



## **Student / Family Handbook**

### **District Contact Information**

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# DISTRICT LEADERSHIP

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## Board of Trustees

Kathleen Crawford	Chair
Matthew Yezukevich	Treasurer
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Ramona Royal	Trustee
Todd Tetreault	Trustee

*\*The school's Board of Trustees holds the charter to The Foxborough Regional Charter School and governs the terms by which the charter is issued. Board meetings are open to the public on the second Tuesday of each month at the school.*

## District Leadership

Annie Azarloza	Co-Interim Executive Director/ Superintendent
Dana Benton Johnson	Director of School Culture and Climate
Heidi Berkowitz	Co-Interim Executive Director/ Superintendent
Heidi Berkowitz	Chief of Staff
Karen Calvert	Director of Finance
Kathleen Foley	Interim Deputy Director of Teaching and Learning
Kathleen Foley	Director of Curriculum & Professional Learning
Lesly Michelot	Director of Operations
Lori Obenchain	Director of Student Services
TBD	Director of Human Resources

## School Leadership

Christiana Benson	Elementary School Principal
TBD	Elementary School Assistant Principal
Alisa Diakite	Middle School Principal
TBD	Middle School Dean
Scott Johnson	Middle School Assistant Principal
Michael Cournoyer	High School Principal
TBD	High School Assistant Principal

## Additional Contacts

Catherine Alix	District McKinney-Vento Homeless Coordinator
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# DISTRICT INFORMATION

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## **Educational Philosophy**

At the Foxborough Regional Charter School (FRCS) District, we strive to provide a comprehensive and cohesive curriculum that is aligned to National and Massachusetts learning standards. We believe that instruction, learning, and assessment are purposeful and meaningful. It is critical that our students connect their learning from year-to-year as they build toward rigorous in-depth understandings. Foxborough Regional Charter students acquire essential skills and fundamental knowledge that is progressively more complex. We believe our learners are students who endeavor to be extraordinary.

Our students Enter to Learn and Exit to Lead.

## **Curriculum and Instruction**

Our commitment is to design and facilitate an intentional curriculum that prepares students for success in college, career, or a military pathway. At FRCS, student-centered growth and development is at the heart of learning. To this end, our curriculum and instruction:

- Enables our students to engage in self-discovery that builds toward community service
- Empowers our students to make a difference as empathetic, responsible, and global citizens
- Taps our students' natural curiosity, facilitates their critical thinking, and enables them to problem solve resourcefully
- Facilitates critical thinking through research, multimedia, and real-life experiences
- Facilitates a collaborative and experiential approach to learning
- Supports inquiry across all disciplines
- Embeds 21st century technology and resources
- Celebrates and motivates our students as they take academic risks and build confidence

## **Community Service Learning**

Community Service Learning (CSL) is an integral component to the FRCS mission and academic program. CSL opportunities are embedded within K-12 instruction to enrich the learning experience, teach civic responsibility, and to strengthen the school community. The purpose of the service learning is for students to use what they learn in the classroom to solve real-life problems; to not only learn the practical applications of their studies, but also become actively contributing citizens and community members through the service they perform.

## **Assessment**

At FRCS, we value our students' individual journey of achievement and growth from kindergarten through their senior year in high school. Our comprehensive assessment plan includes data analysis that intentionally identifies our students' specific learning readiness and opportunities for growth. The district participates in the Massachusetts Comprehensive Assessment Skills (MCAS) testing program in grades 3-10 in English, Mathematics and Science. As a state requirement, all students must pass the high school English, Mathematics, and Science portions of the MCAS tests to be eligible for graduation. Additionally, our continuous measures of academic growth include rigorous nationally normed assessments. To this end, our assessments are:

- Intentional
- Responsive
- Informative toward future instruction
- Formative (ongoing, intermittent, varied)
- Summative (a measure of current knowledge and understanding)

## **Multi-tiered System of Support (MTSS)**

Upon thoughtful data collection and analysis, students may reveal growth opportunities in academic, emotional, or behavioral areas. In response, students may be referred to the Teacher Assistance Team through the completion of an Individual Student Success Plan (ISSP). This plan is designed to proactively support the student's success in meeting individual needs via explicit recommendations such as small group interventions. Families are an essential part of this process, and we will reach out to partner with you.

## **School Attendance**

Foxborough Regional Charter School believes that regular and punctual attendance is essential for success in academic experiences. Learning needs to be valued as an ongoing process that requires the daily interaction of students with their peers and educators. Student absences affect this learning process. While a student may make-up for the missing work, a student rarely can duplicate the learning experiences lost by that day's absence.

Absence from a class for any reason is academically detrimental to students. Since education is a cooperative effort and students gain from their interactive discussion with one another, their absences also hinder the class.

Foxborough Regional Charter School firmly believes that the development of desired habits of punctuality and satisfactory attendance is a shared responsibility of the school, the parents, and most importantly, the students. In order to achieve our shared goals, the school has developed the following procedures:

- Students are expected to attend school regularly, on time, ready to learn, with appropriate instructional materials, and completed assignments.
- Parents or legal guardians shall be responsible for ensuring that each child of compulsory age for school attendance as defined by policy and law shall attend school regularly.
- Parents or legal guardians of each student shall, annually, at the beginning of the school year, be notified of a telephone number (or website) where parents must notify the school of the absence and reason. Such notification shall be made prior to the official starting time of the homeroom period.
- Parents or legal guardians shall be required to furnish the school with a telephone number where they can be reached during the school day. If the student is absent and the school has not been notified by the established time, the school shall call the number(s).

Each school shall keep accurate attendance records. Attendance lists shall be produced daily and shall include the names of students who are absent or tardy. This list shall also include the names of students who have an early dismissal for health or other legal or excused reasons.

Note on family travel: Parents are requested to schedule family trips when school is not in session. Vacations and family trips are not excused absences. If it becomes necessary for a student to be absent because of a family trip, it is the student's responsibility to obtain, prior to travel, a list of assignments. Upon the student's return, the student is expected to submit the completed assignments. Failure to complete the work will result in a failing grade for those assignments.

## **Daily Attendance Records**

The successful progress of students depends on prompt and regular attendance. We expect students to attend school every day to receive the maximum benefit of instruction.

The school opens at 7:15 a.m. in all schools for students to enter the building.

- Daily attendance is taken in first period class. Any student that fails to report to homeroom and/or class will be marked absent.
- All students arriving after 7:40 a.m. will be listed as tardy. Tardy students must report to the appropriate building level Main Office to obtain a "late pass" before entering their classroom. Excessive tardiness will result in consequences.
- Students in grades 5-12 receive a consequence for every three unexcused tardies.

## **Early Dismissal Procedure**

- Students are not permitted to leave the school grounds at any time during the school day without a note from a parent or guardian and approval from the school office.
- Requests for dismissal must be in writing except in the case of emergency.
- Dismissal notes must indicate the reason for dismissal; time of dismissal, the parent's signature, and a telephone number a parent/guardian can be reached to confirm the request for dismissal.
- Dismissal notes must be turned into the homeroom teacher or appropriate building level Main Office prior to first period.
- All students being dismissed must report to the main office at the time of their dismissal and be signed out by a parent/guardian or a person authorized by the parent/guardian. A person on the student's emergency contact list cannot dismiss without prior consent from the parent/guardian.
- Emergency contacts picking up a student for early dismissal are required to show picture ID.

## **The school nurse dismisses students for illnesses**

Students who possess a valid driver's license, have written permission from a parent/guardian, and are eligible for student parking at the school may dismiss themselves without the presence of a parent or guardian by signing out per the appropriate dismissal procedures in the main office.

## **Tardiness to School**

Per Term:

- 1st and 2nd Tardy: Verbal Warning
- 3rd Tardy: Mailed paper notice to parent address (parent/guardian will need to sign and return)
- 4th Tardy: Seat Time Make-Up (this can include Saturday Seat Time, After School Seat Time, or FLEX/LEGO seat time—determined at discretion of school leader). Seat Time is defined as making up minutes of instruction time missed.
- 5th Tardy: Attendance Review Board- board will determine validity of tardiness to school and create an action plan/agreement

If tardiness to school continues to occur after the review of the Attendance Review Board, the student will need to make up cumulative seat time before the last day of the school year or possibly will be retained.

## **Make-up Work, Quizzes, Exams (in cases of absences due to illness)**

Teachers work collaboratively with students and families (and with each other) to design the best course of action to enable a student to make-up missing assignments. Each situation is managed to those specific circumstances, paying attention to individual student progress and needs.

## **Make-up Work, Quizzes, Exams (in cases of unexcused absences such as extended vacations)**

FRCS strongly encourages families to plan vacations aligned to the district calendar to avoid disruption to their student's academic success. To be clear, extended vacations cannot be "approved" by FRCS in adherence to DESE attendance requirements. Due to the responsive nature of instruction, and our alignment to National and Massachusetts learning standards, teachers likely are unable (and not expected) to create "work packets" for students to complete while on extended vacation.

## **School Communication**

Communication is critical to the success of our school community. Foxborough Regional Charter School uses several different means of communication to keep everyone informed. The school produces annual publications such as the student handbook, key dates calendar, weekly newsletters, and monthly Director's videos. The school holds a number of open houses for such things as presentations and parent conferences throughout the year. Additionally, the school

maintains a website, [www.foxboroughrcs.org](http://www.foxboroughrcs.org), with current activities, events and news. Teachers are accessible easily by email.

### **Flow of Communication**

When a parent determines that there is a school-related concern that needs to be addressed with school officials, the sequential steps outlined below should be followed. The Foxborough Regional Charter School District seeks to work collaboratively with parents to find the fastest resolution to any problem.

1. The parent should address the concern with the staff member most directly involved, (i.e., a question regarding the content of instructional materials or homework assignments should be shared with the classroom teacher)
2. If the matter is not resolved at this level, the parent should bring the concern to the attention of the appropriate School Dean or Assistant Principal.
3. If the matter is not resolved at this level, the parent should bring the concern to the attention of the Building-based Principal.
4. If the matter is not resolved at this level, the parent should bring the concern to the attention of the Deputy Director.
5. If the matter continues to remain unresolved, the parent should email [info@foxboroughrcs.org](mailto:info@foxboroughrcs.org) to reach the Superintendent.

### **School Lunch Program**

Students may bring a lunch from home, or they may purchase a school lunch for which payment must be made online through [www.MySchoolBucks.com](http://www.MySchoolBucks.com). Reduced lunch and free lunch applications will be sent home at the beginning of the school year.

A lunch period including outdoor recess (for elementary school) is scheduled daily. Accounts can and should be maintained for lunch, milk only, and a la carte items. A computerized pre-purchase program is available for parent convenience (and also really keeps the lines moving more quickly).

No fast food, caffeinated sodas or candy may be brought into or delivered to the lunchroom (or used for snack). Parents may not bring in birthday foods or treats to cafeterias. No low-nutrition foods may be served or sold by any group until lunch is over. School lunch menus are posted on the lunch order website, and paper copies are available upon request. Allergen free cafeteria tables are available for Students with allergies to eat their lunch. These tables will be cleaned with separate materials to prevent contamination from other tables. *The School Department's Wellness Policy (ADF) is posted on the website.*

### **Lunchroom Rules**

1. Follow rules of good manners and politeness. School rules of respect, safety and cooperation are always in effect in the lunchroom.
2. Talk in a low voice to your neighbors. Noise making and popping bags or cups are unacceptable.
3. Do not leave your seat without raising your hand.
4. Pick up all trash and be sure the area in which you are sitting is clean.

### **Homework Procedures**

Homework agendas are provided for students in grades 5-8. Students are expected to record their assignments daily. Parents are encouraged to review these agendas on a regular basis. Homework expectations and criteria differ, depending on the grade level. Please refer to your child's grade level syllabus for grade/course expectations.

## **Telephone Use**

If a student needs to call home for any reason during school hours, they must use the phones located in the main office.

## **Electronic Device**

Electronic devices and equipment including, but not limited to, cell phones, music players, smart phones, video-game systems, CD and/or DVD players, laser pointers, voice or video recorders, portable radios or televisions, are not to be turned on, used, or visible during the school day unless written or verbal permission has been granted by the administration. (Violations of this policy in emergency situations will be taken into consideration.)

Students found using any of the aforementioned electronic devices in violation of this policy will be directed to the administration at the school and the device will be confiscated and returned to the student at the end of the day.

The principal and/or designee has the right to adapt or modify any consequences on a case by case basis.

It should also be noted that the school is not in any way responsible for lost or stolen property; therefore, it is our expectation that Students who find items of value, such as electronic devices, return them to the office immediately. Failure to do so will subject a student to the disciplinary consequences associated with being in possession of stolen property.

## **Cell Phones**

Cell phones must be turned off before entering the building. Cell phone use including, but not limited to the following, is not allowed in school: making/receiving calls, text messaging, emailing, using social media, taking photographs, and recording video. No form of photography or video recording is permitted on school property, including on school-provided transportation. Owners of cell phones should be cognizant of the legal difficulties that improper use can present.

## **Inappropriate Technology Use**

Use of technology in schools is guided by the district Acceptable Use Policy, grade-specific Responsible Use Agreements, and district Social Media policies. Legal and school consequences are possible if any devices or computers are used inappropriately including, but not limited to, sending inappropriate or bullying messages, taking a picture or video of someone without the person's permission, requesting others to send revealing or inappropriate photos or videos, or sending revealing or inappropriate photos or videos to others. Students and parents should be aware that all in-school technology use is monitored by tech staff.

## **State Mandated Testing**

As mandated by state law, all children entering Kindergarten are screened to evaluate motor, cognitive, visual, perceptual, and language development. Kindergarten screening is scheduled before Students start kindergarten. State regulations require that students in grades 3-10 take the MCAS test.

## **Reporting of Student Progress**

On-going efforts are made to keep parents informed about the educational program and their child's progress. The formal reporting system for Grades K-4 includes scheduled conferences in the fall and spring and report cards issued in December, March and June. For Students in Grades 5-12, there are parent teacher conferences as well as report cards issued in November, January, April and June.

## **Student Records**

The Family Educational Rights and Privacy Act (FERPA) and the Massachusetts Student Records Regulations ("Regulations") together provide parents/guardians and eligible students (those who have reached the age of 14 or who have entered ninth grade) certain rights with respect to the student's education records. A general overview of those rights is provided below. Parents/guardians and students may obtain a complete copy of their rights under the Massachusetts Student Record Regulations (603 CMR 23.00 et seq.) by contacting the school's principal.

A. **The right to access the student's education records.** Parents or eligible students should submit their request for access to the building principal. Access generally is provided within ten days of a request. However, **Massachusetts**

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**General Laws c. 71, § 34H** provides specific procedures that must be followed prior to release of records to a parent who does not have physical custody of a child. Information about these procedures can be obtained from the building principal.

**B. The right to request amendment of the student’s education records.** Parents or eligible students should direct their request to the principal, clearly identifying the part of the record they wish to have amended, and why.

**C. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA and the Massachusetts regulations authorize disclosure without consent.** One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests in the records. Such school officials include professional, administrative and clerical staff who are employed by or under agreement with the FRCS and who need access to a record in order to fulfill their duties. FRCS also discloses student records without parent/eligible student consent to officials of other elementary or secondary schools in which a student enrolls, or seeks or intends to enroll, upon receipt of a request from such school officials.

Consistent with the laws governing education records, FRCS routinely releases without consent (1) the name, address and telephone listing of secondary school students to military recruiters and to institutions of higher learning upon request and (2) directory information, which is information that generally would not be considered harmful or an invasion of privacy if disclosed. FRCS considers the following to be “directory information:” the student’s name, parents’ names, student’s and parents’ addresses, parent’s email address, telephone listing, date of birth, grade level/class, dates of attendance, weight and height of athletic teams, participation in recognized activities and sports, honors and awards, and post-high school plans. In the event a parent or eligible student objects to the release of any of the above information, the parent or eligible student may state that objection in writing to the building principal no later than October 1 of each school year. Absent receipt of a written objection for the parent or eligible student by that date, this information will be released without further notice or consent.

**D. The right to file a complaint** concerning alleged failures by the District to comply with the regulations and laws governing student records. Complaints may be filed with the Massachusetts Department of Elementary and Secondary Education, 75 Pleasant Street, Malden, MA 02148. In addition, complaints relative to federal statutes and regulations governing student records may be filed with the U.S. Department of Education, Student Privacy Policy Office, 400 Maryland Avenue, SW, Washington DC, 20202-8520.

**E. The right to be notified and receive copies of records before they are destroyed.** Regulations require that certain parts of the student record, such as the temporary record, be destroyed a certain period of time after the student leaves the school system. School authorities also are allowed to destroy misleading, outdated, or irrelevant information in the record from time to time while the student is enrolled in the school system. Before any such information is destroyed, the parent must be notified and have an opportunity to receive a copy of any of the information.

### **Home or Hospital Educational Services**

Home or hospital instruction is available to provide a student receiving a publicly funded education with the opportunity to access the general education curriculum and make educational progress even when a physician determines that the student is physically unable to attend school. Upon receipt of a written order from a physician or nurse practitioner 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 school shall arrange for provision of educational services in the home or hospital. Once the student's personal physician (for example, a pediatrician, internist, medical specialist, psychiatrist or nurse practitioner) determines that a student's medical condition will require either hospitalization or home care for not less than 14 school days, the physician must notify the school district responsible for the student in order to begin the home/hospital instruction process. The student's physician must complete a Department of Elementary and Secondary Education form 28R/3 (or equivalent signed statement) and submit it to the student's building principal or other appropriate administrator. At a minimum, the physician's signed notice must include information regarding:

- the date the student was admitted to a hospital or was confined to home
- the medical reason(s) for the confinement
- the expected duration of the confinement
- what medical needs of the student should be considered in planning the home or hospital education services.

Students with chronic illnesses who have *recurring home/hospital stays of less than 14 consecutive school days*, when such recurrences have added up to or are expected to add up to more than 14 school days in a school year, are also eligible for home or hospital educational services if they are requested and the medical need is documented by the physician. If the student is eligible, home and hospital educational services under 603 CMR 28.03(3)(c) must begin without undue delay after the school district receives written notice from the student's physician that such services are necessary. The school shall arrange for the provision of educational services with sufficient frequency to allow the student to continue the student's educational program, as long as such services do not interfere with the medical needs of the student. While it is impossible to replicate the total school experience through the provision of home/hospital instruction, a school district must provide, at a minimum, the instruction necessary to enable the student to keep up in the student's courses of study and minimize the educational loss that might occur during the period the student is confined at home or in a hospital.

The principal shall coordinate such services with the student's IEP Team for eligible special education 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. If, in the judgment of the student's physician, a student with an IEP is likely to remain at home, in a hospital, or in a pediatric nursing home for medical reasons and for more than sixty (60) school days in any school year, the student's IEP Team shall meet, without undue delay, to consider evaluation needs and, if appropriate, to amend the existing IEP or develop a new IEP suited to the student's unique circumstances.

### **Lost and Found**

Children may not bring toys or other valued possessions to school. The school will not be responsible for lost or stolen items. Each school has a Lost and Found area where parents and Students are encouraged to check for lost items. Unclaimed items will be donated to a designated shelter/charity after a reasonable amount of time has passed without the items being claimed. **Names should be written on EVERYTHING.** Valuables that are found are kept in the office. Items lost on the bus are kept on the bus.

### **Lost Books**

Students are responsible for replacing any lost schoolbooks. Students will pay a replacement fee equal to the value of the book and will be given a receipt. If the lost book is found later, the replacement fee will be reimbursed.

### **Invitations and Notices**

Students are not allowed to use the school as a vehicle to distribute any notices or invitations about private events. All notices that parents or Students want distributed must be approved, in advance, by the Superintendent.

### **Partners in Education (PIE)**

Partners in Education (PIE) is a parent-driven volunteer group dedicated to supporting the school and enhancing the quality of the educational experience at FRCS for all students and families. Key goals include:

- Supporting the school administration in its goals
- Raising funds for supplemental programs, enrichment, and supplies
- Hosting extra-curricular activities that encourage family involvement
- Coordinating volunteer participation to support school programs

### **Emergency Closings**

During the school year, weather conditions or other circumstances may require the school to adjust its operating schedule. Especially given weather situations, a decision is made after careful consideration and consultation with the National Weather Service, public safety and public works personnel, and school officials throughout our geographic region.

Since we service a large regional section of southeastern Massachusetts, we evaluate the most current conditions and use the best information available to project anticipated conditions. Given the nature of our large geographic region, conditions in one area often may differ significantly from other areas. Decisions to close or delay the opening of school considers this information and the safety of our entire school community. Parents also should consider the conditions in their local area and to determine whether travel is safe and reasonable.

If the district is closed or opening is delayed due to inclement weather, a power outage, or other issues, the district will send a phone notification to primary phone numbers and email addresses listed in the school district database. The district will also post this information on the school’s website, Facebook, and Twitter pages. Local television stations also will announce this information. Families can find information through the following media outlets:

- |                |                 |
|----------------|-----------------|
| WBZ Channel 4  | WFXT Channel 25 |
| WCVB Channel 5 | WHDH Channel 7  |

These media outlets also publish changes to our normal operating hours on their respective websites and many provide text-messaging notifications, which is important especially during power outages.

Only under extreme circumstances will the school close after students have arrived. If an early closing should occur, parents are expected to pick-up their children as soon as possible. In these cases, we also will cancel all after school activities. This is required so that our staff also may travel home safely. Closings during the day will be announced by a phone message and on local television stations. It is the responsibility of the families to keep their contact information current in the school database. Contact the main office to make any changes.

### **Emergency Evacuations**

In the event of an emergency evacuation requiring that students be evacuated from a school building to a designated location, families should not come to the school. FRCS will contact families as soon as it is safe and reasonable to do so and will provide updates.

### **Fire and Evacuation Drills**

Safety Drills are conducted three to four times per year according to regulations set by the Foxborough Fire and Police Departments. Evacuation exit directions and procedures are posted in all rooms and are reviewed with students on a regular basis.

### **Reporting Contacts for Civil Rights, Harassment, and Bullying or Retaliation**

Title IX of the Education Amendments of 1972 is a federal law that protects individuals from discrimination based on sex, including sexual orientation and gender identity, in education programs or activities that receive federal financial assistance, such as public schools. Individuals with concerns about discrimination on the basis of sex should contact the FRCS Title IX Coordinator: [Michelle Struba](#). Other building-based concerns of bullying and/ or retaliation of students should be directed to the building-based Principal and Assistant Principal.

# STUDENT SERVICES

## **Multilingual Learners (ML)**

Foxborough Regional Charter School boasts a diverse, multicultural, and multilingual student body. Many of our students and their families represent first- or second-generation immigrants from more than twenty-five countries, speaking a primary language other than English. To support the needs of our Multilingual Learners (MLs), FRCS employs ELE instructors who work with students in grades K-12. The ELE program at FRCS is designed to provide an accessible and meaningful curriculum, to promote high academic standards, and to value the native languages and cultural backgrounds of each student. Students are serviced through a combination of Sheltered English Immersion instruction in a classroom with a general education teacher who has been trained in best practices for instructing MLs as well as small group intervention with a teacher certified in teaching English as a Second Language. The Department of Elementary and Secondary Education (DESE) requires all districts to screen students for ELE services whenever there is a language other than English indicated on the student's home language survey. FRCS utilizes a tool called the WIDA Screener to determine initial English proficiency and eligibility for ELE services. Students who initially qualify for ELE are formally reassessed in January of each year using the ACCESS for ELLs 2.0 assessment until they have met the exit criteria set by the DESE. Parents are notified of the results after each assessment is administered. Foxborough Regional Charter School embraces the opportunity to build partnerships with parents and to provide support that will help all students be successful in their academic career.

## **Special Education Department**

Foxborough Regional Charter School (FRCS) follows all federal and state special education laws to ensure that all students with disabilities who are eligible for an Individualized Education Program (IEP) receive a free and appropriate public education (FAPE) in the least restrictive environment. FRCS provides a full continuum of special education services for students on IEPs. FRCS employs a wide range of special education staff to meet the diverse needs of our students including Speech-Language Pathologists, an Occupational Therapist, a Physical Therapist (under contract), School Psychologists, Teachers, Paraprofessionals, and a Board-Certified Behavior Analyst (BCBA). Special education services may be provided in or out of the general education classroom depending on the individual needs of students, with the understanding that there is a strong legal preference for educating students on IEPs with their non-disabled peers to the maximum extent appropriate. Parents/guardians are important and valued members of the IEP Team at FRCS.

## **Section 504 Policy and Procedures**

Section 504 of the Rehabilitation Act of 1973 is a federal civil rights law prohibiting recipients of federal funding, such as public schools, from engaging in disability discrimination in the provision of their programs and activities. Section 504 protects an “individual with a disability” from disability discrimination, with an “individual with a disability” being defined as a person who has a physical or mental impairment which substantially limits one or more major life activities. Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. When determining whether an impairment substantially limits a major life activity the ameliorative effects of mitigating measures may not be considered. An “individual with a disability”, for instance, may require accommodations in order to have equal access to the public-school program, with those accommodations being written into a Section 504 Plan.

## **Building Based Contacts for Section 504 Plans**

Christiana Benson, Elementary School Principal; Alisa Diakite, Middle School Principal and Michael Cournoyer, High School Principal.

# ELEMENTARY SCHOOL

## Before School

K-4 doors open at 7:15 a.m. Kindergarteners who choose to have breakfast may pick up breakfast from the cafeteria and then report to their classroom to eat it. If they are not having breakfast, they should go directly to the kindergarten classroom. Students in grades 1-4 may eat breakfast in the cafeteria; however, if they are not eating breakfast, then they should report to the gym. At 7:30 a.m., students in grades 1-4 should report to their classrooms. Students entering the classroom after 7:45 a.m. are considered tardy.

## Reporting of Student Progress

Report cards are issued three times per year at the end of each term. In addition, mid-term progress reports are provided during trimester 1 and 2. The Elementary School uses standards-based grading aligned to the Massachusetts Curriculum Frameworks. Our goal is to identify how students are performing on a set of clearly defined learning targets (the standards). The purpose of standards-based grading is to measure students' current progress towards mastery of the learning targets. Students' progress will be communicated on their report card using the following indicators:

Independent, Meeting, Progressing, Emerging (I, M, P, E). These indicators define a student's proficiency in the content skill.

**I** - Independent - Student is able to independently demonstrate mastery beyond what is explicitly taught for this grade level standard. Performance is characterized by the application of skills with consistent accuracy, independence, and a high level of quality.

**M** - Meeting- Student is meeting the grade level standard at this time. Performance is characterized by the application of skills with accuracy and quality. The student may require occasional support and direction.

**P** - Progressing – Student is progressing toward the grade level standard at this time. Performance is characterized by the application of skills and strategies with support and direction.

**E** - Emerging – Student is demonstrating an emerging understanding of the grade level standard at this time. Performance is characterized by limited application of skills and strategies and requires considerable support and direction.

## Recess

If your child attends school, your child is expected to participate in all aspects of a school day, including recess. Recess is an integral part of a child's day at school. It provides a time for physical activity and social interaction. Please be sure children are dressed appropriately for the weather. Children are excused from recess when a written medical excuse from a physician is sent to school or at the discretion of the school nurse.

## Playground Rules

1. Play in designated areas.
2. No one may leave the playground area without the permission of an adult.
3. On swings, swing back and forth only. No standing, twisting or side-ways movement is permitted on swings.
4. The following activities are considered dangerous and are not allowed on the playground: Tackle football, games played with a hard ball/s, rock, sand or snowball throwing, climbing on snow banks, pushing, shoving, kicking, wrestling, and any other rough play
5. Returning to class must be quiet and orderly. At the end of recess, line up promptly in a straight line.

## TOYS

Children are not allowed to bring toys, electronic devices, iPods/Music players, Yu-Ghi-O/Pokemon cards or other fad items, or valuable items to school. Too often they are lost, misplaced or stolen and are distracting to the learning environment.

### **Grades K-4 (Elementary School) promotion guidelines**

- Overall Progressing or higher in reading comprehension
- Overall Progressing or higher in mathematics
- Additional consideration will be given to the social and emotional need of the individual student
- Promotion and retention are building based team decisions
- In the event the family and building based team are unable to reach an agreement the parent may appeal to district personnel.

### **Homework Procedures**

- Homework expectations and criteria differ, depending on the grade level. Homework agendas are provided for students in grades 3 & 4. Students are expected to record their assignments daily. Parents are encouraged to review these agendas on a regular basis. Please refer to your child’s grade level syllabus for grade/course expectations.

# **MIDDLE SCHOOL**

### **Before School**

In grades 5-8, doors open at 7:15 a.m. All students report to the cafeteria where they have the option to select breakfast. At 7:25 a.m., students are to report to their classrooms and are considered tardy if they arrive after 7:40 a.m. After students arrive at school, they are not allowed to leave school grounds.

### **Reporting of Student Progress**

Report cards are issued three times per year at the end of each term. In addition, grades will be posted on School Brains Parent Portal intermittently throughout each term for all classes.

The school’s numerical grades correspond to letter grades as follows:

97-100%	A+	83-86%	B	70-72%	C
93-96%	A	80-82%	B-	67-69%	D+
90-92%	A-	77-79%	C+	63-66%	D
87-89%	B+	73-76%	C	60-62%	D
				Below 60%	F

### **Incompletes (“I”)**

“I” stays on the report card for a maximum of 3 weeks. At the end of the 3-week period, any assignments not made up are calculated as zeros. At the end of 3 weeks, all incompletes are recalculated and report cards for affected students are distributed via mail. For extenuating circumstances, families must meet with guidance to discuss the possibility of additional extensions.

### **Honor Roll Awards Guidelines**

#### ***Honor Roll: (Grades 5-8 only)***

In order to achieve Honor Roll status, the student must maintain an average of 85% (B) or above with no grade below an 80% (B-) in all core subjects. These courses are defined as English, Mathematics, Science, Spanish, and Social Studies. A grade below a C- in any non-core course will preclude a student from the Honor Roll. Courses or subjects modified to “Pass/Fail” or “Satisfactory/Unsatisfactory” status as outlined by a student’s Individualized Education Program or 504 Plan also are considered for this distinction and a passing or satisfactory mark is required to earn this academic award.

**High Honor Roll: (Grades 5-8 only)**

In order to achieve High Honor Roll status, the student must maintain an average of 90% (A-) or above with no grade below an 85% (B) in all core subjects. These courses are defined as English, Mathematics, Science, Spanish, and Social Studies. A grade below a C+ in any non-core course will preclude a student from the High Honor Roll. Courses or subjects modified to “Pass/Fail” or “Satisfactory/Unsatisfactory” status as outlined by a student’s Individualized Education Program or 504 Plan are also considered for this distinction and a passing or satisfactory mark is required to earn this academic award.

**Distinguished Student: (Grades 5-8 only)**

In order to achieve Distinguished Student status, the student must maintain an average of 95% (A) or above with no grade below a 90% (A) in all core subjects. These courses are defined as English, Mathematics, Science, Spanish, and Social Studies. A grade below a B- in any non-core course will preclude a student from the Distinguished Student status. Courses or subjects modified to “Pass/Fail” or “Satisfactory/Unsatisfactory” status as outlined by a student’s Individualized Educational Program or 504 Plan are also considered for this distinction and a passing or satisfactory mark is required to earn this academic award.

**Middle School Promotion Guidelines**

A passing grade of 60% is required to successfully complete and receive credit for any class that is graded numerically. Students who fail required courses may recover credits through summer school outside our school district. Additional factors, such as language acquisition, Individualized Education Program or 504 Plan, may be taken into consideration for promotion. FRCS reserves the right to consider other criteria such as social and emotional development in the final determination for grade level promotion. In the event of a disagreement regarding grade level promotion, the principal will serve as a mediator using the guidelines below:

**Grades 5-8 (Middle School) promotion guidelines**

- The FRCS expectation is that students earn passing grades in all courses
- For promotion purposes, students must earn passing final grades in the core content courses (English Language Arts, Mathematics, Science, Spanish, and Social Studies)
- Additional consideration will be given to the social and emotional need of the individual student
- Promotion and retention are building based team decisions
- In the event the family and building based team are unable to reach an agreement the parent may appeal to district personnel.

**Athletic and Extracurricular Activities**

See Athletic Handbook

**Participation Requirements for Athletics and Extracurricular Activities**

Students must be in school for at least sixty percent (60%) of the school day to participate in any athletic events and/or extracurricular activities, including school dances. A student who is absent from school may not participate in any athletic events and/or extracurricular activities. Students who are suspended, or on Social Probation, may not participate in any activities. A Student who repeatedly violates the Code of Conduct will be subject to suspension and/or removal from an athletic team and/or extracurricular activities. Detentions must be served before students are allowed to participate in athletic events and/or extracurricular activities.

# HIGH SCHOOL

## Before School

In grades 9-12, doors open at 7:15 a.m. The cafeteria is open for Students to select breakfast. High School Students may enter the school building at 7:15 a.m. to go to their lockers and classrooms and are considered tardy if they arrive at their classrooms after 7:40 a.m. After students arrive at school, they are not allowed to leave the grounds, with the exception of Senior class members who have earned Senior privileges.

## Reporting of Student Progress

Report cards are issued three times per year at the end of each term. In addition, grades will be posted on School Brains Parent Portal intermittently throughout each term for all classes.

## Grades

The School's numerical grades correspond to letter grades as follows:

97-100%	A+	83-86%	B	70-72%	C
93-96%	A	80-82%	B-	67-69%	D+
90-92%	A-	77-79%	C+	63-66%	D
87-89%	B+	73-76%	C	60-62%	D
				Below 60%	F

## Incompletes ("I")

"I" remains on the report card for a maximum of 3 weeks. At the end of the 3-week period, any assignments not made up are calculated as zeros. At the end of 3 weeks, all incompletes are recalculated and report cards for affected students are distributed via mail. For extenuating circumstances, families must meet with guidance to discuss the possibility of additional extensions.

## Course Withdrawals/Changes (Middle and High schools)

- Withdrawals in the first week of the year: Previous grades do not count for the new course.
- Withdrawal during trimester, after 2<sup>nd</sup> week: Grades from previous course transfer into new course. Students receive a single grade on the report card for the new course.
- Withdrawal after one complete trimester: student should be withdrawn, but not removed from course. Student receives a grade on the report card for both courses.

## Honor Roll Awards Guidelines

### *Honor Roll: (Grades 9-12 only)*

In order to achieve Honor Roll status, the student must maintain an average of 85% (B) or above with no grade below an 80% (B-) in all core subjects. These courses are defined as English, Mathematics, Science, Spanish, History and Social Sciences, concentration courses and all online/virtual courses including dual enrollment courses (high school). A grade below a C- in any non-core course will preclude a student from the Honor Roll. Courses or subjects modified to "Pass/Fail" or "Satisfactory/Unsatisfactory" status as outlined by a student's Individualized Educational Program or 504 Plan are also considered for this distinction and a passing or satisfactory mark is required to earn this academic award.



**High Honor Roll: (Grades 9-12 only)**

In order to achieve High Honor Roll status, the student must maintain an average of 90% (A-) or above with no grade below an 85% (B) in all core subjects. These courses are defined as English, Mathematics, Science, Spanish, History and Social Sciences, concentration courses and all online/virtual courses including dual enrollment courses (high school). A grade below a C+ in any non-core course will preclude a student from the High Honor Roll. Courses or subjects modified to “Pass/Fail” or “Satisfactory/Unsatisfactory” status as outlined by a student’s Individualized Educational Program or 504 Plan also are considered for this distinction and a passing or satisfactory mark is required to earn this academic award.

**Distinguished Student: (Grades 9-12 only)**

In order to achieve Distinguished Student status, the student must maintain an average of 95% (A) or above with no grade below a 90% (A) in all core subjects. These courses are defined as English, Math, Science, Spanish, History and Social Sciences, concentration courses and all online/virtual courses including dual enrollment courses (high school). A grade below a B- in any non-core course will preclude a student from the Distinguished Student status. Courses or subjects modified to “Pass/Fail” or “Satisfactory/Unsatisfactory” status as outlined by a student’s Individualized Educational Program or 504 Plan are also considered for this distinction and a passing or satisfactory mark is required to earn this academic award.

**FRCS Promotion Guidelines**

A passing grade of 60% is required to successfully complete and receive credit for any class that is graded numerically. Students who fail required courses may recover credits through summer school outside of our school district. Additional factors, such as language acquisition, Individualized Education Program, and 504 Plan, may be taken into consideration for promotion. FRCS reserves the right to consider other criteria such as social and emotional development in the final determination for grade level promotion. In the event of a disagreement regarding grade level promotion, the principal will serve as a mediator using the guidelines below:

**Grades 9-12 (High School) promotion guidelines**

- Passing final grade in English Language Arts
- Passing final grade in Mathematics
- Passing final grade in World Language course
- Students not passing three or more courses will not be promoted
- Accumulate sufficient credits to be able to meet graduation requirements.

**Graduation Requirements (Grades 9-12)**

Students are required to obtain a minimum of 66.5 credits in high school (grades 9-12) to graduate. In addition, College/Career Planning Portfolio requirements listed below must be completed for graduation. Graduation requirements are explained in detail in this handbook and should be reviewed when making course requests. Students must successfully complete the course requirements outlined below as well as obtain the minimum number of credits. It is especially important for students to check their status and discuss any questions with their guidance counselor. In general, FRCS curriculum expectations include:

English:	Required all four years for graduation
Mathematics:	Required all four years for graduation
Spanish Language:	Required all four years for graduation
Science:	Required all four years* ( <i>three lab courses required for graduation</i> )
History:	Required all four years* ( <i>3 years required for graduation per MA DESE</i> )

Physical Education:	Required all four years
Concentration:	Required all four years ( <i>3 years required for graduation per FRCS programming</i> )
Health:	Required for one year
Computer Tech:	Required for one year

*\*Four years of either Science or History not required if approved for Senior Independent Enrichment, Virtual High School or Dual College/University Enrollment Program.*

### **College/Career Planning Portfolio requirements for promotion and graduation**

9 <sup>th</sup> Grade:	Completion of Personal Goals
10 <sup>th</sup> Grade:	Completion of Career Interest Survey
11 <sup>th</sup> Grade:	Completion of Common Application
12 <sup>th</sup> Grade:	Completion of Senior Post-Secondary Planning Portfolio, at least two post-secondary education applications, one studentship application, Personal Vision project, resume, two or four-year college course plan, and post- secondary budget.

### **Valedictorian and Salutatorian**

These awards are defined by FRCS as the student who has earned the highest and the second highest overall weighted GPA 66.5 credits. Final calculations of GPA to determine these awards are made at the conclusion of Term 2 of Senior Year.

### **Virtual and Online High School Courses**

*Virtual High School Coordinator - Victoria Shulman*

FRCS offers nearly 100 unique concentration courses across every subject area through our virtual high school (VHS) program! You can get a complete list of all of the courses currently available to FRCS students by clicking on the Catalog choice under the Programs & Courses tab at <http://thevhscollaborative.org/>. Students can select either two semester long courses or one year-long course. Virtual High School is currently open to grade 9-12 FRCS students. Seats are limited each year and preference will be given by seniority. Students must submit an application for consideration.

FRCS high school students can take any of the virtual courses offered so long as we do not have an ‘on-ground’ equivalent currently running on campus. A student may choose to take an ‘on-ground’ equivalent course through VHS, but it will be the student’s family that will be responsible for registering and paying for that class; also, the student will receive credit for this class only if the high school principal determines that the class is comparable to the class offered at FRCS and the student gets signed approval from the high school principal and the student’s guidance counselor.

VHS courses do not count for science lab or arts studio credit. The only way a science lab course can be taken is when the student already has three science lab courses they will complete here at FRCS. Again, if the science lab course is offered here at FRCS and a student decides to take it through VHS, the student’s family will be responsible for registering and paying for that course. Credit will be given for that class only if the student gets signed approval from the high school principal and the student’s guidance counselor.

Students taking online courses work directly with an off-site instructor and content expert who remotely teaches the course to our students and dozens of others around the world! Students regularly interact with their instructor as well as classmates to complete assignments and navigate the course throughout the year. Each course is run like an online college course and students are expected to review the syllabus, complete outside readings and research projects and

regularly debate and discuss with the instructor and classmates using online class forums. Students are responsible for continuing with their online course(s) at home and, just as with any other course, homework, projects, research and other assignments will be done outside of school.

To help our students navigate online learning, FRCS students work with our virtual high school coordinator during the school day who helps them develop their online learning skills as they take their course(s). Students' virtual high school courses and grades earned appear on the students' report card and transcripts for college. Virtual High School courses also may be taken for Honors and AP credit, depending on the course.

The fall semester grades will appear under Term 1 with a grade that is current at the time of the printing of Term 1 FRCS report card. When the grade is finalized in early January, an updated grade will replace the earlier grade. The spring semester grades will appear under Term 2 (first half of the spring semester) and Term 3, the finalized grade for the whole spring semester.

### **Dual Enrollment**

FRCS also provides juniors or seniors the opportunity to enroll in an on-line or on-campus college level course through the Mass Colleges On-line program ([www.mco.mass.edu](http://www.mco.mass.edu)) or other similar programs. The course will be listed on the student's transcript and allow the student to receive college credit. These credits may or may not be transferable depending on course and the policies of the college to which the student may attend after graduation.

This course requires significant independence, maturity, and self-discipline. In most cases, students will be required to take two semesters long courses (i.e. Sept through Dec and Feb through May). Students will be solely responsible for all fees including tuition, books, materials, and mailing as well as all communication with the on-line provider including course registration and requesting exams. FRCS staff will proctor exams if necessary.

### **Student Leadership - Student Life Organization**

Student Life, led by students, is responsible for providing clubs, events, and leadership opportunities. At FRCS, extra-curricular activities are incorporated into our school day as hands-on opportunities for students to develop leadership, communication, and organizational skills as they work on real-life projects. Student leaders initiate, drive and oversee projects for the school. Student leaders mobilize their peers to provide opportunities for leadership in grades K-12.

### **Community Service Learning and Leadership**

In the high school grades 9-12, students become independent learners in service learning. Through the Student Life Organization, school clubs, Honor Societies, athletics, and Senior Independent Enrichment projects, students become involved in multiple opportunities through their high school years.

### **Peer Tutoring and Peer Mentoring**

A student's needs in a specific subject area are matched with the skills of students who have volunteered and have been identified as having a firm understanding of the subject. This program instills mentoring skills in those students who volunteer to tutor and provides academic support to those students who could benefit from student to student tutoring. Peer Mentors interact with younger students and serve as role models. Students may engage in enrichment activities and tutoring if needed.

## **Student Driving Regulations**

- Driving to school is a privilege, not a right.
- All student drivers must be registered with the school by completing a student Driver Request Form.
- All students will be issued a parking sticker that must be placed on their vehicle in the designated area.
- All students will park in the area designated according to the sticker issued.
- Students must observe all traffic regulations while on school grounds.
- 10 M.P.H. speed limit on school grounds.
- The school does not assume responsibility for damage to motor vehicles or contents. Vehicles should be locked at all times.
- Upon arrival at school, the student must promptly leave the vehicle and enter the building.
- Once the vehicle is parked, no student is allowed to enter the vehicle until the driver is dismissed for the day. Seniors may earn exceptions to this rule.

*Failure to observe these regulations may result in suspension of parking privileges.*

# STUDENT CODE OF CONDUCT

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## **Philosophy of Discipline**

Foxborough Regional Charter School strives to create and sustain a positive school culture and climate by creating systems, structures and procedures that promote positive student behavior, while responding swiftly and appropriately to challenging student misbehavior. Creating and sustaining a positive school culture and climate is the responsibility of all stakeholders including the board of trustees, staff, students, families, community partners, etc. Foxborough Regional Charter School is committed to fostering a school culture and climate where community members feel safe and supported. This includes assessing the function of behavior, while utilizing a multi-tiered system of support framework to determine interventions and respond to student needs. The purpose of disciplinary action is to restore acceptable behavior. When disciplinary action is necessary, it shall be administered with fairness and shall relate to the individual needs and the individual circumstances. Students violating any of the rules concerning student conduct may be subject to disciplinary action. The severity, frequency, and circumstances surrounding each incident shall impact the school's response.

## **Code of Conduct**

The Foxborough Regional Charter School Code of Conduct is designed to promote a safe and orderly environment for learning to take place. Any member of the faculty observing a Code of Conduct violation is expected to respond consistent with the progressive discipline system described below. The Foxborough Regional Charter School Code of Conduct is a three-tiered disciplinary infraction system in which challenging student behaviors are categorized by offense and responded to with a corrective consequence or intervention consistent with the severity and frequency of the behavior. Classroom teachers manage Level 1 disciplinary offenses but are to refer Level 2 and Level 3 disciplinary offenses to the building-based school administration. Foxborough Regional Charter School teachers and administrators use two digital platforms, Educators Handbook and School Brains for, to record student Code of Conduct offenses and corrective actions and interventions. This assists FRCS with analyzing behavioral data, which in turn helps to inform school programs, practices and procedures.

Level 1 disciplinary offenses are considered minor infractions with interventions that the classroom teacher administers. Examples of Level 1 offenses include dress code violation, tardiness to class, disruptive/non-compliant behavior. A Level 1 offense can escalate to a Level 2 offense if there is a pattern of behavior, as evidenced by at least three separate incidents of committing the same offense; in these instances, the classroom teacher should make a referral to the building-based administration.

Level 2 disciplinary offenses are considered major behavioral infractions that may result in an administrative investigation and, in some circumstances, a referral to the School Resource Officer. Examples of Level 2 offenses include cutting class, cutting detention, internet usage violations, leaving class or school property without permission.

Level 3 disciplinary offenses also are considered major behavioral infractions that may result in an administrative investigation and, in some circumstances, a referral to the School Resource Officer; these offenses are aligned with a Massachusetts Department of Elementary and Secondary Education (DESE) code number. Examples of Level 3 offenses include assault of a staff member, bullying/cyberbullying, false alarm.

## **Discipline Procedure**

In determining the consequences for particular misconduct, administrators consider all relevant circumstances, including the nature of the offense, its potential impact on other students, and factors related to the individual student (e.g. past misconduct since repeated violations may warrant more serious discipline; willingness to take responsibility for conduct; possible mitigating factors). In some instances, the misconduct may warrant FRCS to make a referral to the police department.

The Code of Conduct is in effect on school buses and school grounds as well as at school-sponsored events, whether or not such events take place on FRCS school property (including, but not limited to, any and all athletic activities and contests). Even misconduct that does not take place in school or a school sponsored event may result in discipline if it is of a serious nature and has a direct relationship to the school or causes substantial disruption to the school environment.

Also, in an effort to maintain security of all of its students, FRCS has the right to conduct searches of its students and their property if there is reasonable suspicion that the student is engaging in conduct that violates the Code of Conduct. If a search is conducted, the school will ensure that the privacy of the student is respected to the extent possible and that the student and the student's family are informed of the circumstances surrounding the search and the results of the search. School cubbies, desks, lockers, and school issued technology devices, applications and accounts (e.g. computers, Google Docs, e-mail account), which are assigned to students for their use, remain the property of FRCS. Students, therefore, should have no expectation of privacy in these areas and these areas are subject to search by school personnel at any time, with or without reasonable suspicion.

Below is a chart listing disciplinary offenses with a description of the offense, with the offenses classified as being Level 1, 2 or 3 offenses as well as minor or major offenses. Please note, however, that not every type of prohibited conduct can be listed. Students are expected to recognize that any conduct that is inconsistent with maintaining an appropriate environment on school buses, at school, or at a school-sponsored event may lead to discipline, including suspension or expulsion depending on the misconduct.

Offense	Description	Level 1	Level 2	Level 3	Minor	Major
<b>Abusive Language Profanity/Obscenities</b>	Profanity	•	•		•	•
	Directed at an individual to bring ridicule		•			•
	A comment from a student that the teacher finds disruptive or inappropriate.	•	•		•	•
	Directed Cursing	•	•		•	•
	Threatening language or comments regarding religion, race, heritage, color, gender, sexual orientation, and/or disability.		•	•		•
<b>Academic Dishonesty (Cheating/Plagiarism)</b>	Any form of copying or cheating on assignments or assessments; Student copying another student's work or using cheat sheets or an electronic device to get answers.		•	•		•
<b>Alcohol</b>	Possession, use, distribution, sale, or being under the influence of alcohol.			•		•
<b>Arson</b>	Setting a fire including, but not limited to, burning paper, school grounds, school building		•	•		•
<b>Assault/Battery</b>	Assault is verbal threat or gesture that places another person in apprehension of harmful or offensive contact; battery involves unwanted touching of another person.			•		•

Offense	Description	Level 1	Level 2	Level 3	Minor	Major
<b>Assault on Staff Member</b>	Assault is verbal threat or gesture that places another person in apprehension of harmful or offensive contact; the threat does not have to be carried out to constitute an assault.			•		•
<b>Bullying/Cyberbullying</b>	<p>Repeated use by one or more students or by a staff member of written, verbal, or electronic expression or physical act or gesture or any combination thereof, directed at a target that: causes physical or emotional harm to the target or damage to the target's property; places the target in reasonable fear of harm to self or of damage to target's property; creates a hostile environment at school for the target; infringes on the rights of the target at school; or materially and substantially disrupts education process or orderly operation of school. Bullying includes cyber-bullying which is defined in MGL ch. 71, s. 37O.</p> <p>Please also see FRCS Bullying Prevention &amp; Intervention Plan and Bullying Policy</p>			•		•
<b>Bus Misconduct</b>	While on district transportation, conduct that is inappropriate or unsafe. See District Bus Policy for more details		•	•		•



<b>Offense</b>	<b>Description</b>	<b>Level 1</b>	<b>Level 2</b>	<b>Level 3</b>	<b>Minor</b>	<b>Major</b>
<b>Cutting Class</b>	Students absent from any class without authorization from staff member.		•	•		•
<b>Detention (Cutting Teacher/Administrative Detention)</b>	Failing to attend detention as assigned.	•	•		•	•
<b>Disruptive or Non-Compliant Behavior</b>	Examples include failure to follow reasonable request by staff member; doing opposite of instructions; responding negatively to redirection; walking out of the learning environment without permission; arguing with staff.	•	•		•	•
<b>Dress Code Violation</b>	Student fails to wear clothing consistent with FRCS Dress Code Policy.	•	•		•	•
<b>Drugs</b>	Possession, use, distribution, sale, or being under the influence of a controlled substance (e.g. marijuana, cocaine, heroin or prescription drug not authorized by school nurse).			•		•
<b>Electronic Devices—Inappropriate Use</b>	Use or possession of cell phone, headphones, or electronic device without specific medical or other authorized permission is prohibited during school day.	•	•		•	•
<b>False Alarm</b>	Student sets off any school alarm system without reasonable cause or collaborates with other student(s) in setting off false alarm.			•		•

Offense	Description	Level 1	Level 2	Level 3	Minor	Major
<b>Fighting/Physical Aggression (K-12)</b>	Includes hitting, pushing, or kicking someone or throwing objects at someone		•	•		•
<b>Forgery, Alteration, or Misuse of Official School Documents or Parental Communication Forgery</b>	Changing written information from parents or school staff (e.g. building passes, parent notes for early dismissal, tardiness or absence, report cards).		•			•
<b>Gambling</b>	Playing games of chance/bet for money or desired reward		•			•
<b>Harassment</b>	Unwelcome conduct on the basis of race, color, sex, homeless status, gender identity, religion, national origin, sexual orientation, disability, or age that is sufficiently severe, persistent or pervasive to create a hostile environment for individual at school. Harassment may include insults, name-calling, off-color jokes, threats, comments, innuendoes, notes, display of pictures or symbols, gestures, or other conduct which rises to the level of a hostile environment. Please also see FRCS Harassment policy.			•		•
<b>Hazing</b>	includes any conduct or method of initiation into any student organization that willfully or recklessly endangers the physical or mental health of any student or other person.”			•		•

Offense	Description	Level 1	Level 2	Level 3	Minor	Major
<b>Horseplay/Aggressive Behavior</b>	Invasion of personal space without intent to harm	•	•		•	•
<b>Inciting/Attempting to Incite Other Students to Create Disturbance; Disruption of School Assembly</b>	Encouraging other students to participate in unacceptable behavior, through actions or verbal comments (e.g. verbally encouraging students participating in unacceptable behavior)		•	•		•
<b>Internet Usage Violation</b>	Student not complying with FRCS Internet Policy		•			•
<b>Leaving Class or School Property Without Permission</b>	Student leaving school grounds prior to their authorized dismissal time without permission from administrator, school nurse, or approved note from parent.		•			•
<b>Possession of Staff Personal Information</b>	Possessing or accessing staff personal information from district resources		•			•
<b>Sexual Harassment</b>	<p>Conduct on basis of sex that meets one or more of the following:</p> <ul style="list-style-type: none"> <li>-An employee of the district conditioning provision of aid, benefit, or service on individual's participation in unwelcome sexual conduct;</li> <li>-Unwelcome conduct determined by reasonable person to be so severe, pervasive, &amp; objectively offensive that it effectively denies person equal access to district's education programs or activities; or</li> <li>-Sexual Assault, domestic violence, dating violence, stalking as defined by federal laws</li> </ul> <p>Please also see FRCS Sexual Harassment policy.</p>			•		•

<b>Offense</b>	<b>Description</b>	<b>Level 1</b>	<b>Level 2</b>	<b>Level 3</b>	<b>Minor</b>	<b>Major</b>
<b>Tardy to Class</b>	Not being in assigned classroom on time when bell rings to signify start of each period.	•	•		•	•
<b>Tardy to School</b>	Not being in homeroom/1st period class when school day begins.	•	•		•	•
<b>Theft For Violation of Personal Property</b>	Includes stealing from someone or the school or looking through someone's personal belongings without permission.		•	•		•
<b>Threat to Staff or Student(s)</b>	Verbal, written or gestural communication of intent to harm or otherwise injury another or their property		•	•		•
<b>Tobacco</b>	Possession, use, distribution or sale of tobacco products, electronic cigarettes, vape and/or related paraphernalia (e.g. matches, lighters, vaporizing liquid)			•		•
<b>Vandalism</b>	Destruction or defacement of school property.		•	•		•
<b>Weapon</b>	Includes, but is not limited to a gun or a knife.” (2) “Hazing” as offense; “includes any conduct or method of initiation into any student organization that willfully or recklessly endangers the physical or mental health of any student or other person.” And (3) “Vandalism” as offense; “destruction or defacement of school property.”			•		•

## SUSPENSION & EXPULSION

### Drugs, Weapons, & Assault on School Staff (M.G.L. c. 71, § 37H)

Under M.G.L. c. 71, § 37H, students may be subject to suspension or expulsion for the following offenses:

- 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 M.G.L. c. 94C, including, but not limited to, marijuana, cocaine, and heroin.
- 2.) Any student who assaults any educational staff on school premises or at school-sponsored or school-related events, including athletic games.

### Felonies (M.G.L. c. 71, § 37H1/2)

Under M.G.L. c. 71, § 37H1/2, students may be subject to suspension or expulsion for the following offenses:

- 1.) Suspension only: The issuance of a criminal complaint against a student charging that student with a felony or the issuance of a felony delinquency complaint against the student.
- 2.) Suspension or Expulsion: Student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency

### Handbook Violations (M.G.L. c. 71, § 37H3/4)

M.G.L. c. 71, § 37H 3/4 governs the discipline of students for offenses not covered by Section 37H or Section 37H1/2 (i.e. a “handbook violation” as opposed to a statutory offense). Students may face suspension for violating the Code of Conduct. Section 37H3/4 imposes a maximum suspension length of 90 school days for handbook violations, and suspensions under Section 37H3/4 cannot extend beyond a school year.

## Due Process Rights

### Handbook Violations (M.G.L. c. 71, § 37H3/4)

### In-School Suspension (M.G.L. c. 71, § 37H3/4)

The Assistant Principal, Dean of Culture, or another Principal designee (Administrator) may impose an in-school suspension for student Code of Conduct violations; an in-school suspension is the removal of a student from regular classroom activities, but not from school premises. Prior to imposing an in-school suspension, the Administrator shall inform the student of the disciplinary offense charged and the basis for the charge, and provide the student with an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident. If the Administrator determines that the student committed the disciplinary offense, the Administrator shall inform the student of the length of the student’s in-school suspension, which shall not exceed ten days, cumulatively or consecutively, in a school year. However, if a student is placed in an in-school suspension for more than ten days, cumulatively or consecutively, during the school year, any day beyond ten days is deemed to be a long-term suspension for due process, appeal, and reporting purposes.

On the same day as the in-school suspension decision, the Administrator shall make reasonable efforts to notify the parent orally as soon as possible of the disciplinary offense, the reasons for concluding that the student committed the infraction,

and the length of the in-school suspension. The Administrator shall also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the Administrator is unable to reach the parent after making and documenting at least two attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.

The Administrator shall send written notice to the student and parent about the in-school suspension, including the reason and the length of the in-school suspension and inviting the parent to a meeting with the principal for the purpose set forth in 603 CMR 53.10(4), if such meeting has not already occurred. The written notice also shall include the right of the student to have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the in-school suspension. The Administrator shall deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or other method of delivery agreed to by the principal and the parent. In-school suspension determinations are final and not subject to appeal.

#### **Emergency Removal (M.G.L. c. 71, § 37H3/4)**

Any student who has been charged with a disciplinary offense under M.G.L. c. 71, § 37H3/4 (i.e. a Handbook Violation) may be temporarily removed from the school premises if the Administrator determines the student's continued presence in school poses a danger to persons or property, or materially and substantially disrupts the order of the school, and in the view of the Administrator, there is no alternative to alleviate the danger or disruption. Temporary emergency removal shall not exceed two school days following the day of the emergency removal, during which time the Administration shall: 1) Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and oral notice of either a short-term or long-term suspension hearing; 2) Provide written notice to the student and parent of either a short-term or long-term suspension hearing; 3) Provide the student with an opportunity for either a short-term or long-term suspension hearing, in compliance with 603 CMR 53.08(2) or (3), as applicable, prior to the expiration of the two school days (unless a longer time is mutually agreed upon) to determine whether the student committed the offense charged and if so, what disciplinary consequences are appropriate, with the understanding that the parent has an opportunity to attend such hearing; 4) include notice of the right of the student to have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the emergency removal; 4) render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements for either a short-term or long-term suspension decisions, pursuant to 603 CMR 53.08(2)(c) and (d) or (3)(c) and (d), as applicable.

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

#### **Out-of-School Suspension (M.G.L. c. 71, § 37H3/4)**

Out-of-school suspensions may be short-term (meaning ten (10) school days or less, either consecutively or cumulatively in a school year), or may be long-term (meaning more than ten school days consecutively or cumulatively in a school year). All out-of-school suspensions prohibit the student from being on school premises and participating in school-related events while suspended. In every case of student misconduct for which suspension may be imposed, a principal shall exercise discretion in deciding the consequence for the offense; consider ways to reengage the student in learning; and avoid using long-term suspension from school as a consequence until alternatives have been tried. Administration will consider other consequences, including alternatives to suspension and ways to reengage the student in learning, prior to imposing an out-of-school suspension.

For all out-of-school suspensions (both short- and long-term) (M.G.L. c. 71 § 37H3/4):

- The Administrator shall make reasonable efforts to notify the parent orally of the opportunity to attend the hearing. To conduct a hearing without the parent present, the Administrator must be able to document reasonable efforts to include the parent. The Administrator is presumed to have made reasonable efforts if the principal has sent written notice and has documented at least two attempts to contact the parent in the manner specified by the parent for emergency notification.
- Written notices (both hearing notices and decision notices) to the parent may be made by hand delivery, first-class mail, certified mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the Administrator and parent.
- If the student is in a preschool program or in grades K through 3, the Administrator shall send a copy of the written determination to the Executive Director and explain the reasons for imposing an out-of-school suspension, before the out-of-school suspension takes effect.
- Students will not be suspended for a handbook violation for longer than ninety days in a school year, or beyond the end of the school year (whichever occurs first).

#### Short-Term Suspension (M.G.L. c. 71 § 37H3/4)

Prior to imposing a short-term out-of-school suspension (meaning ten (10) school days or less, either consecutively or cumulatively in a school year), the Administrator must provide oral and written notice to the student and the parent in English and in the primary language of the home if other than English, or other means of communication where appropriate. The notice shall set forth in plain language: (a) the disciplinary offense; (b) the basis for the charge; (c) the potential consequences, including the potential length of the student's suspension (short-term suspension not to exceed 10 school days consecutively or cumulatively in a school year); (d) the opportunity for the student to have a hearing with the Administrator concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing; (e) the date, time, and location of the hearing; (f) the right of the student and the student's parent to interpreter services at the hearing if needed to participate.

The purpose of the short-term suspension hearing with the Administrator is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction. At a minimum, the Administrator shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also shall have an opportunity to present information, including mitigating facts, that the Administrator should consider in determining whether other, remedies and consequences may be appropriate as set forth in 603 CMR 53.05, including ways to re-engage the student in learning. The Administrator shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Administrator should consider in determining consequences for the student. Based on the available information, including mitigating circumstances, the Administrator shall determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.

The Administrator shall notify the student and parent of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal, as provided in 603 CMR 53.13(1). The determination shall be in writing and may be in the form of an update to the original written notice.

The Administrator's short-term suspension decision is final, with no right of appeal.

#### Long-term Suspension (M.G.L. c. 71, § 37H3/4)

Prior to imposing a long-term out-of-school suspension (meaning more than 10 consecutive or cumulative school days of suspension in a school year), the Administrator must provide oral and written notice to the student and the parent in English and in the primary language of the home if other than English, or other means of communication where appropriate. The notice shall set forth in plain language all the rights afforded to students for short-term suspension

hearings (see above) as well as the following additional rights: (a) in advance of the hearing, the opportunity to review the student's record and the documents upon which the Administrator may rely in making a determination to suspend the student or not; (b) the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense; (c) the right to produce witnesses on the student's behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so; (d) the right to cross-examine witnesses presented by the school; and (e) the right to request that the hearing be recorded by the Administrator and to receive a copy of the audio recording provided to the student or parent upon request.

If the student or parent requests an audio recording, the Administrator shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request

The purpose of the long-term suspension hearing is the same as the purpose of a short-term suspension hearing (see above). At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have additional long-term suspension hearing rights outlined in the notice (see above). The Administrator shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Administrator should consider in determining consequences for the student.

Based on the evidence, the Administrator shall determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension as set forth in 603 CMR 53.05, including ways to re-engage the student in learning, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. If the Administrator decides to suspend the student, the written determination shall: a) Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing; b) Set out the key facts and conclusions reached by the Administrator; c) Identify the length and effective date of the suspension, as well as a date of return to school; d) Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as provided in 603 CMR 53.13(4)(a); e) Inform the student of the right to appeal the Administrator's decision to the superintendent or designee, but only if the Administrator has imposed a long-term suspension since short-term suspension decisions are final and not appealable.

The notice of long-term suspension must include notice of the right of appeal a long-term suspension. This notice shall be in English and the primary language of the home if other than English, or other means of communication, where appropriate, and shall include the following stated in plain language: the process for appealing the decision, including that the student or parent must file a written notice of appeal with the Executive Director within five calendar days of the effective date of the long-term suspension; provided that within the five calendar days, the student or parent may request and receive from the Executive Director an extension of time for filing the written notice for up to seven additional calendar days; and that, the long-term suspension will remain in effect unless and until the Executive Director decides to reverse the Administrator's determination on appeal.

#### **Rights to Appeal Long-Term Suspensions under MGL c. 71, § 37H 3/4**

The student may appeal a long-term suspension decision by filing a written notice of appeal with the Executive Director within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the Executive Director an extension of time for filing the appeal for up to seven (7) additional calendar days. The long-term suspension will remain in effect unless and until the Executive Director decides to reverse the Administrator's determination on appeal. If the appeal is not timely filed, the Executive Director may deny the appeal or may allow the appeal in the Executive Director's discretion, for good cause.

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

The Executive Director shall make a good faith effort to include the parent in the hearing. The Executive Director shall be presumed to have made a good faith effort if the Executive Director has made efforts to find a day and time for the



hearing that would allow the parent and Executive Director to participate. The Executive Director shall send written notice to the parent of the date, time, and location of the hearing.

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

During the appeal hearing, the student shall have all the rights afforded the student at the Administrator's hearing for long-term suspension under 603 CMR 53.08(3)(b).

The Executive Director shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of an Administrator's long-term suspension decision, pursuant to 603 CMR 53.08(3)(d)1. through 4. (see above). If the Executive Director determines that the student committed the disciplinary offense, the Executive Director may impose the same or a lesser consequence than the Administrator, but shall not impose a suspension greater than that imposed by the Administrator's decision. The decision of the Executive Director shall be the final decision of FRCS.

#### **Drugs, Weapons and Assaults on School Staff (M.G.L. c. 71, § 37H)**

Under M.G.L. c. 71, § 37H, students may be subject to suspension or expulsion for the following offenses:

- 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 M.G.L. c. 94C, including, but not limited to, marijuana, cocaine, and heroin.
- 2.) Any student who assaults any educational staff on school premises or at school-sponsored or school-related events, including athletic games.

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 before the Principal prior to the imposition of any suspension or expulsion in order for the Principal to determine if the student committed the offense charged and, if so, determine the appropriate disciplinary action. At the hearing, the student may have representation, along with the opportunity to present evidence and witnesses. The hearing notice must include these rights. After the hearing, the Principal may, in the Principal's discretion, decide to suspend rather than expel a student who has been determined by the Principal to have violated either paragraph 1.) or 2.). A decision to suspend or expel the student shall be provided to the student's parent in writing and, if the student is suspended or expelled, include notice of the opportunity to access educational services during the period of suspension or expulsion, under section 21 of chapter 76. Students may appeal expulsion decisions, but suspension decisions are final and not appealable.

If the Principal determines the student who is charged with a violation of either paragraph 1.) or 2.) poses a continuing danger to persons or property or is an ongoing threat to disrupt the academic process prior to the hearing, the Principal may remove the student on an emergency basis pending the disciplinary hearing, if the notice of hearing (described above) includes the notice of removal on an emergency basis and notice of the opportunity for a hearing scheduled within ten (10) school days of the offense. The notice also must include notice of the right of the student to have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the removal on an emergency basis pending the hearing.

#### **Right to Appeal Expulsion under M.G.L. c. 71 § 37H**

Any student who has been expelled from the school pursuant to a violation of either paragraph 1.) or 2.) shall have the right to appeal to the Executive Director. The expelled student shall have ten days from the date of the expulsion in which to notify the Executive Director of the student's appeal. This notification should be in writing. A student who has elected

to appeal an expulsion shall be entitled to a hearing before the Executive Director and has the right to counsel at the appeal hearing. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated paragraphs 1.) or 2.) The decision of the Executive Director shall be provided to the student's parent in writing and is the final decision of the FRCS.

### **Felony Offenses (M.G.L. c. 71 § 37H1/2)**

Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the Principal of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said Principal if said Principal determines that the student's continued presence in the school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and the reasons for such potential suspension, as well as opportunity for a hearing with the Principal, prior to such suspension taking effect. After a hearing, a written decision shall be issued and, if suspended, the student also shall receive written notification of the student's right to appeal, the process for appealing such suspension, and the opportunity to access educational services during the period of suspension or expulsion under section 21 of chapter 76. The student may appeal the suspension by writing to the Executive Director requesting an appeal, with the appeal request being due no later than five calendar days of the effective date of the suspension. The suspension shall remain in effect prior to any appeal hearing conducted by the Executive Director.

Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the Principal of a school in which the student is enrolled may expel said student if such Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and reasons for such potential expulsion as well as opportunity for a hearing with the Principal prior to such expulsion taking effect. After a hearing, if the Principal expels the student, the student shall receive written notification of the student's right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the Executive Director. If the student is expelled, the notice also must include notice of the opportunity to access educational services despite expulsion consistent with section 21 of chapter 76.

If the Principal determines the student who is charged with a felony/felony delinquency, has been convicted of a felony/felony delinquency, or has been adjudicated or admitted in court of guilt with regard to a felony/felony delinquency poses a continuing danger to persons or property or is an ongoing threat to disrupt the academic process prior to the hearing, the Principal may remove the student on an emergency basis pending the disciplinary hearing, if the notice of hearing (described above, as applicable) includes the notice of removal on an emergency basis and notice of the opportunity for a hearing scheduled within ten (10) school days. The notice also must include notice of the right of the student to have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the removal on an emergency basis pending the hearing.

### **Right to Appeal Suspension or Expulsion under M.G.L. c. 71 § 37H1/2:**

The student who is charged with a felony and suspended under Section 37H1/2 as well as the student who is convicted of a felony or is adjudicated or admits in court of guilt regarding the felony charge and is expelled under Section 37H1/2 shall have the right to appeal the disciplinary decision to the Executive Director. The student shall notify the Executive Director, in writing, of the request for an appeal no later than five calendar days following the effective date of the discipline. The Executive Director shall hold a hearing with the student and the student's parent or guardian within three (3) calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on the student's behalf and shall have the right to counsel. The Executive Director shall have the authority to overturn or alter the decision of the Principal. The Executive Director shall render a decision on the appeal within five (5) calendar days of the hearing. Such a decision shall be the final decision of the School with regard to the discipline.

## **Educational Services During Disciplinary Removal**

For all offenses (M.G.L. c. 71 §§ 37H, 37H1/2 and 37H3/4), any student who is serving an emergency removal, in-school suspension, short-term suspension, long-term suspension, or expulsion shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of removal from the classroom or school. The school administrator shall inform the student and parent of this opportunity in writing when such removal is imposed. Additionally, any student who is expelled or is suspended from school for more than ten consecutive days, whether in school or out of school, shall have an opportunity to receive education services and to make academic progress toward meeting state and local requirements, through the school-wide education service plan. The school must provide the student and the parent with a list of alternative educational services. Upon selection of an alternative educational service by the student and the parent, the school shall facilitate and verify enrollment in the service.

If the student moves to another school or school district during the period of suspension or expulsion, the new school district or school shall either admit the student to the school or provide educational services to the student in an education service plan, under section 21 of chapter 76.

## **Disciplining Students on IEPs**

The Individuals with Disabilities Education Act (IDEA) and its implementing regulations provide students on Individualized Education Programs (IEPs) with certain procedural rights and protections in the context of student discipline which are summarized below. These rights are in addition to the due process rights applicable to all students which are set forth in 603 CMR 53.00.

**Short term removals:** Students on IEPs who violate school rules may be disciplined in the same way as Students without disabilities for up to 10 days in a school year.

**Subsequent removals:** When a Student on an IEP faces the possibility of being removed from school for **more than 10** days in the school year, extra protections take effect if the removal constitutes a “change in placement.” **A “change in placement” occurs when:**

- The Student is removed for **more than 10 consecutive days** in a school year; **or**
- The Student is removed for a series of shorter removals that constitute a **pattern of behavior** and amount to **more than 10 cumulative days**.

When determining if there is a pattern of behavior, the school considers similarity of behavior, proximity to previous incidents, and length of removal.

**If the school determines there is no “change in placement,”** then the Student may be disciplined just as other Students may be for the violation of school rules. However, the school must provide services to the extent necessary for the Student to make progress in the general curriculum as well as progress towards the Student’s IEP goals. Also, if appropriate, the school must conduct a Functional Behavioral Assessment (FBA) and develop a positive Behavior Intervention Plan (BIP).

**If the school determines there is a “change in placement,”** then within 10 school days of the discipline decision which creates a change in placement, the IEP Team must conduct a “**manifestation determination** review (MDR) meeting.”

### **Manifestation Determination Review Meeting**

- The IEP Team, which includes the parents/guardians, must review all relevant information in the Student’s file, including the Student’s IEP, any teacher observations, and any relevant information

provided by the parents/guardians, to determine if the conduct that is subject to disciplinary action was a manifestation of the Student's disability.

- The IEP Team must answer 2 questions to determine if the conduct that is subject to disciplinary action was a manifestation of the Student's disability:

- (1) Was the Student's conduct caused by, or did it have a direct and substantial relationship to, the Student's disability?
- (2) Was the Student's conduct a direct result of the school's failure to implement the Student's IEP?

If the answer to both questions is "no," then the conduct was **not a manifestation** of the Student's disability and the Student may be disciplined in the same way as Students without disabilities except that the IEP Team must ensure that BPS continues to provide an educational program that is appropriate to meet the Student's needs, albeit in a different setting. The IEP Team must determine which educational services are necessary to enable the Student to continue to participate in the general education curriculum (although in another setting) and to progress towards meeting the IEP goals as well as the interim alternative educational setting (IAES) where the Student will receive such services while disciplined.

If the answer to either question is "yes," then the conduct **was a manifestation** of the Student's disability, and the Student must return to the pre-discipline placement, **except if** the conduct in question was one of three **"special circumstances."** The "special circumstances" are if the Student, while at school, on school premises, or at a school function (1) possesses a weapon (if a knife, blade must be at least 2 ½ inches long to meet definition), (2) possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, or (3) inflicts serious bodily injury on another person. If any of these "special circumstances" apply, regardless of the Team's determination about manifestation, school personnel may remove a Student to an IAES for not more than 45 school days. The IEP Team is responsible for determining which educational services are necessary to enable the Student to continue to participate in the general education curriculum (although in another setting) and to progress towards meeting the IEP goals as well as the interim alternative educational setting (IAES) where the Student will receive such services while disciplined. **If the Team determines that the conduct was a manifestation of the Student's disability, the IEP Team must propose conducting a Functional Behavioral Assessment (FBA) and implement a positive Behavior Intervention Plan (BIP) or, if a BIP already exists, then the IEP Team reviews and modifies the BIP, as necessary, to address the conduct that was in question.**

If parents do not agree with the manifestation determination or the alternative placement, they can file for an expedited hearing at the BSEA. The Student's placement while the BSEA hearing is pending is the Student's alternate placement as determined by the IEP Team.

### **Protections for Students Not Yet Eligible for An IEP**

The IDEA protections summarized above also apply to a child who has not yet been found eligible for an IEP if the school district is "deemed to have knowledge" that the child was eligible for such services **before the misconduct in question occurred.** A school district is "deemed to have knowledge" if: (1) the child's parent had expressed concern in writing to school district administrative personnel/child's teacher that the child needs special education and related services, (2) the child's parent had requested an evaluation of the child to determine eligibility for special education services, or (3) the child's teacher or other school district personnel had expressed specific concerns about a pattern of behavior of the child to the director of special education or supervisory personnel. A school district is not "deemed to have knowledge" if the parent refused to consent to an evaluation by the school district or refused special education services or if the child had been evaluated and determined to be ineligible for an IEP.

## **Request for Evaluation While Student Subject to Discipline**

If there is a request for an evaluation while the Student is subject to discipline, then the school must expedite the evaluation and the Student remains in the placement determined by school officials during the evaluation.

### **Manifestation Determination Review: Contacts for students facing discipline**

Ms. Lori Obenchain, Director of Student Services  
Ms. Christiana Benson, Elementary School Principal  
Ms. Alisa Diakite, Middle School Principal  
Mr. Michael Cournoyer, High School Principal

## **Disciplining Students on Section 504 Plans**

Section 504 also provides individuals with disabilities who are on Section 504 Plans with certain procedural rights and protections in the context of student discipline. These rights are in addition to the due process rights applicable to all students which are set forth in 603 CMR 53.00.

Prior to imposing a “significant change in placement” for disciplinary reasons, the school must determine whether the conduct is a manifestation of the Student’s disability. A significant change of placement results not only from an exclusion for more than 10 consecutive school days, but also from a pattern of shorter suspensions accumulating to 10 school days during a school year. Whether a pattern exists must be decided on a case-by-case basis, considering such factors as the length of each suspension, the nature of the alleged conduct, the proximity of the suspensions to one another, and the total amount of time the Student is excluded from school.

Prior to any significant change in placement for disciplinary reasons, a group of individuals knowledgeable about the Student, the evaluation data, and the school program must determine whether the conduct at issue is related to the Student’s disability. If the conduct is directly related to the disability, the school will not impose the discipline and will consider the need for any additional assessments such as a Functional Behavioral Assessment as well as a positive Behavior Intervention Plan (BIP) (or, if a BIP already exists, then will review and revise as may be appropriate). If the conduct is not directly related to the Student’s disability, the school may discipline the Student as it does Students without disabilities.

Only for students on Section 504 Plans, if the student: 1) currently is engaging in the illegal use of alcohol or drugs (including marijuana), and 2) is subject to disciplinary action for use or possession of alcohol or drug offense(s); then, the student is not entitled to any special Section 504 protections for the use or possession of alcohol or drug offenses and the school is not required to conduct a manifestation determination prior to imposing long-term disciplinary action against the student for the use or possession of alcohol and drug offenses. The school may impose disciplinary removal action against that student to the same extent as the school would for students without disabilities under the circumstances, consistent with district policies and procedures applicable to all students. If the student is long-term suspended or expelled for the alcohol or illegal drug use or possession offenses, the 504 Team is still required to determine what, if any, reasonable accommodations, the student requires due to their qualifying disability in order to have an equal opportunity to access and participate in the district’s general educational service plan options during the long-term disciplinary removal.

# **Additional Resources**

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For information regarding district wide resources and references, click the links below to view policies and procedures.

### **District Policies**

[Anti Bullying Policy](#)

[Attendance](#)

Dress Code

[Enrollment](#)

[Married or Pregnant Students](#)  
[Meal Charges](#)  
[Remote Learning Technology Use](#)  
[Restraint](#)  
[Sexual Harassment](#)  
[Technology Use](#)  
[Vandalism](#)

**District Procedures**

[Bullying Prevention and Intervention](#)  
[Health Services](#)

**District Notices and Laws**

[Anti Discrimination Law](#)

[Non-Discrimination Notice, Civil Rights, and Safety Information for School Personnel, Parents, and Students](#)

[Discipline Law](#)