiated, the designated official will also promptly notify the complainant of any non-disciplinary corrective action imposed to protect him/her from future Policy violations. If the complaint is substantiated and the offender remains a student in the school, the designated official will meet with the offender and his/her parent or guardian, to describe the disciplinary and/or corrective action imposed, the school's expectations for future behavior and the potential consequences for retaliation or future violation of the Policy.

If a complaint is substantiated, a report of the incident and its resolution will be placed in the offender's applicable student record or employee personnel file.

File Retention: If the incident occurs at the school level, the principal (and if the principal is the subject of the complaint, the District Equity Coordinator), will (a) maintain in a separate confidential file the original completed Reporting/Complaint Form, investigatory interview notes and reports, findings made, the results of the investigation, including any decision for action, and other relevant investigatory materials, (b) provide a copy of the file to the District Equity Coordinator, and (c) maintain a copy of the file in the applicable student record or employee personnel file. If the complaint occurs at the district level, the District Equity Coordinator will maintain the original documents.

If the District's investigation results from a third party report, the designated official will inform that person that the District has taken steps consistent with the Policy, while not providing information about any disciplinary action imposed or any other information that would violate applicable state and federal confidentiality laws or student record regulations.

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

**STEP FIVE**

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

**STEP SIX**

The complainant may ask the District Equity Coordinator to review, and, if appropriate, revise any non-disciplinary corrective action imposed through a Formal Proceeding, if the complainant believes that the corrective action is not adequate to protect him/her from future harassment, discrimination, bullying, retaliation, or a hate crime.

Any right of appeal from a disciplinary decision is governed by the Student Code of Conduct, the school's disciplinary code, applicable collective bargaining agreements, and Massachusetts and federal law.

**E. INVESTIGATIONS**

1. **Prompt and Thorough Investigations:** The school or District, through a designated official, in consultation with the District Equity Coordinator, will promptly investigate all reports or complaints of an alleged violation of this Policy (even where the offender is unknown), as set forth below. The nature and duration of an investigation will depend on the circumstances, including the type, severity and frequency of the alleged conduct. The goal of an investigation is to obtain an accurate and complete account of all incidents and circumstances deemed relevant to the allegations of the complaint. No complaint is considered frivolous; on the other hand, culpability is never presumed. These procedures are intended to protect the rights of a victim and the rights of a wrongfully accused individual.
2. **Emergencies:** School officials will immediately call 911 in case of a threat of imminent physical harm or actual physical harm to a school community member or where police, fire, medical, or other emergency assistance is needed.
3. **Opening Investigations:** Upon receipt of a report or complaint, a designated official, in consultation with the District Equity Coordinator, will promptly undertake an investigation or authorize a third party designated by the District or school to undertake an investigation.
4. **Investigative Procedure:** The designated official investigating the incident will gather and preserve evidence, and identify all involved parties and witnesses. If the incident involves physical injury, destruction of public property, or other acts of a serious criminal nature, the designated official will confer with the local police department or other law enforcement agencies prior to gathering or preserving evidence to determine if the incident requires law enforcement involvement. Until the designated official confers with the local police, however, s(he) will secure the evidence from contamination or removal. The investigation will generally consist of personal interviews with the complainant, the subject(s) of the complaint and others who witnessed or may have potentially relevant knowledge about the alleged

- incident or circumstances giving rise to the report or complaint. Interviews will be conducted in a manner that protects the privacy of individuals to the extent practicable under the circumstances. The designated official should take notes during interviews, or prepare them soon thereafter, for the purpose of maintaining accurate records. The designated official will also generally review and evaluate any other information or document, including video recordings, voice mails, e-mails, instant messages, information regarding any prior incident(s) committed by the subject of the complaint, or any other item deemed relevant to the allegations.
5. Communication During Investigation: Throughout the investigatory and complaint resolution process, the designated official will make reasonable efforts to regularly inform the complainant and the subject of the complaint and their parent(s) or guardian(s) of the status of the complaint, and the anticipated timing for concluding the investigation, and making a determination. The designated official will notify each person interviewed or made aware of the investigation that the investigation is confidential and should not be discussed with other students or District employees. The designated official will tell them that the District will not tolerate retaliation against the complainant or reporter, or anyone else who cooperates with the investigation. The District will notify the parents or guardians of a victim of the action taken to prevent any further acts of harassment, bullying, discrimination or retaliation.
  6. Time for Investigations: The designated official will complete his/her investigation as soon as practicable after (s)he receives the complaint or report.
  7. Ensuring Safety During Investigation: The designated official, in consultation with the District Equity Coordinator, will take any step s(he) determines is necessary and/or advisable to protect, to the extent practicable, the complainant, witnesses, and other individuals from further incidents or from retaliation pending the outcome of the investigation. Those steps for students may include, but are not limited to, ordering interim disciplinary action under the Student Code of Conduct, appropriate adult supervision, reassigning classroom seating, temporarily transferring the student subject of the complaint from his/her class(es) with the complainant or to an alternative school assignment, instructing the subject of the complaint to avoid communication or contact with the complainant and to maintain a safe distance (for example, fifteen feet) from the complainant while on school property or in school-related activities, and monitoring compliance and reporting non-compliance of protective orders issued by a court. Prior to a resolution of the complaint or report, the designated official will make reasonable efforts to monitor the success of the interim measures in achieving their goals. At the discretion of a school and/or District administrator, a student complainant may also temporarily transfer classes or schools, where available, but only where the student and his/her parent or guardians voluntarily consent to the transfer.
  8. Victim Assistance: The designated official (or his/her designee) will make appropriate referrals for victim assistance, including counseling and crisis intervention, if requested, or as needed.

9. Victim Non-Cooperation: Where a violation of the Policy has been reported by a third party, and the alleged victim fails to cooperate with the investigation, or denies the incident occurred, disciplinary and corrective action may be precluded, or limited, depending on the circumstances and the availability of information from other sources.
10. False Charges: Any person who makes knowingly false charges or brings a malicious complaint is subject to disciplinary and/or corrective action.

#### **F. BASIS FOR DETERMINING WHETHER POLICY VIOLATED**

A designated official, in consultation with the District Civil Rights Coordinator, will determine whether a particular action or incident constitutes a violation of this Policy. The determination will be based on all the facts and surrounding circumstances, including the context, nature, frequency and severity of the behavior, how long the conduct continued, where the incident(s) occurred, the number of persons involved in the wrongful conduct, the ages of and relationships between the parties, past incidents or patterns of behavior, and whether the conduct adversely affected the education or school environment of the victim or other school community members or materially or substantially disrupts the education process or the orderly operation of the school.

#### **G. CONFIDENTIALITY**

The District will respect the privacy of the complainant, the subject(s) of the complaint, and the witnesses to the extent possible consistent with its obligations under federal and state law and regulations and its Policy to investigate, report, and take appropriate disciplinary and corrective action, and consistent with applicable and state and federal confidentiality laws and student record regulations.

### **VI. DISCIPLINARY AND CORRECTIVE ACTION**

#### **A. IMPOSING DISCIPLINARY AND CORRECTIVE ACTION**

If a designated official, in consultation with the District Equity Coordinator, concludes that the subject of the complaint has violated this Policy, the District will in a timely manner impose disciplinary measures and/or corrective action reasonably calculated to end the complained of conduct, deter future conduct, and protect the complainant(s) and other similarly situated individuals. In imposing disciplinary and corrective measures the District will take into account harm the victim and other members of the school community suffered and any damage to school climate or property. The decision whether discipline is imposed and the nature of any disciplinary action must comply with the District and school's disciplinary policies and state and federal law.

#### **B. ACTION CONCERNING STUDENTS**

Disciplinary and corrective action concerning a student may include, but is not limited to, a written warning; classroom or school transfer; short-term or long-term suspension; exclusion from participation in school sponsored functions, after-school programs, and/or extracurricular activities; limiting or denying access to a part or area of a school; exclusion, expulsion, or discharge from school; adult supervision on school premises; parent conferences; an apology to the victim; awareness training (to help students understand the impact of their behavior); participation in empathy development, cultural diversity, anti-harassment, anti-bullying or intergroup relations classes; mandatory

counseling, or any other action authorized by and consistent with the Student Code of Conduct, school disciplinary code, or state and federal law. In appropriate cases, the District may contact law enforcement agencies or other state agencies.

## **SPECIAL EDUCATION STUDENTS – DISCIPLINE**

**JBA**

The disciplining of students with disabilities eligible for special education is governed by federal and state special education laws and the regulations promulgated thereunder. These laws include the Individuals with Disabilities Education Act, 20 U.S.C. 1401 *et seq.*, its implementing regulations 34 C.F.R. 300 *et seq.*; and Massachusetts General Laws, chapter 71B and its implementing regulations 603 C.M.R. 28.00.

Students with disabilities who violate school rules are subject to removal from their current educational placement for up to ten (10) school days per year, to the extent that such a removal would be applied to students without disabilities, without a prior determination as to whether the misconduct is related to the student's disability. School personnel may order a change in educational placement of a child with a disability to an appropriate Interim Alternative Educational Setting (IAES) that provides the student with a free appropriate public education for the same amount of time that a child without a disability would be subject to discipline, but not for more than forty-five (45) calendar days if the student:

A. Carries or possesses a weapon to or at school, on school premises, or to or at a school function;

B. Knowingly possesses or uses illegal drugs at school, a school function, or school sponsored event; or C. Sells or solicits the sale of a controlled substance while at school, a school function, or a school sponsored event.

Any time school personnel seek to remove a student from his or her current educational placement for more than ten (10) school days in any school year; this constitutes a "change of placement." A change of placement invokes certain procedural protections under the IDEA, the federal special education law. These include, but are not limited to:

If the school did not conduct a functional behavioral assessment and implement a behavioral intervention plan for such student before the behavior that resulted in the discipline, the school shall convene an IEP meeting to develop an assessment plan to address the behavior, or if the child already has a behavior intervention plan, the IEP Team shall review the plan and modify it, as necessary, to address the behavior.

A review by the IEP Team of the relationship between the child's disability and the behavior subject to the disciplinary action, which is often referred to as the Manifestation Determination. School personnel may also seek an order from the Department of Education Bureau of Special Education Appeals (BSEA) placing a student in an IAES for up to forty-five (45) calendar days. Parents/guardians and/or students, where appropriate, may request a hearing at the Bureau of Special Education Appeals regarding a disciplinary action described above to challenge the interim alternative educational setting or the manifestation determination.

For a copy of the Massachusetts Department of Education brochure on Special Education Parents' Rights available in many languages, visit [www.doe.mass.edu/sped/parents](http://www.doe.mass.edu/sped/parents) or contact the Director of Special Education.

Legal Refs: Individuals with Disabilities Education Act, 20 U.S.C.

1401 et seq.

Regulations 34 C.F.R. 300 et seq.

M.G.L, chapter 71B, regulations 603 C.M.R. 28.00

**Adopted:** 2006

## **DISCIPLINE OF STUDENTS NOT YET DETERMINED TO BE ELIGIBLE FOR SPECIAL EDUCATION**

1. If, prior to disciplinary action, the Academy has knowledge that the student may be a student with a disability, then the Academy will make protections available to the student until and unless the student is subsequently determined not to be eligible. The Academy may be considered to have prior knowledge if:
  - a. The parent had expressed concern in writing; or
  - b. The parent had requested an evaluation
  - c. Academy staff had expressed directly to the Special Education Director or other supervisory personnel specific concerns about a pattern of behavior demonstrated by the student.

The Academy may not be considered to have had prior knowledge if the parent has not consented to evaluation of the student or has refused special education services, or if an evaluation of the student has resulted in a determination of ineligibility.

2. If the Academy had no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action, the district must have procedures consistent with federal requirements to conduct an expedited evaluation to determine eligibility.
3. If the student is found eligible, then he/she receives all procedural protections subsequent to the finding of eligibility.

### **Federal Requirements**

#### **34 CFR 300.534**

#### **C. ACTION CONCERNING SCHOOL EMPLOYEES**

Disciplinary and corrective action concerning a school employee may include, but is not limited to, a written warning, suspension, transfer, demotion, removal from certain duties, employment termination, supervision, training, and counseling.

#### **D. ACTION CONCERNING INDEPENDENT CONTRACTORS**

Disciplinary and corrective action concerning an independent contractor may include, but is not limited to, a request to the employer of the independent contractor to warn, suspend or terminate its employee; limiting or denying the individual contractor access to school premises or school-related activities; terminating the contract with the District or school, and training.

**E. ACTION CONCERNING SCHOOL VOLUNTEERS**

Disciplinary and corrective action concerning a school volunteer may include, but is not limited to, a written warning, suspending or terminating the volunteer relationship, limiting or denying access to school premises or school-related activities, supervision and training.

**F. ACTION CONCERNING OTHER SCHOOL COMMUNITY MEMBERS**

Corrective action concerning any other school community member, including parents and legal guardians of students, and visitors to District schools may include, but is not limited to, a warning; counseling; and limiting or denying the parent, guardian or visitor's access to school premises or school-related activities.

**G. PREVENTION AND REMEDIATION**

The District will employ a variety of prevention and remediation strategies to maintain to the extent practicable a safe school climate conducive to learning, and ensure that all school community members assume responsibility for their behavior and its consequences.

**H. ACTION CONFORMING TO LAW AND APPLICABLE CONTRACTS**

Any disciplinary or corrective action taken for violation of this Policy will be consistent with the requirements of applicable collective bargaining agreements, Massachusetts and federal law, and District policies.

**VII. ADDITIONAL PROVISIONS****A. OVERSIGHT OF DISTRICT'S COMPLIANCE WITH POLICY**

The Academy designates Elizabeth McAndrews, Amesbury Public Schools, as the Civil Rights Coordinator who, under the supervision of the Superintendent, will ensure the successful administration of and compliance with this Policy. The Academy will post conspicuously school the Civil Rights Coordinator's name and his mailing address, telephone number and email address. The Civil Rights Coordinator's responsibilities include:

1. Maintaining complaint and investigation records under this Policy and of Informal and Formal Proceedings;
2. Maintaining and regularly analyzing documentation of incidents of harassment, bullying, discrimination, retaliation, and hate crimes throughout the District;
3. Advising and assisting with and/or conducting investigations of complaints and reports of violations of this Policy;
4. Regularly assessing the need for and arranging training of school and District personnel and students on the requirements of and compliance with this Policy;
5. Assisting the Superintendent in regularly reviewing the effectiveness of the District's efforts to correct and prevent harassment, bullying, discrimination, retaliation, and hate crimes and proposing improvements in those efforts, consistent with 603 CMR 26.07 (1) & (4);

6. Ensuring that appropriate District and school officials are informed about violations of this Policy and the adequacy of the response;
7. Reviewing this Policy annually for compliance with state and federal law and updating it as necessary; and
8. Ensuring that s(he) and the District and school Title II, Title VI, Title IX and Section 504 coordinators are provided appropriate training to serve in this capacity and receive regular updates on changes in laws, regulations, policies and procedures concerning harassment, bullying, discrimination, retaliation, and hate crimes.

## **B. POLICY DISSEMINATION**

1. At the beginning of each school year, the District will distribute this Policy to all school employees, provide a summary of the Policy to volunteers and independent contractors, and publicize the Policy within the school community.
2. The District and its schools will incorporate a summary of this Policy in the Student Handbook and in each school's code of conduct, and explicitly state that a violation of this Policy is subject to disciplinary action under the school's code of conduct. These documents will be provided to students, parents and guardians each year and will inform them of this Policy in the same manner that they inform parents and students of other policies.
3. The District will ask each student (if in grade 5 and over) and his/her parent or guardian to provide written confirmation that they received, read and understand the Student Handbook that includes a summary of this Policy, and agree to comply with the Handbook's provisions.
4. To the extent practicable, the District will translate a summary of the Policy into the non-English languages spoken at home by a significant number of parents or guardians of District students.
5. The District will post this Policy and a summary of the Policy on its District's website and conspicuously in each school building in areas easily accessible to students and staff.

## **C. TRAINING OF SCHOOL EMPLOYEES AND STUDENTS**

1. The District will provide in-service training at least annually for all school employees, independent contractors, and school volunteers regarding the prevention and appropriate methods for reporting and responding to harassment, bullying, discrimination, retaliation, and hate crimes; their responsibilities under the Policy; requirements imposed by state and federal civil rights and education laws, including CMR 26.00; and the District's mission, goals and requirements under this Policy.
2. The District will provide education at least annually for all its students in the fifth through twelfth grades regarding how to identify, report and file a complaint or report under this Policy; their rights and responsibilities under civil rights and

education laws; and the District's goals and requirements under this Policy. The District will also provide instruction at least annually to all students in kindergarten through fourth grade regarding how to identify and report harassment and bullying.

### **LEGAL REMEDIES**

Any school community member may also pursue legal remedies or other avenues of recourse, including filing a complaint with the Massachusetts Department of Education (Problem Resolution System), at (617) 338-3000; the Massachusetts Office of Attorney General, Civil Rights Division, at (617) 727-2200; the Office of Civil Rights of the United States Department of Education, 8<sup>th</sup> floor, 5 Post Office Square, Boston, MA 02109 telephone: (617) 289-0111, the Massachusetts Commission Against Discrimination, at (617) 727-3990 or (413) 739-2145; or the Equal Employment Opportunity Commission, at (617) 565-3200; filing a civil lawsuit; or pursuing criminal prosecution.

## **GLOSSARY OF TERMS**

**BULLYING:** Any written or verbal expression, or physical acts or gestures, directed at another person(s) to intimidate, frighten, ridicule, humiliate, or cause harm to the other person, where the conduct is not related to the person's membership in a protected class (e.g., race, sex).<sup>141</sup> Bullying may include, but is not limited to, repeated taunting, threats of harm, verbal or physical intimidation, cyber-bullying through e-mails, instant messages, or websites, pushing, kicking, hitting, spitting, or taking or damaging another's personal property. Bullying behavior may also constitute a crime. (See Student Code of Conduct for how the District addresses bullying not covered by this Policy.)

**COMPLAINANT:** A person who complains about conduct covered by this Policy who is the alleged victim of the conduct, and if a student, their parent or guardian.

**DISABILITY:** A physical or mental impairment that substantially limits one or more major life activities (a) where the person has such an impairment, (b) has a record of such an impairment, (c) is regarded as having an impairment, or (d) has an individualized education program (IEP).

**DISCRIMINATION:** Treating people differently, or interfering with or preventing a person from enjoying the advantages, privileges or courses of study in a public school because of his/her race, color, national origin, ethnicity, religion, sex, sexual orientation, age, or disability. A person may not be subjected to discipline or more severe punishment for wrongdoing, nor denied the same rights as other students, because of his/her membership in a protected class.

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

Harassment based on a person's protected status may include, but is not limited to:

- Degrading, demeaning, insulting, or abusive verbal or written statements;
- Taking personal belongings, taunting, teasing, name-calling, or spreading rumors; drawing or writing graffiti, slogans, visual displays (such as swastikas), or symbols on school or another person's property (e.g., books or backpacks);
- Telling degrading or offensive jokes;
- Unwanted physical contact of any kind;
- Physical violence, threats of bodily harm, physical intimidation, or stalking;
- Threatening letters, e-mails, instant messages, or websites;
- Defacing, damaging, or destroying school (e.g., desks, lockers or school walls) or another person's property; or throwing objects (eggs, paint).

**Examples of Specific Types of Harassment** (depending upon the circumstances):

#### **Disability Harassment**

- Unwelcome verbal, written or physical conduct directed at a person based on his/her disability or perceived disability, including damaging or interfering with use of necessary equipment, imitating manner of movement, using slurs like "retard," or invading personal space to intimidate.

#### **National Origin Harassment**

- Unwelcome verbal, written or physical conduct directed at a person based on his/her national origin, ancestry, or ethnic background, such as negative comments about surnames, customs, language, accents, immigration status, or manner of speaking.

#### **Racial Harassment**

- Unwelcome verbal, written or physical conduct directed at a person based on his/her race or color, including racial slurs or insults based on characteristics of a person's race or color, racial graffiti or symbols, hostile acts based on race, nicknames based on racial stereotypes, negative comments about appearance, imitating mannerisms, taunting, or invading personal space to intimidate.

#### **Religious Harassment**

- Unwelcome verbal, written or physical conduct directed at a person based on his/her religion, including derogatory comments about religious beliefs, traditions, practices (includes non-belief), or religious clothing.

#### **Sexual Orientation Harassment**

- Unwelcome verbal, written or physical conduct, directed at a person based on his/her actual or perceived sexual orientation, such as anti-gay slurs or insults, imitating mannerisms, taunting, or invading personal space to intimidate.

#### **Sexual Harassment**

- **Hostile environment sexual harassment** occurs when unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal or physical conduct of a sexual nature by another student, a school employee, or a third party on school property or at a school-related activity is sufficiently severe, pervasive or persistent so as to interfere with or limit a student's ability to participate in or benefit from the district's programs or activities, or to interfere with or limit an individual's employment, by creating a hostile, humiliating, intimidating, or offensive educational or work environment. A victim may also be someone reasonably affected by conduct directed toward another individual.
- **Quid pro quo sexual harassment** occurs when a school district's employee explicitly or implicitly conditions participation in an education program or activity or bases an educational decision on the student's submission to unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, whether or not the student submits to the conduct. *Quid pro quo* sexual harassment occurs, for example, when a school employee causes a student to believe s(he) must submit to sexual advances to receive a better grade than deserved, or is threatened with a loss of a promised college application recommendation unless the student dates the employee. *Quid pro quo* sexual harassment also occurs, for example, when a school supervisor pressures an employee to submit to unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, as a condition of employment or as a basis for an employment decision (promotion, demotion, alteration of duties or hours, performance reviews).
- Sexual harassment may occur adult to student, student to student, student to adult, adult to adult, male to female, female to male, female to female, and male to male.

**Depending on the circumstances, sexual harassment may include, but is not limited to:**

- **Verbal forms of sexual harassment**, including repeated unwanted requests for dates, sexual rumors, sexually explicit jokes, howling, whistles, catcalls, making unwanted gender-based references to a person's physical characteristics;
- **Written forms of sexual harassment**, including obscene graffiti, sexually graphic computer messages or games, love poems or letters continuing after being informed they are unwelcome;
- **Nonverbal forms of sexual harassment**, including offensive gestures, following or stalking another, cornering or blocking a person, leering, pressuring for sexual activities;
- **Visual forms of sexual harassment**, including displaying sexually suggestive or sexually provocative photographs, pictures, objects, cartoons, or posters; or
- **Unwelcome physical touching**, including grabbing, groping, squeezing, sexual fondling, kissing, brushing against another's body, body hugs, and other unwelcome contact.

**HATE CRIME:** A crime motivated by hatred or bias, or where the victim is targeted or selected for the crime at least in part because the person is a different race, color, national origin, ethnicity, religion, gender, or sexual orientation from the perpetrator or because the targeted person has a disability. A hate crime may involve a physical attack, threat of bodily harm, physical intimidation, or damage to another's property.

**Indicators** that a crime may constitute a hate crime include:

- Use of racial, ethnic, religious or anti-gay slurs;
- Use of symbols of hate, such as a swastika or burning cross;
- Similar behavior toward others who are members of the same protected class;
- The perpetrator's protected class is different from the victim's;
- The incident occurs while the victim was promoting a racial, religious, ethnic/national origin, disability, gender or sexual orientation group, such as attending an advocacy group meeting, or participating in a students' gay-straight alliance, or a disability rights demonstration.

**INDEPENDENT CONTRACTOR:** Any person, organization, or company who contracts with and/or provides goods, supplies, or services to the District or a school, and who is not a school employee and is not under the direction or control of the District (for example, bus drivers and school vendors).

**NATIONAL ORIGIN:** A person's ancestry, country of origin, or the country of origin of the person's parents, family members or ancestors.

**RETALIATION:** Any form of intimidation, reprisal, or harassment by a school community member directed against another school community member for reporting or filing a complaint, for aiding or encouraging the filing of a report or complaint, for cooperating in an investigation under this Policy, or for taking action consistent with this Policy.

**REPORTER:** A person reporting an incident who is a third party and not the victim of the alleged conduct that violates the Policy.

**SCHOOL COMMUNITY MEMBER:** Any student, District or school employee, school committee member, independent contractor, school volunteer, parent or legal guardian of a student, or a visitor on school premises or at a school-related or school-sponsored function or activity.

**SCHOOL EMPLOYEE:** Any District or school administrator, teacher, school counselor, nurse, secretary, librarian, and any other professional or support staff member employed by the District, and subject to the District's direction or control (and who is not a school volunteer).

**SCHOOL-RELATED ACTIVITY:** Any school-sponsored activity, such as a field trip or an athletic competition; any school-related function or event, such as a PTO meeting; where school officials have supervisory responsibility for students; or where students are using school transportation or are at a designated school bus stop.

**SCHOOL VOLUNTEER:** Any person who without compensation provides goods, supplies, or services to the District or its schools on a one time or an ongoing basis, and who is not a school employee or independent contractor.

<sup>[1]</sup> Whenever this policy refers to any time frame, it shall mean as soon as practicable under the circumstances.

<sup>[2]</sup> **Any other conduct harmful to school climate and subject to discipline is governed by the Student Code of Conduct and other District policies.** This Policy only covers conduct directed at a victim because of his/her race, color, religion, national origin, ethnicity, sex, sexual orientation, age, or disability, or to bullying behavior where the District has intervened with the alleged student offender under the Student Code of Conduct for bullying on two prior occasions. **See Glossary of Terms.**

<sup>[3]</sup> Where there is a felony complaint or conviction of a student involving reported or complained-of conduct in violation of this Policy, the principal of the school where the student is enrolled may decide to proceed under the requirements of General Laws Chapter 71, ' 37H2.

<sup>[4]</sup> Experts have determined that bullying is a form of aggression involving a power imbalance between the bully and victim, where the bully has actual or perceived physical, social, and/or psychological power over his or her target(s). Bullying generally involves a pattern of conduct that is directed at a victim, rather than a single isolated incident.

### **NON-DISCRIMINATION**

Nondiscriminatory practices required by Title IX, Title VI and Section 504 of the federal laws are enforced by Amesbury Academy Charter Public School. The school does not discriminate on the basis of sex, race, religion, color, national origin, age, sexual orientation, handicapped status or disability in its educational programs, activities, admissions, or employment policies. If you have any concerns about the Amesbury Academy Charter Public School's compliance with these laws, please bring them to the attention of the Principal and follow the Complaint Procedure.

### **SEXUAL HARASSMENT**

**JFCD/GBCBD**

**The Amesbury Public Schools prohibit sexual harassment of school district employees, applicants for employment, or students by any employee, student, or nonemployee who conducts business with the school district. This policy applies to conduct during and relating to school, school sponsored activities, and school district business. The Amesbury Public Schools consider sexual harassment in the work and educational environment to be inappropriate and offensive.**

**Definition of Sexual Harassment**

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, in any form such as e-mails, instant messages, sexting via cell phone or websites, requests for sexual favors, or other verbal, visual or physical conduct of a sexual nature made by someone from or in the work or educational setting when:

1. Submission to the conduct is made, either expressly or by implication, a term of condition of any individual's employment or educational program;
2. Submission to or rejection of such conduct by an individual is used as the basis for an employment or educational decision affecting the individual;
3. The conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or of creating an intimidating, hostile or offensive working or educational environment or of adversely affecting the employee's or student's performance, advancement, assigned duties or any other condition of employment, career development, or educational programs;
4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, assignments, programs or activities available in the work environment or through the educational institution.

**Examples of conduct which may constitute sexual harassment, whether committed by a supervisor, any other employee of the schools, student, or any non-employee doing business with the Amesbury Public Schools, include but are not limited to:**

1. Leering, staring, sexual flirtations or propositions
2. Sexual slurs, epithets, threats, verbal abuse, derogatory comments or sexually degrading description
3. Graphic verbal comments about an individual's body or overly personal conversation
4. Sexual jokes, stories, drawings, pictures or gestures via cell phone or any other electronic form (sexting) that disrupt the educational or work environment
5. Spreading sexual rumors
6. Touching an individual's body or clothes in a sexual way
7. Cornering or blocking of a sexual nature of normal movements
8. Displaying sexually suggestive objects in the educational or work environment

**Discipline/Consequences**

Any student who engages in the sexual harassment of anyone in the school setting may be subject to disciplinary action up to and including expulsion. Any employee who permits or engages in the sexual harassment of students may be subject to disciplinary action up to and including dismissal. Any employee who receives a complaint of sexual harassment from a student and who does not act promptly to forward that complaint to the principal and District Equity Coordinator shall be disciplined appropriately. The Amesbury School System's ability to discipline a nonemployee will be limited by the degree of control that the Amesbury Public Schools has over the alleged harasser or employer of the alleged harasser.

**Reporting Procedure/Investigation**

1. The Amesbury Public Schools encourages and expects employees and students to report incidents of sexual harassment to their building principal and/or designee and the District Equity Coordinator for the Amesbury Public Schools, Elizabeth McAndrews, 5 Highland Street, Amesbury, 01913, 978-388-4800.
2. Any building principal or designee who receives a complaint, verbally or in writing must notify the District Equity Coordinator within twenty-four (24) hours or within a reasonable extension of time thereafter for good cause.
3. No complainant shall be required to report an allegation of sexual harassment to the individual who is the harasser.
4. It may be possible to resolve an offensive situation informally without an extensive and involved investigation. However, any involved parties may request a formal investigation time. Based on the seriousness of the charge, the District Equity Coordinator may decide that a formal investigation is most appropriate to address the issues. Also, the informal procedure may be inappropriate for subsequent allegations of similar conduct by the same individual. Steps taken under this informal procedure will be documented by the District Equity Coordinator.
5. Upon receipt of an allegation of sexual harassment, an investigator will initiate an investigation into the complaint within forty-eight (48) hours.
6. The Amesbury Public Schools will designate specific employees at each school who are trained to investigate sexual harassment complaints. All complaints will be resolved within thirty (30) days.
7. Verbal reports of sexual harassment will be put in writing by the individual complaining or by the person who receives the complaint.
8. Each complaint of sexual harassment shall be promptly investigated in a way that respects the privacy of all parties concerned to the extent permitted by law and to the extent practical and appropriate under the circumstances.

The investigation will consist of personal interviews with the complainant(s), the individual(s), against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

In determining whether "alleged conduct" constitutes a violation of this policy, the Amesbury Public Schools shall consider the surrounding circumstances: the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationship between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all facts and surrounding circumstances.

9. The complaint investigator will put his/her findings in writing and will forward a copy to the Title IX Compliance Manager within one week or a reasonable extension of time thereafter for good cause after concluding the investigation.

10. The investigator will communicate his/her findings to the complainant and the alleged harasser as expeditiously as possible.
11. Results may be indeterminate. If so, the matter will be recorded as unresolved and the record of the investigation will be maintained by the Amesbury Public Schools separate and apart from any student or personnel file.

### ***Appeals Procedure***

A party may appeal the Title IX Compliance Manager's decision in writing to the Superintendent within fifteen (15) school days of receipt of the findings of the formal procedure. The Title IX Compliance Manager's decision will be reviewed to ensure adequacy of the investigations and conclusions. Parties will be given an opportunity to submit additional relevant information. The Superintendent will make a decision and provide it in writing to involved parties within thirty (30) school days.

### ***Corrective Procedures***

Upon completion of an investigation and substantiation of the alleged harassment the Amesbury Public Schools will take appropriate corrective action. Such action may include, but is not limited to, an apology, direction to stop the offensive behavior, counseling or training, warning, suspension, exclusion, expulsion, transfer, remediation, termination of employment.

### ***Sexual Harassment***

The Amesbury Public Schools district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Massachusetts and federal laws and Amesbury Public School policies. The result of the Amesbury Public School's investigation of each complaint filed under these procedures will be reported in writing to the complainant by the Amesbury Public Schools in accordance with state and federal laws regarding data or records privacy. The result of the Amesbury Public Schools' investigation of each complaint filed under these procedures will be reported in writing to the alleged harasser by the Amesbury Public Schools in accordance with state and federal law regarding data or records privacy.

### ***Retaliation***

Any employee who retaliates against any individual who has made a complaint of sexual harassment or participated in an investigation of a complaint of sexual harassment will be subject to disciplinary action up to and including dismissal. Any student who retaliates against any individual who has made a complaint of sexual harassment or participated in an investigation of any complaint of sexual harassment will be subject to disciplinary action up to and including expulsion.

Any non-employee doing business with the Amesbury School District who retaliates against any individual who has made a complaint of sexual harassment or participated in an investigation of a complaint of sexual harassment will be disciplined subject to the extent that the Amesbury Public Schools has control over the non-employee or his/her employer.

### ***Right to Alternative Complaint Procedures***

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Massachusetts Dept. of Elementary and Secondary Education, Massachusetts Commission Against Discrimination, Equal Employment Opportunity

Commission, and the Office of Civil Rights of the U.S. Dept. of Education,, J. W. McCormack, POCH, Room 222, Boston, MA 02109, telephone: 617/223-9662, initiating civil action or seeking redress under criminal statutes and/or federal law.

### ***Sexual Harassment as Child Abuse***

Under certain circumstances, alleged sexual harassment may also constitute abuse or neglect under M. G.L. c.119 51A. If so, the requirements for mandatory reporters still apply.

### **Legal Refs. Title VI, Civil Rights Act - 1964**

Title IX, 1972 Education Amendments to Civil Rights Act

Section 504 of the Rehabilitation Act - 1973

The Age Discrimination in Employment Act

The Americans with Disabilities Act

c.622 of Acts of 1971

M.G.L. c.151B and c151c. M. G.L. c.119 51A

Adopted: 1996

Reviewed: 2003; 2004

Revised: 2007; 2008; 2010

## **AMESBURY ACADEMY CHARTER PUBLIC SCHOOL BULLYING PREVENTION AND INTERVENTION PLAN**

### **OVERVIEW**

Bullying is the use of power by one or more individuals over another to intentionally cause harm. There are many ways that bullying can manifest itself in wrongful conduct at school. The definition includes but is not limited exclusive to:

- Physical
- Verbal
- Psychological

For participants and observers, bullying and harassment interfere with learning and healthy growth – both emotionally and academically. A safe learning environment is one in which every student develops emotionally, academically, and physically in a caring and supportive atmosphere free of intimidation and abuse.

The Academy has a goal of enhancing and sustaining safe and health learning environments in part by reducing the reported incidence of bullying through a multi-tiered strategy that includes prevention, effective and compassionate intervention and community-wide social promotion.

The Bullying Prevention and Intervention Plan (“Plan”) is a comprehensive approach to addressing bullying and cyber bullying, 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.

### **Prohibition**

Bullying, cyber bullying and retaliation are prohibited on school grounds, property immediately adjacent to school grounds, at school-sponsored or school-related activities, functions or programs (whether on or off school grounds), at bus stops, on school busses or other vehicles owned or operated by the Academy or their contractors, or through the use of technology or electronic devices owned, leased or used by the Academy.

Bullying, cyber bullying and retaliation that creates a hostile environment at school for the target(s), infringes on the rights of the target(s) while at school, or materially and substantially disrupts the education process, or the orderly operation of a school – regardless of whether said bullying takes place on school grounds, nearby properties, at school functions or using school technology, shall also be prohibited.

## I. LEADERSHIP

- A. Biannual update of the Plan and community involvement: This Bullying Plan will be reviewed and updated biannually by the Board of Trustees and Bullying Plan Subcommittee to (a) ensure its effectiveness, and (b) establish strategies and indicators of continuous improvement in the effort to promote a safe and supportive learning environment. As required by M.G.L. c. 71, § 37O the Bullying Plan Subcommittee shall include representatives from the following groups:

- Teachers
- School staff
- Para-professional support personnel
- School administrator
- Community representatives
- Local law enforcement
- Students
- Parents/guardians

A period of public comment will be open for at least two weeks soliciting feedback on improvements to the Bullying Plan from members of the community who may not be able to or be comfortable with participating in a public meeting.

- B. Assessing needs and resources: The biannual update of the plan shall include a review of available data on social and emotional learning, the environment for the delivery of social emotional instruction in schools, and data on school climate. This data includes:

- Youth Risk Behavior Survey data
- Social Competency Instruction Assessments completed by advisors to document the extent to which evidence-based social emotional learning programs utilized in the advisors' programs are implemented with integrity
- Social Competency Program Checklists completed annually by Principals to document areas school capacity to support social emotional learning programs are (a) strong, and (b) need improvement
- Reality Therapy outcomes and/or other school climate data.
- Harassment/Bullying surveys and/other school climate data.

This data shall be used to identify areas of programmatic strength, resource gaps and the most significant areas of need. Based on these findings, the Academy will revise or

develop policies and procedures as needed; establish partnerships with community agencies, including law enforcement; and set priorities.

C. Planning and oversight. The Board of Trustees will be responsible for overseeing the implementation of Bullying Prevention Intervention Plan. Specific planning and oversight responsibilities will include:

- Receiving reports on bullying
- Collecting and analyzing building-and/or school-wide data on bullying to assess the present problem and to measure improved outcomes
- Management of record keeping systems to track data related to targets, aggressor and incidents
- Planning support that respond to the needs of targets and aggressors
- 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
- Amending parent/guardian and staff handbooks and codes of conduct.
- Leading family engagement efforts and drafting parent information materials
- Reviewing and updating the Plan biannually as required by law.

D. Priority statements. The Academy's vision in creating and implementing its bullying prevention and intervention strategies holds these priorities:

The school expects that all members of the school community will treat each other in a civil manner and with respect for differences.

The school is committed to providing all students with a safe learning environment that is free from bullying and cyber bullying. 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 understand that members of certain student groups, such as students with disabilities, students who are gay, lesbian, bisexual, or transgender, and homeless students may be more vulnerable to becoming targets of bullying, harassment, or teasing. The school or district will take specific steps to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

## II. PROFESSIONAL DEVELOPMENT AND STAFF TRAINING

A. Annual staff training on the plan: The Academy will annually offer Professional staff training to **all** staff, relevant community partners and parents/guardians that includes the following topics:

- Orientation to the Academy's plan, including staff duties under the Plan, an overview of the steps that the principal or designee will follow upon receipt of a report of bullying or retaliation, and a Bullying Intervention – which shall include: (a) definition of bullying, cyber bullying, and retaliation; (b) orientation to the Academy procedures for reporting, responding and intervening in

incidents of bullying; and (c) signs and symptoms a student may be a target of bullying, cyber bullying or retaliation

- Cyber safety – which shall include: (a) information on the incidence and nature of cyber-bullying, and (b) strategies for promoting cyber-safety.
- Overview of the role of the Academy’s advisor/advisee social emotional learning curriculum role in preventing/addressing bullying, cyber bullying and retaliation.

Annual, mandatory, 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.

Staff members hired after the start of the school year shall be required to participate in school-based training during the school year in which they are hired, unless they can demonstrate participation in an acceptable and comparable program within the last two years.

**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:

- (i) developmentally (or age-) appropriate strategies to prevent bullying;
- (ii) developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents;
- (iii) information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;
- (iv) 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;
- (v) information on the incidence and nature of cyber bullying; and
- (vi) Internet safety issues as they relate to cyber bullying.

Additionally, the Academy will, as resources will allow, offer additional professional development and staff training on topics intended to build the skills of staff members to prevent, identify, and respond to bullying. This will include skills training in bystander empowerment – which shall include:

- (a) complex interaction and power differential that can take place between and among a perpetrator, target and witnesses, (b) research findings on bullying including categories about specific categories of students who have been shown to be particularly at risk for bullying in the school environment, and (c) developmentally appropriate strategies for intervening in stop bullying incidents.

Other complementary professional development topics will be identified and developed annually.

- C. Written notice to staff: The Academy will provide all staff with an annual written notice of the Plan through the print and electronic versions of the student and staff handbooks.

### III. ACCESS TO RESOURCES AND SERVICES

The school-based Intervention Team (I Team) shall be responsible for helping to create and monitor the safe and supportive learning plan for targets and/or perpetrators of bullying/cyber bullying/retaliation. This shall include monitoring referrals to counseling as needed to address underlying issues of trauma and other difficulties that may contribute to the problem. Specific activities that will support the I Team efforts will include:

- A. Referrals to youth and family support services: The Academy has strong partnerships with a variety of health and human service providers that will be accessed as needed to assist families and youth with needs related to incidents of bullying. The Pettengill House social service agency is a member of the Academy Intervention Team and the Community Collaboration Network facilitated monthly by the Essex County District Attorneys office. They will provide key referral functions related to the Plan.
- B. Linkage to counseling and other services: The school will identify culturally and linguistically appropriate resources within the Academy and the community. The school maintains a list of counseling professionals who serve adolescents and their families. Students may participate in a social skills group, individual counseling or psycho-social skills groups to learn effective strategies for prevention, intervention and safety. A Services Resource Manual is updated yearly by the Pettengill House to identify all resources that are easily accessible and cost effective.
- 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.

### IV. ACADEMIC AND NON-ACADEMIC SERVICES

In the long term, preventing bullying from happening is the goal of the Academy. Instructional activities will focus on helping students develop healthy social relationships with adults and peers, and on creating a positive school culture. Activities will include:

- A. Evidence based bullying prevention instruction: A program of evidence-based social/emotional learning instruction is offered to all students in school. The curricula used include those approved by the federal Office of Safe and Drug Free Schools for their effectiveness in addressing individual risk and protective factor associated with bullying. These include:

*Counteract the following risk factors*

- Negative labeling by teachers
- Antisocial behavior and alienation/delinquent beliefs/general delinquency involvement/drug dealing
- Early onset of aggression and/or violence

- Victimization and exposure to violence
- Poor refusal skills
- Lack of guilt and empathy
- Cognitive and neurological deficits/low intelligence quotient/hyperactivity
- Mental disorder/mental health problem/conduct disorder

*Enhance the following protective factors:*

- Good relationships with peers
- Presence and involvement of caring, supportive adults in school
- High expectations of students
- High quality schools/Clear standards and rules
- Opportunities for pro-social school involvement
- Effective parenting
- Good relationship with parents/Bonding or attachment to family
- Individual social competencies and problem solving skills
- Positive/Resilient temperament
- Self-efficacy
- Perception of social support from adults and peers

The Academy will continue to implement these programs with fidelity in order to ensure all students have opportunities to develop knowledge, skills and attitudes that will (a) prevent bullying and other forms of violence, and (b) promote positive social relationships with community culture. These might include:

- Enhancing students' skills for engaging in healthy relationships and respectful communications;
- Engaging students in a safe, supportive school environment that is respectful school environment that is respectful of diversity and difference;
- Empowering students to take action by knowing what to do when the witness other students engaged in acts of bullying or retaliation, including seeking adult assistance.

B. General teaching approaches that support bullying prevention efforts: The following approaches are integral to establish a safe and supportive school environment. These underscore the importance of Academy bullying intervention and prevention initiatives:

- Setting and communicating school standards for identifying, naming and rewarding good behavior including introducing positive behavior awards as part of the school's recognition awards.
- Creating safe school and classroom environments for all students with disabilities, lesbian, gay, bisexual, transgender students and homeless students.
- Setting and communicating school standards for adult supervision during lunch, bathroom and other unstructured time.

C. Cyber safety instruction: Students will be provided with instruction and guidance in cyber safety and media literacy skills at the start of each school year. The students are also engaged in project based learning activities which focus on the areas of internet safety, cyber bullying and bullying. Students are oriented to the Academy's Student Internet Use Policy which (a) provides guidelines for the safe and appropriate use of electronic

communication technologies, and (b) specifically prohibits the use of the Academy's computers for cyber bullying and other forms of hostile and anti-social purposes.

- D. Orientation to student responsibilities in bullying prevention: Annually at the start of the school year teachers will review the student-related sections of the Bullying Prevention and Intervention Plan with students in their classes. Students new to the school community after the start of the school year will be offered this overview at orientation. In addition, this information will be documented in student handbooks updated regularly. Links to the school's online Bullying information and resource page will be clearly labeled on the school website.

## V. REPORTING, RESPONSE AND INVESTIGATION PROCEDURES

It is the responsibility of the Academy administration and principal to make clear to students and staff that bullying or harassment in the school building, on school grounds, on the bus or school sanctioned transportation, or at school sponsored functions will not be tolerated. The school principal or their designees shall be responsible for implementation of bullying prevention and intervention procedures, including investigating all charges of bullying, cyber bullying and/or retaliation.

Violations of Academy policy and procedures will be addressed in conformance with existing disciplinary policies. In addition, all reporting, investigations and response shall be consistent with local, state and federal law regarding the anti-discrimination and the protection of civil and human rights, particularly for vulnerable populations including but not limited to GLBT youth. Consultation with Academy legal staff, and representatives of local, regional and state law enforcement and justice agencies may be required to ensure the rights of targets and perpetrators are maintained.

- A. Reporting bullying or retaliation: An Academy staff member is required to report immediately to the principal or designee any instance of bullying or retaliation the staff member becomes aware of or witnesses.

Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written, face-to-face, via telephone or by e-mail when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report to the principal or designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school policies and procedures for behavior management and discipline.

The Academy will make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form, a voicemail box, a dedicated mailing address, and an email address. Use of the Academy's Incident Reporting Form is not required as a condition for making a report. The school will:

- Include a copy of the Incident Reporting Form in the beginning of the year packets for students.
- Make the Incident Reporting Form available in the school's main office and counselor's office
- Make the Incident Reporting Form available as an interactive form and as a downloadable document on the Academy website.

At the beginning of each school year, the Academy will provide the school community, including administrators, staff, 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, will be incorporated into:

- Student handbooks,
- School-Parent/Guardian Compact
- On school website

A1. Reporting by staff: Any staff member that encounters an interaction that may be construed as bullying will first be asked to try to address the incident between the target(s) and aggressor(s). The staff member will then report the incident immediately to the principal or designee so the investigation process may begin. This initial report shall ideally include:

- Date, time and location of the incident
- Individuals involved and their roles (e.g. target, aggressor, bystander)
- Information about if/how the incident is part of a pattern of
- Any actions taken by the staff person to defuse the situation

This initial report may be done orally, by email or via a written note. The initial report must be a documented written report using the Incident Reporting Form within 72 hours of the initial report of the incident.

A2. Reporting by students, parents/guardians and others: The school expects students, parents or guardians, and others who witness or become aware or become aware of an instance of bullying or retaliation involving a student to report it to the principal or designee. This may be done by telephone, face-to-face, by email, in writing, or anonymously.

a) Students, parents/guardians and others are not required to complete the Incident Reporting Form to complete their report of a bullying incident. If a student, parent/guardian or other member of the school community makes an oral report of a bullying incident the principal/designee will complete an Incident Reporting Form to document in writing the allegation. An Incident Reporting Form may also be completed by the Principal/designee to complement written reports of bullying by a student, parent/guardian or other school community member in those instances where additional data is secured to substantiate or complete the allegation. This form may be completed by school staff to complete the incident file.

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.

b) Anonymous reporting will be managed by Academy administration. Students, parents/guardians and others will be able to make anonymous bullying reports by telephone, by mail and through an anonymous web interface. Anonymous reports will ideally include at least the following information:

This initial report should ideally include:

- Date, time and location of the incident
- Individuals involved in the incident
- Any knowledge of prior incidents that were reported or not
- The relationship of the reported to the incident (i. g. witnessed firsthand, third party report)

Upon receipt of an anonymous report the Academy will initiate a preliminary investigation. If the anonymous allegation is deemed to have potential merit an Incident Reporting Form will be completed by the investigating staff member, and the investigation process at the school level will proceed.

No disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report.

#### B. Responding to a report of bullying or retaliation

B1. Safety: Before fully investigating the allegations of bullying or retaliation, the Principal and a team by her/him 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
- 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 and her/his team will implement appropriate strategies for protecting from further acts of bullying, retaliation and students who (a) report bullying or retaliation, (b) witness bullying or retaliation, (c) provide information during an investigation of allegations of bullying or retaliation, or (d) has reliable information about an alleged act of bullying or retaliation.

Strategies that may be used to create a safer environment for the target(s) and/or aggressor(s) include:

- Increasing adult supervision at times and/or in locations where bullying is known to have occurred or is likely to occur.
- Temporarily and/or permanently changing the aggressor(s)’s class schedule and/or seating arrangements to reduce opportunities for retaliation

- Establishing a safe zone for the target to when s/he feels vulnerable.

This is not an exhaustive list. The creation of safe environments for targets, aggressors, and/or other people impacted by the incident will be considered for each individual person and incident.

**B2. Obligations to Notify Others:** The principal or designee has primary responsibility to notify the following constituencies in writing – through a letter or email message – when bullying or retaliation has occurred.

a. *Notice to parents or guardian.* Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with the 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 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 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 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 aggressor, target, and witnesses that retaliation 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.

C1. Investigating anonymous reports

Upon receipt of an anonymous report the Academy will initiate a preliminary investigation. If the anonymous allegation is deemed to have potential merit Incident Reporting Form will be completed and the investigation process at the school level will proceed.

- 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 reasonable calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefitting from school activities. The principal or designee will:

- Determine what remedial action is required, if any
- Determine what responsive actions and/or disciplinary action is necessary

Depending upon the circumstances, the principal and a team of people he/she designates may choose to consult with the students' teacher(s) and/or school counselor, and the target's aggressor's parents or guardians, to identify any underlying social or emotional issues(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/guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, what (a) disciplinary and (b) future prevention action is being taken. All notice to parents/guardians 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/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.

- E. Responses to bullying: The creation of school environments where every Student feels a sense of belonging is integral to student success. To this end, the Academy will modify or institute procedures by grade level as necessary to provide a safe environment at all times of the school day, including non-classroom times such as lunch, bus rides, recess, and after-school and other out-of-school time, particularly for

students who have been targets of substantiated allegations of bullying/cyber bullying/retaliation, as well as perpetrators of said actions as needed to restore a safe and supportive learning environment for all students.

E1. 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 the appropriate behavior. M.G.L. c. 71, § 37O(d)(v). Skill- building approaches that the principal or designee may consider include:

- Offering individualized skill-building sessions based on the school's/district's anti-bullying curricula;
  - Providing relevant educational activities for individual students or groups of students, in consultation with guidance counselors and other appropriate school personnel;
  - Implementing a range of academic and non-academic positive behavioral supports to help students understand pro-social ways to achieve their goals;
  - Meeting with parents/guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home;
  - Adopting behavioral plans or contract to include a focus on developing specific social skills;
  - Making a referral for any further evaluations as appropriate
- a. If a student who is found to be the target or aggressor in a substantiated bullying incident has an individualized education plan (IEP) and the cause of the incident is related to her/his disability, then the provision of skill building training shall be integrated into that student's IEP.

E2. 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 Academy'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 false allegation of bullying or retaliation has been made appropriate action will be taken. This may include disciplinary actions for those incidents where the accuser is a student.

E3. Promoting safety for the target and others:

Upon the completion of the investigation, 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 the sense of safety for others as well.

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.

## VI. COMMUNICATION AND COLLABORATION WITH FAMILIES AND PARTNERS

Clear communication consistent with staff families, students and community partners is essential to achieving bullying prevention and other health and safety goals within the Academy. Communication with these and other constituents shall include information about the (a) dynamics of bullying including signs and symptoms of bullying/cyber bullying/retaliation, (b) strategies for preventing cyber bullying and promoting online safety, (c) strategies for preventing bullying and or/retaliation in the classroom, across the school community, at home and in the community, (d) information about how to report bullying, cyber bullying or retaliation, and (e) Academy procedures for responding to an investigating bullying, including strategies for creating a safe learning environment for targets and reinforcing positive behavior standards among perpetrators. This shall include communication of the Academy's Bullying Policy, Disciplinary Policies and Internet Safety/Acceptable Use Policy.

- A. Parent/guardian education and resources. The school or district will offer education programs for parents and guardians that are focused on the paternal components of the anti-bullying curricula and any social competency curricula used by the district or school. The programs will be offered in collaboration with the Parent Advisory Council, Special Education Parent Advisory Council, or similar organizations.
- B. Parent and community notification: To ensure all constituents understand both intervention and prevention activities the Academy will minimally:
- Publish bullying reporting, response and investigation procedures in (a) student handbooks, and the staff handbooks;
  - Create a bullying page on its website ([www.amesburyma.gov](http://www.amesburyma.gov)) as a resource for (a) anonymous reporting, (b) clarifying procedures for reporting, responding and investigating allegations of bullying, cyber bullying, and retaliation, (c) communicating Academy positive behavior standards, and (d) expanding access to prevention education resources for families, teachers, students and community partners.
  - Participate annually in No Name Calling Week as declared by the governor every January.

Other communications and social promotion campaign activities will be considered annually by the Academy staff Bullying Plan Subcommittee of the Academy's Health/Wellness Advisory Committee.

## VII. DEFINITIONS

*Several of the following definitions are copied directly from M.G.L. c. 71, § 370, 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 who engages in bullying, cyber bullying, or retaliation.

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

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

**Cyber bullying**, 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.

**Staff** includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

**Target** is a student against whom bullying, cyber bullying, or retaliation has been perpetrated.

## **VIII. 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, sex, religion, national origin, or sexual orientation. 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 Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, other applicable laws, or local school or district policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

## **HAZING**

Any hazing or initiation of a student by a group of students or a student organization which endangers that student's physical or mental health is strictly forbidden. Disciplinary action will

result for the group of students involved. If you hear of any such behavior, please follow the Complaint Procedure.

## SUSPENSION

Suspension is the withholding of the privilege of attending school for a period of not more than ten consecutive days. Denial of participation in co-curricular activities or school sponsored functions may be curtailed at the discretion of the Principal.

Suspension may be used for the following offenses:

- Carrying or using a weapon, or dangerous or prohibited article
- Possession or use of any tobacco product
- Possessing or using a controlled substance
- Injuring another student or damaging their property
- Hazing
- Actions which are deemed to pose a significant threat to the safety of other students or staff members
- Violating another student's rights
- Disrespect
- Student leaving school without permission

Any student who has been suspended will meet with the Principal and discuss the offense(s). The parents will be called. A letter describing the offense and the action taken will be sent to the parent and the Director of Student Services.

In order to be reinstated after a suspension, the student must return to school accompanied by his/her parent or guardian and give satisfactory assurance of future good conduct. If this cannot be completed satisfactorily, the suspension may be continued.

## EXPULSION

If all disciplinary measures, including suspension, have failed and/or if the specific behavior poses a serious threat and danger to the safety and welfare of the other students or the staff an expulsion may be recommended by the Principal. Expulsion involves the permanent removal of a child from Amesbury Academy Charter Public School and, as above, the parents would be notified in writing.

In accordance with the Massachusetts General Law, chapter 71, section 37H and 37H1/2, as amended by the Education Reform Act of 1993, students **may** be expelled for the following reasons:

- 1) 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; or a controlled substance as defined in chapter 94C, including but not limited to marijuana, cocaine, and heroin, may be subject to expulsion from the school by the Principal.
- 2) Any student who assaults a principal, assistant principal, 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.

- 3) Any student who is charged with a violation of either paragraph (1) or (2) shall be notified in writing of an opportunity for a hearing, provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the Principal. After said hearing, the Principal, may, in his/her discretion, decide to suspend rather than expel a student who has been determined by the Principal to have violated either paragraph (1) or (2).
- 4) After said hearing, a Principal may, in her discretion, decide to suspend rather than expel a student who has been determined by the Principal to have violated either paragraph (1) or (2); provided, however, that the Principal states in writing to the Board of Trustees her reasons for choosing the suspension instead of the expulsion as the most appropriate remedy. In this statement, the Principal shall represent that, in her opinion, the continued presence of this student in the school will not pose a threat to the safety, security and welfare of the other students and staff in the school.
- 5) Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the Board of Directors. The expelled student shall have ten (10) days from the date of the expulsion in which to notify the Board of Directors of his/her appeal. The student has the right to counsel at a hearing before the Board of Directors. 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.
- 6) When a student is expelled under the provisions of this section and has applied for admission to another school for acceptance, the Principal of the sending school shall notify the Principal of the receiving school of the reasons for the pupil's expulsion.

## **STATE AND FEDERAL LAWS PERTAINING TO STUDENTS**

All students have the following civil rights granted to them by law:

- 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 the areas of 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 the areas of 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.
- MGL, Ch 76, Section 5 of the Massachusetts General Laws prohibits discrimination in all public schools on the basis of race, color, sex, national origin, religion and sexual orientation.

## **DUE PROCESS**

Court rulings have defined certain student rights with regard to suspension from school. This Due Process Law means essentially that when disciplinary action is taken against a student, that the student has the right to be treated fairly. The student must be told the nature of the charges; given an opportunity to respond; and, if he/she denies the charges, a statement of evidence supporting the charges will be presented. This can be done informally, with the charges and supporting evidence delivered orally or in writing.

The court has further recognized that, as an exception to these rules, emergency circumstances could exist under which a student could be immediately suspended if posing a physical threat to persons or property. In such cases, however, the hearing will be scheduled as soon after the suspension as possible. Expulsions or suspensions for more than 10 days may require more formal procedures than outlined here.

## **DAMAGE TO SCHOOL PROPERTY**

If a student damages anything, he/she should report it promptly to the office so it can be repaired. Deliberate damage to the building or equipment will require payment for the damages. A student will also be subject to disciplinary action.

## **SEARCH**

When authorized school personnel have particularized suspicion to believe that a student has control of a contraband item on their possession or in their backpack or pocketbook, a search may be conducted. Sweep type searches conducted by the police of all areas in the school may also be ordered by authorized school personnel as an additional way to keep our school drug free. Such sweep searches may include the use of specially trained dogs.

## **PHYSICAL RESTRAINT**

The program does not utilize physical restraint as a regular means of discipline. Staff has been trained in the use of Nonviolent Crisis Intervention, a method that utilizes restraints only after all other means have been exhausted. There is no crisis room. Should a student consistently lose control and become harmful to him/her or others, physical intervention may be required. This is viewed as a very serious matter and would require the necessary meetings and discussions to determine if Amesbury Academy Charter Public School can meet the needs of the students.

Physical restraint is defined as the use of bodily force to limit a student's freedom of movement. Physical restraint shall only be used as a behavior management tool when other less intrusive alternatives have failed or been deemed inappropriate. In the event that physical restraint is required to protect the safety of school community members, the Amesbury Academy Charter Public School has enacted the following procedures to ensure the proper use of restraint and to prevent or minimize any harm to the student as a result of the use of restraint and to prevent or minimize any harm to the student as a result of the use of restraint. These procedures shall be annually reviewed, provided to school staff and made available to parents of enrolled students. None of the foregoing paragraph or the policy/procedures, established, precludes any teacher,

employee or agent of the Amesbury Academy Charter Public School from using reasonable force to protect students, other persons or themselves from assault or imminent, serious harm.

Physical escort is defined as the touching or holding of a student without the use of force for the purpose of directing the student. Physical escort is not physical restraint and is not covered by this policy/procedure.

This policy is in accordance with Massachusetts General Law (603CMR s46 MGL c71: 37G and the Amesbury School Committee Policy reference JKAA.

## **MEMORANDUM OF UNDERSTANDING**

The Memorandum of Understanding is a document that establishes a formalized working relationship between the School Department, Amesbury Police Department and the Essex County District Attorneys Office. They are committed to providing a safe and violence free educational setting. Mandatory reportable acts include:

1. Serious incident of assault resulting in injury of a student or staff member. Any provoked or unprovoked attacks.
2. Possession or use of a dangerous weapon
3. Possession or use of drugs, alcohol, or inhalants
4. Destruction of school/personal property
5. Theft, graffiti, arson or vandalism
6. Sexual assault, or inappropriate sexual behavior, touching, fondling, indecent exposure.
7. Harassment and civil rights incidences or threats

## **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT**

### **STUDENT RECORDS**

Pursuant to the Family Educational Rights and Privacy Act (FERPA) student records may be reviewed by and released to the following authorized persons, agencies, and institutions:

- a. students eighteen years of age or older
- b. parents or legal guardians, if desired
- c. school officials and teachers within the institution who have a legitimate educational interest.
- d. Officials of other schools or systems in which the student intends to enroll
- e. Persons who have a court order or subpoena
- f. Various governmental agencies who have a legitimate educational interest
- g. Non-custodial parents who have a legitimate educational interest except when
  - 1) a court order prohibits non-custodial parent from having contact with a child; or
  - 2) a court order prohibits the non-custodial parent from getting access to the student records; or
  - 3) a temporary or permanent order issued to provide protection to custodial parent or to any child in your custody from abuse by the requesting parent.

Student records may not be made available to any other person, agency, or institution other than those listed above unless there is written consent from the parents or student eighteen years of age or older specifying:

- a. the records to be released
- b. the reasons for such release
- c. to whom to be released

If desired, a parent or student eighteen years of age or older can receive a copy of the records to be released.

#### PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

PPRA governs the administration to students of a survey, analysis, or evaluation that concerns one or more of the following eight protected areas:

1. political affiliations or beliefs of the student or the student's parent;
2. mental or psychological problems of the student or the student's family;
3. sex behavior or attitudes;
4. illegal, anti-social, self-incriminating, or demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. religious practices, affiliations, or beliefs of the student or student's parent; or
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

PPRA also concerns marketing surveys and other areas of student privacy, parental access to information, and the administration of certain physical examinations to minors.

PPRA applies to surveys that contain questions about one or more of the eight protected areas listed above. Prior written consent will be attained from parents/guardians before students are required to submit to the survey. Parents/Guardians will be given an opportunity to opt his or her child out of participating.

Parents/Guardians have the right to review, upon request, any survey that concerns one or more of the eight protected areas, any instructional materials used in connection with any survey that concerns one or more of the eight protected areas, and any instructional material used as part of the educational curriculum for

## **HEALTH**

### NURSE'S OFFICE

The nurse is in attendance from 9:00 – 11:00 a.m. The nurse will administer emergency treatment to students or staff members in the event of an illness or accident during school sessions or while engaged in other school activities.

### PREPARATION AND DISTRIBUTION OF POTASSIUM IODIDE

Upon recommendation of the Massachusetts Department of Public Health and the Massachusetts Emergency Management Agency, Amesbury Academy Charter Public School has agreed to maintain an appropriate amount of Potassium Iodide (KI) tablets for administration to students and employees in the event of a nuclear emergency during school hours. Policy EBBA – E delineates the process for preparation, storage and distribution in the

event of a nuclear emergency. All efforts will be made to administer the Potassium Iodide in a timely manner, however prompt evacuation is the utmost priority.

### ALLERGY POLICY

The Amesbury Academy Charter Public School are considered “peanut sensitive/peanut aware.” We recognize that it is not possible to eliminate all possible exposures. The purpose of these guidelines are to minimize the risk of exposure to allergens that pose a threat to the students in the Amesbury Academy Charter Public School, provide all students, through necessary accommodations where required, the opportunity to participate fully in all school programs and activities, and to educate the school community about life-threatening allergies (LTAs). The focus of this district-wide allergy management plan is prevention, education, awareness, communication and emergency response.

The consumption of food on routine bus routes is prohibited. Food may be allowed on longer trips with appropriate supervision by school personnel and for students with special health needs requiring the consumption of food at non-meal times.

School nurses may provide food to students when a student’s medical status indicates a need.

### ROLE OF PARENT/GUARDIAN

- Inform the school nurse of your child’s allergies prior to the opening of school (or as soon as possible after a new allergy is diagnosed). Notification of student allergies is accomplished through the Student Emergency cards, which are sent home at the start of the school year or when a new student enters the district. Cards are completed by the parent/guardian.
- Provide the school nurse with the medical documentation from your primary care provider with medication orders before your child enters school, or immediately after a diagnosis of life threatening allergy is made.
- Provide the school nurse with written permission to share this information with appropriate staff.
- Participate in developing an Individualized Health Care Plan (IHCP) and Allergy Action Plan (AAP) with the school nurse. Include a recent photograph of the child for the AAP. This plan can include a mechanism for ongoing communication with school staff.
- Provide the school nurse with at least annual updates on your child’s allergy status.
- Provide the school nurse with written permission to communicate with the child’s health care provider.
- Provide the school with at least two up-to-date epinephrine auto-injectors.
- Provide the school nurse with the licensed provider’s statement if student no longer has allergies.
- Provide the school with a way to reach you (cell phone, beeper, etc.).

- Provide a list of foods and ingredients to avoid.
- Consider providing a medical alert bracelet for your child.
- Investigate field trip destinations for potential issues that may pose a risk, and inform child's teacher if you have any concerns.
- Review the list of student responsibilities with your child and be sure he/she understands his/her role.
- Remember – the ultimate goal is that our children eventually learn to keep themselves safe by making good choices and advocating for themselves.

#### SCHOOL ADMINISTRATOR/DESIGNEE RESPONSIBILITY

- Apply to the Massachusetts Department of Public Health for "Registration and Administration of Epinephrine" as described in 105 CMR 210.000. This registration is granted for a two-year period and involves the training of unlicensed personnel to administer epinephrine by auto-injector to individuals (with a diagnosed life-threatening allergy) experiencing a life-threatening allergic event.
- Include in the school district's emergency response plan a written plan outlining emergency procedures for managing life-threatening allergic reactions.
- Develop procedures to assist schools at each level (elementary, middle and high) to adapt or modify the plan to meet special needs of individual students. Consider risk reduction for life-threatening allergies.
- Provide school staff, including substitute teachers, teacher assistants, and volunteers with a copy of Policy JHCA, its regulations, and exhibits.
- Ensure that an IHCP for each child with a LTA is created and implemented.
- Ensure that parent/guardians and/or classroom teachers will not bring food into classrooms for distribution to students on a regular basis.
- Entertain permission for special classroom events that include the consumption of food. Permission must first be obtained from the principal. The teacher will send home a notice of the event and will require written consent from a parent/guardian to allow their child to participate. For all school functions sponsored by auxiliary groups, the consumption of food will be allowed on an individual basis as described in that school's handbook.
- Monitor satisfaction of cleaning protocol for classrooms, cafeteria, and other areas in the school building.
- Provide emergency communication devices (e.g., two-way radio, intercom, walkie-talkie, cell phone) for all school activities, including transportation, that involve a student with life-threatening allergies.

- Support faculty, staff and parents in implementing all aspects of the life-threatening allergy management plan. Provide annual training and education for faculty and staff regarding:
  - Anaphylaxis/anaphylactic reactions to foods, insect stings, medications, latex
  - Risk reduction procedures
  - Emergency procedures
  - How to administer an epinephrine auto-injector in an emergency
  - Cafeteria management and food preparation for food service personnel
- Track education of all involved parties to ensure that they have been properly trained and updated.
- Have a plan in place when there is no school nurse available.
- Make sure that plans include notification and training, as indicated, of substitute teachers, substitute nurses and food service personnel.
- Provide guidance on district-wide issues such as transportation.
- Follow federal/state/district laws and regulations regarding sharing medical information about the student.
- Review each emergency event involving the administration of epinephrine. The nurse leader and administration, with input from the school nurse, will determine the effectiveness of the process, why the incident occurred, what worked and what did not work in the district plan and procedures.
- Introduce and include relevant new research and evidenced based practices in the annual review of the plan and procedures.

#### ROLE OF SCHOOL NURSE

- Meet with the student's parent/guardian to develop a draft of an Individual Health Care Plan (IHCP) and Allergy Action Plan (AAP). This should be accomplished prior to entry into school (or, for a student who is already in school, immediately after the diagnosis of a life-threatening allergic condition).
- Obtain written parent/guardian permission to share this information with appropriate school staff.
- Assure that the AAP includes the student's name, current photo, allergen, and symptoms of allergic reactions, risk reduction procedures, emergency procedures and that it is distributed to all staff that have a "need to know."
- Post general emergency protocol and location of epinephrine auto-injectors. Epi-Pens should be kept in a safe, accessible and reasonably secure location that can be properly supervised by a nurse or other authorized and trained staff member.

- Provide information to substitute teachers of those students in their classroom who have LTAs. This information includes the AAP.
- Periodically check medications for expiration dates and arrange for them to be current.
- Make arrangements for ambulance transportation to the nearest emergency facility for the evaluation of any student who was administered epinephrine, even if the symptoms have subsided. The student's parent/guardian will be contacted immediately.
- Complete the Massachusetts Department of Public Health's Epi-Pen administration form, in the event of Epi-Pen administration. Forward form to Nurse Leader before end of work day.
- Review the event and the appropriateness of the intervention with the nurse leader.
- Arrange periodic follow-up to review effectiveness of the IHCP, at least on an annual basis, or as often as necessary.
- Make sure that substitute school nurses are fully oriented to students with life-threatening food allergies and their care plans.
- Communicate with parents on a regular basis to assure all required information is current and available. Communication will include student readiness for self- administration.

#### ROLE OF TEACHER

- Participate in district's annual education program on life threatening allergies.
- Maintain a list of all students in classroom with LTAs.
- Keep accessible the child's emergency plan with photo (where possible) in classroom (with parent's permission) or keep with lesson plan.
- Inform volunteers, student teachers, aides, specialists and substitute teachers about the child's food/other allergies and necessary safeguards by both verbal communication and in an organized, prominent and accessible written format.
- Coordinate with the parent/school nurse on providing a lesson plan about food allergies for the class and discuss anaphylaxis in age appropriate terms, with child's permission.
- Inform parents about events involving food and secure written permission for their student's involvement.
- Provide school nurse with adequate warning about school-sponsored off-site activities.

#### ROLE OF SUBSTITUTE STAFF

- Participate in district's annual education program on life threatening allergies.
- Obtain information (AAP) from school nurse as to which students have LTAs in their classrooms each time they substitute. Return this information to school nurse by end of work day.

- Obtain a building specific list of Epi-Pen locations from school nurse.

#### ROLE OF FOOD SERVICE MANAGER

- Participate in district's annual education program on life threatening allergies.
- Follow safe food handling practices to prevent cross contamination with potential food allergens.
- Follow cleaning and sanitation protocols.

#### ROLE OF STAFF WHEN OFF-SITE

- Participate in district's annual education program on life threatening allergies.
- Maintain a list of all students in their charge who have LTAs.
- Coaches will be told of any students on their teams who have LTAs, will be trained in Epi-Pen administration and will encourage these students to carry the pens to all practices and events.
- Responsible students will be permitted to carry their own Epi-Pens.

#### ROLE OF STUDENT

- Should not trade food with others.
- Should not eat anything with unknown ingredients or known to contain any allergen.
- Should be proactive in the care and management of their food allergies and reactions based on their developmental level.
- Should notify an adult immediately if they eat something they believe may contain the food to which they are allergic.
- When self-administration is allowed, students should agree to keep their emergency medications on their person or immediately under their control and supervision at all times.

#### TRANSPORTATION STAFF RESPONSIBILITY

- Maintain a policy of not permitting food to be eaten on school buses/vans.
- Provide functioning emergency communication devices.
- Know how and when to activate emergency medical services (EMS)

Alternate transportation may be provided on a case by case basis. The usual transportation fee will apply. Parents will be required to furnish written documentation by the students' attending physician stating that the student's LTA is so severe that the student requires alternate transportation.

**Legal References:**

MGL: 71:37

105 CMR 210.000

FERPA

Legal Issues in School Health Services

Adopted: 2001

Reviewed: 2003

Revised: 2007; 2008

**IMPLEMENTATION OF EDUCATIONAL SERVICES IN THE HOME OR HOSPITAL**

603 CMR 28.03(3)(c) and 28.04(4)

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

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

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

*Public school students.* A public school student who, due to documented medical reasons, is confined to home or a hospital for not less than fourteen (14) school days during the school year, is entitled to receive home/hospital educational services as described under 603 CMR 28.03(3)(c). In this context "public school student" means a student who is enrolled in a public school district or a charter school, or a student who is being educated with public funds in an educational collaborative or an approved private day or residential special education school.

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

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

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

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

The Amesbury Academy Charter Public School will coordinate services on a case by case basis to ensure that each student continues to make progress in their academic program.

Coordination of services will be provided by: Donna Georges, Principal; Bethany Noseworthy, Guidance Counselor; Erik Smith, Special Education Teacher; and Florence Kennedy, School Nurse. Please call 978-388-8037 if you need assistance in this area.

\*Please see <http://www.doe.mass.edu/pqa/ta/hhepqa.html> for more information.

#### PREGNANCY AND MARITAL STATUS

The Academy shall not apply any rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex. *34 CFR 106.40*

No student who is pregnant shall be required to provide certification of a physician that the student is physically and emotionally able to continue in school. Certification shall be required from a physician if a student requests to receive home- based educational services during a pregnancy. This is consistent with a request by any student for medically required home-based educational services.

#### **Pregnant and parenting teen services:**

The Academy is committed to the educational success of all students including pregnant and male or female parenting students. Academic support, social service connections, counseling and medical care referrals are made available. Bethany Noseworthy, Academy Guidance Counselor is the liaison to community resources. Accommodations are made to assist the student in completing educational requirements. This may include a modified schedule, tutoring, independent study and early release for mandatory medical care that cannot be scheduled during after school hours. Any pregnant or parenting student is encouraged to access services through the guidance counselor. The school nurse monitors the health status and needs of all students including pregnant and parenting students. The School Linked Services program of the Pettengill House is accessed to assist any student in need, including pregnant and parenting students, with coordination of social services and family supports.

## **LEGAL/LIVING STATUS**

All parents and guardians must keep the program informed of any changes in a student's legal/living status and of the results of all judicial and administrative proceedings concerning the student. This information must be given to the Program Manager. The Program Manager will disseminate this information to the appropriate school personnel.

## **ENTRANCE AND EXIT INTERVIEW**

All students entering and leaving the Amesbury Academy Charter Public School are required to participate in an exit interview with the Guidance Counselor and Principal or designee.

## **GRIEVANCE POLICY**

The philosophy of the Academy is to resolve grievances with dialogue. A grievance should only be directed to a higher level of authority after initial attempts to solve the grievance have failed to produce a solution. It is the desire of the administration and the Board of Trustees to reach a prompt resolution acceptable to all. When a person brings a grievance to the Principal will be made aware of the grievance process as follows:

### **Step One**

An aggrieved person should contact those directly involved to discuss the problem.

### **Step Two**

If the complaint has not been resolved satisfactorily the person should speak with the Principal of the Academy to develop a plan for resolution.

### **Step Three**

Should the complaint be unresolved after speaking with the Principal, a written report detailing the specifics of the grievance should be addressed to the Policy Committee of the Board of Trustees. This report should document the results of steps one and two.

### **Step Four**

If the Policy Committee believes that more time or effort can resolve the complaint at the staff-Principal level, it will return the complaint to the Principal for resolution. If the Policy Committee finds that steps one and two have been exhausted, then it may develop a plan with the parties involved to resolve the issue. A meeting will be scheduled within *thirty days*, following which the committee will issue a written response to the aggrieved.

### **Step Five**

The Policy Committee can bring a complaint to the full Board of Trustees for consideration if it believes the issue concerns the well-being of the Academy.

### **Step Six**

If the aggrieved feels that the complaint has not been adequately addressed by the Policy Committee or the Board of Trustees, the grievance may be submitted in writing to the Commissioner of Education who shall investigate the complaint and make a written response. The Commissioner's response shall constitute the final resolution of the grievance. The laws governing Massachusetts charter schools are M.G.L.c. 71 section 89, and 603 CMR 1.00.

\*\*\*\*\*

**PARENT/STUDENT SIGN OFF**

I have read the Handbook.

Print Student's Name \_\_\_\_\_

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

Print Parent Name \_\_\_\_\_

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

Date \_\_\_\_\_