



**Academy  
Leonard**

**Scholar and Family Handbook**

*UP Academy Leonard will ensure that its scholars acquire the knowledge, skills, and strength of character necessary to succeed on the path to college and to achieve their full potential.*

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### *Our Vision*

At UP Academy Leonard Middle School, scholars cultivate their sharp minds, share their kind hearts and explore their path and potential. UP graduates succeed on the path to college and pursue their passions.

### *Our Mission*

The mission of UP Academy Leonard Middle School is to ensure that its scholars acquire the knowledge, skills, and strength of character necessary to succeed on the path to college and to achieve their full potential.

### *Our Values*

In an effort to ensure the success of all scholars, we hold a concrete system of values and expectations. We believe that the rules for school are the rules for life. To add, they promote appropriate behavior, create order and predictability in the classroom which encourage academic excellence. The following 5 components, marked by the acronym "PRIDE," make up the overarching expectations that all scholars will be expected to uphold:



### *UP Academy Leonard Contract for Excellence*

The UP Academy Leonard Contract for Excellence highlights the complimentary responsibilities for members of the UP Academy Leonard team. Families hold the responsibility of supporting UP Academy Leonard's mission and vision by actively ensuring that they reinforce with their scholar the values and policies set forth by the school, and scholars commit to following and owning the high behavioral and academic expectations of UP Academy Leonard. In turn, the faculty and administration pledge to work relentlessly to make UP Academy Leonard a place where academic success is experienced, and to provide a safe and welcoming environment. Families will be introduced to the UP Academy Leonard Contract for Excellence when they enroll in the school.

## UP Academy Leonard Middle School Contract for Excellence

**The mission of UP Academy Leonard Middle School is to ensure that scholars acquire the knowledge, skills, and strength of character necessary to succeed on the path to college and to achieve their full potential.**

Recognizing that this mission is only attainable when families, scholars, and the school work together, we assume the following responsibilities:

### School Commitment

#### **HIGH QUALITY EDUCATION**

- We will work tirelessly to ensure that our scholars receive the excellent education they deserve. We will neither make nor accept excuses.
- We will work a longer school day and school year, offer scholars extra help and support, and always offer our scholars the best we have.

#### **RESPECT and FAIRNESS**

- We will encourage and respect every scholar. We will listen to scholars and their needs. We will not tolerate disrespect of scholars towards themselves, their peers, or adults in our community. We will teach and enforce UP Academy Leonard's code of conduct and school values consistently and fairly. We will communicate with families when scholars fail to meet expectations just as when they exceed expectations.
- We will give scholars recognition, incentives and privileges if they do well and issue consequences and remove privileges if they do not.

#### **COMMUNICATION**

- We will communicate regularly with families about their child's progress and make ourselves available in person and on the phone. We will return parent phone calls as soon as possible, usually within 24 hours.
- On many nights, we will be available until 6:30pm by phone to answer homework questions from scholars.

#### **HOMEWORK and ACADEMIC SUPPORT**

- We will assign quality homework every night to reinforce and support skills and concepts learned in class.
- We will support scholars with excellent teaching and additional help during the school day and after/before school as needed.

#### **SAFETY**

- We will always work to provide a safe learning environment. We will always work to protect the safety, dignity and rights of all individuals.

### Parent/Guardian Commitment

#### **ATTENDANCE and PROMOTION**

- I will ensure that my child comes to school every day at 7:30am to be able to begin the day's activities at 7:45am.
- I will not schedule family vacations during school time. I will do my best to schedule important appointments for out of school time.

- I will make alternative transportation plans if my child is required to stay after school during the week.
- I understand that after school commitments are mandatory. My child will only be excused in case of an emergency, a maximum of one time per quarter.
- I understand that my child may be retained if he/she fails 2 or more core academic classes, and may be retained if he or she is absent for more than 15 days of the school year. If my child fails 1 class, he/she must successfully complete our summer program and pass the exam in order to be promoted.

### **HOMEWORK and ACADEMIC SUPPORT**

- I will provide a quiet place to study and see that my scholar completes around 2 hours of homework or more as well as independent reading nightly. When possible, I will make time to read with my child and ask them about the books they are reading in school.
- I will examine and sign my child's PRIDE report every week.
- I will help my child study for tests and quizzes and give them support when they need help and praise when they do well.

### **BEHAVIOR and DRESS CODE**

- I understand that my child will serve Friday Extension from 12:00pm – 1:20pm if his/her weekly PRIDE report is below 70.
- I understand that my child could receive a Referral, Accountability, Atonement, In-School Suspension, Saturday School or Out-of-School Suspension if he or she violates the UP Academy Code of Conduct.
- If my scholar's behavior requires it, I will come to school immediately. If suspended out of school, I will remove my child from the building immediately
- I will send my child in proper uniform every day. If my child arrives out of uniform, I'll arrange for a family member to bring proper attire.

### **FAMILY SUPPORT and COMMUNICATION**

- I agree to work as part of a team for the academic success and behavioral growth of my child. I will return phone calls, review and sign documentation sent home including progress reports and behavior reports. I will attend parent-teacher conferences and meetings about my child.

### **Scholar Commitment**

#### **EFFORT and HELP**

- I understand that my education is paramount. Being a scholar is my job. I will always work, think and behave in the best way I know how.
- I will do whatever it takes for my fellow scholars and me to learn. I will complete all homework. I will work to exceed the school's expectations.
- If I need help, I will ask for it. If I can give help, I will give it. I won't criticize other scholars if they struggle but instead will encourage them to persevere.

#### **ATTENDANCE and UNIFORM**

- I will come to school ready to learn by approximately 7:30am in order to complete my morning responsibilities and be ready to begin class by 7:45am.
- If I need to miss class or school, I will ask for and make up all assignments. I will stay after school if/when I am required to do so.

- I will wear, with pride, the UP Academy Leonard uniform every day and remain in uniform throughout the day.

**COMMUNICATION**

- I will listen to directions. I will read and re-read directions before asking for help. If I cannot solve the problem myself, I will raise my hand and ask for help. I will help my classmates if they need help. I will not make excuses. I will be honest with my teachers and myself.

**RESPONSIBILITY and HONESTY**

- If I make a mistake, I will tell the truth and accept responsibility for my actions. I will do the right thing, even when no one is watching.

**BEHAVIORAL EXPECTATIONS**

- I will respect my teachers, my peers and myself. I will refrain from all disrespectful behavior including smacking teeth and rolling eyes.
- I embody UP Academy Leonard values every day. I will follow the school rules to protect the safety and rights of all individuals and not detract from the educational opportunities of others. I'll accept the consequences if I don't meet our behavior expectations.

Parents will sign the Contract for Excellence during Parent Orientation in the summer.

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

\_\_\_\_\_  
Date

Advisors will sign the Contract for Excellence during the first week of school.

\_\_\_\_\_  
Advisor Signature

\_\_\_\_\_  
Date

Scholars will sign the Contract for Excellence during the first week of school.

\_\_\_\_\_  
Scholar Signature

\_\_\_\_\_  
Date

## *UP Academy Leonard Leadership Team*

### **Komal Bhasin, Principal**

Mrs. Bhasin began her teaching career in New Orleans as a middle school science teacher. When Hurricane Katrina destroyed her neighborhood and school building, she worked on a team to found a new school for displaced residents of New Orleans Public Schools. As the middle school Principal of this new preK-8th grade school, she also continued to teach science. In 2007, Mrs. Bhasin moved to Boston and joined the staff of Excel Academy Charter School, where she served as Principal through spring 2012. Excel Academy became one of the highest performing schools in the state under Mrs. Bhasin's leadership. She has been thrilled to work as Principal at UP Academy Leonard since 2013.

### **Ashley Hutchinson, Director of Operations**

Ms. Hutchinson returned to UP Academy Leonard as the Director of Operations in the 2017-2018 school year. She began her career as the founding 8th grade special education teacher at UP Academy Leonard before joining the founding team of Lawrence High School's 9th Grade Academy as the Operations Manager. Most recently, she was the Director of School Operations at KIPP Academy Lynn Middle School in Lynn, MA. She holds a Master's degree from Merrimack College and a Bachelor's degree from Harvard University.

### **Lauren Johnson, Dean of Curriculum and Instruction**

Ms. Johnson began her teaching career in Dorchester, MA as a high school English teacher at Cristo Rey Boston High School. After six years at Cristo Rey, Ms. Johnson joined the UP Education Network as a Dean Fellow in 2017, and then transitioned to become a Dean of Curriculum and Instruction at UP Academy Leonard. Ms. Johnson earned her BA in English and her Masters of Education in Curriculum and Instruction from Boston College. She is so happy to have joined UP and is excited for the year ahead.

### **Amanda Forbes Dean of Curriculum and Instruction**

Ms. Forbes earned her BA in Economics from St. Lawrence University in Canton, New York before attending Plattsburgh State University where she earned her Masters of Science in Teaching Childhood Education degree. Ms. Forbes was a 5th grade gifted cluster teacher in Phoenix, Arizona for several years. Ms. Forbes then moved to Massachusetts and was a 6th grade math teacher at UP Academy Leonard before assuming her role as Dean of Curriculum and Instruction.

### **Danny Suriel Dean of Students**

Mr. Suriel is a Lawrence native who is both excited and proud to work in his home community. He earned his BA in Psychology and History from the University of Massachusetts in Lowell. Prior to working for the UP Education Network, Mr. Suriel worked as a Behavioral Management Counselor at St. Ann's Home and School for several years. He joined the UP Academy Leonard team in 2013 as the founding School Culture Manager before assuming his role as the Dean of Students.

## *School Policies and Procedures*

## **Hours of School Operation**

In an effort to give scholars the time and support needed for academic growth and non-academic enrichment, UP Academy Leonard has an extended school day. Mondays, Tuesdays, Wednesdays, and Thursdays, the standard school day lasts from 7:45am until 3:20pm. In the case that a scholar has not sufficiently completed his or her homework, has earned detention, or needs additional academic support, he or she will be required to stay at school until 3:45pm or 4:10pm.

On Friday, the regular school day lasts from 7:45am until 1:20pm. Scholars who have a score of less than 70 on their PRIDE Report will be required to attend Friday Extension until 1:20pm. If scholars do not meet all behavior and classwork expectations, they will be required to stay later than 1:20pm. Scholars who do not meet requirements will be dismissed no later than 2:00pm.

The school building will open to scholars at 7:30am on Monday-Friday. **All scholars should aim to arrive by 7:30am in order to be seated in their desks and eat breakfast by 7:45am.** All scholars who arrive later than 7:45am will be marked tardy. On Monday, Tuesdays, Wednesdays and Thursdays, scholars should not be on school grounds **in school uniform** after 4:10pm without permission from the school. On Fridays, scholars should not be on school grounds **in school uniform** after 1:20pm without permission from the school. Scholars must go home and change out of uniform in order to use the playground (field, basketball court, Skate Park) adjacent to the school. Those who are still in uniform will be asked to go home and change.

Please keep in mind that the school cannot supervise scholars before 7:30am or after 4:10pm on Mondays, Tuesdays, Wednesdays and Thursdays, or after 1:20pm on Fridays. Parents are encouraged to pick scholars up or arrange transportation for them immediately following dismissal.

From November 1 to April 1, between 7:00am and 7:30am, UP Academy Leonard will open doors early to scholars waiting outside if the weather is very cold (i.e., below freezing or 32 degrees Fahrenheit) or the wind chill is below 32 degrees Fahrenheit. Scholars waiting outside at this time will be required to come into the school and work on previously planned and structured activities. These expectations will be communicated to both scholars and families and will – at the very least – include: working on homework or engaging in DEAR; being silent; and, being in uniform.

**Inclement Weather Closings** – In the event of poor weather conditions such as heavy snow or hurricanes, please listen to the local television or radio stations for relevant information regarding school cancellation. **UP Academy Leonard Middle School follows the exact same delay and cancellation policies as the Lawrence Public School system.**

## **Scholar Attendance**

### **Overview**

Clear, aligned student attendance practices are a crucial component of running a successful school. All schools in UP Education Network are committed to holding high standards of attendance throughout the school year. Therefore, UP has set a network-

wide goal of 97% attendance at each school to align with the 97% attendance averages reflected at some of the top performing schools in Massachusetts.

**Guidelines**

**Attendance Policy**

Student absences, including illness, suspension, appointments, and vacations count as unexcused absences, with the following exceptions:

- Specific medical circumstances.
  - If a student provides a signed doctor's note within a week of the time that they missed, the absence will be counted as excused.
  - Doctor's appointment for an urgent issue – such as a broken leg. Note: In most cases, this is not a full day excused absence. Whenever possible, scholars are expected to attend school for a portion of the day.
- Religious observation.
  - UP schools make a reasonable effort to accommodate the religious beliefs of scholars. All who observe any holiday because of religious beliefs should be marked constructively present upon submission of a valid note from a parent or guardian.<sup>1</sup>
- Transportation Concern.
  - Extreme circumstance (bus did not come) and student made every effort to come to school, but do to hardship was unable to attend.
- Court-mandated appearances with proper documentation
- Absences related to a disabling condition.
- Other rare exceptions may also apply.

If a student exceeds 15 absences in a school year, UP schools reserve the right to retain the student.

**Attendance Support Policies**

With a goal of 97% attendance schools should leverage a number of key strategies to promote excellent attendance and enforce the importance of arriving and leaving on-time. All In order to work with families to promote strong attendance, UP schools have the following protocols in place to encourage consistent attendance:

Days Absent	
Ongoing	Phone calls home to the family from teachers and/or operational staff, to notify of student absence and encourage attendance.
5	Family is contacted by the school to notify of absences in writing
8 (Or 5 absences in first academic trimester)	School administration will require a meeting with the student's family, during which an Attendance Pledge will be established aimed at ensuring attendance patterns improve
12	Meeting with family to discuss violation of the attendance pledge
15	Potential consequences include: <ul style="list-style-type: none"> <li>• Court filing</li> <li>• Retention</li> </ul>

<sup>1</sup> Superintendent's Circular, School Year 2015-2016: LGL-06 Religious Holy Days

**Note:** Appropriate documentation by the school of each of the steps listed above is crucial to the ability of the school to file a successful attendance card with the courts.

## Attendance Pledge

Schools leverage attendance pledges to help communicate attendance expectations to families. See below for a sample attendance pledge.

### ATTENDANCE CONTRACT

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Today's Date: \_\_\_\_\_

#### Statement of Understanding

- At UP Academy [insert school name], it is our goal for every student to be in class and learning as much as possible. We recognize that there are reasons why scholars will need to miss school from time to time to accommodate student illness, family emergencies, etc.
- This contract was written between UP Academy [insert school name] and the family of \_\_\_\_\_ . This student has missed a significant number of days of school this year.
  - Number of days absent from school: \_\_\_\_\_
  - Please be advised, if your child earns: \_\_\_\_\_ more absences, including incomplete days, he/she **may be retained at the current grade level.**

Please initial \_\_\_\_\_

---

#### Attendance Pledge

I understand that if \_\_\_\_\_ exceeds 15 absences, he/she may be retained in the current grade and that it is likely he/she will not have the academic grades necessary to be promoted. To help ensure that this does not happen, I make the following pledge.

I, \_\_\_\_\_, pledge to \_\_\_\_\_

so that my child can be at school as much as possible so that they can and meet UP Academy [insert school name] attendance requirements

I, \_\_\_\_\_, pledge to \_\_\_\_\_

so that I can be at school as much as possible so that they can and meet UP Academy [insert school name] attendance requirements

Parent Name: \_\_\_\_\_ Parent DOB: \_\_\_\_\_ Parent Signature: \_\_\_\_\_

Student Name: \_\_\_\_\_ Student DOB: \_\_\_\_\_ Student Signature: \_\_\_\_\_

#### **Incomplete Days: Lateness and Early Dismissal**

At UP Academy Leonard, if a scholar does not complete a full school day, he/she is assigned an Incomplete Day. If a scholar is dismissed early, for any reason, he/she is assigned an Incomplete Day.

Incomplete Days due to traffic, medical appointments, family emergencies etc., are not excused.

UP Academy Leonard may excuse Incomplete Days in cases of court-mandated appearances if proper documentation is provided, disability-related appointments, religious observances, school nurse and/or primary care physician mandated absences due to a documented illness. **Please use Friday afternoons, half days and early dismissals as times to schedule medical and other appointments.**

Late scholars must check in at the main office before reporting to class. Scholars leaving early must check in with the main office before leaving school.

**Excessive Incomplete Days are not tolerated.** In order to ensure that scholars show up on time and do not leave early, the school has clear consequences for scholar lateness and early dismissals. **Every 5 Incomplete Days count as one absence within the UP Academy Leonard attendance policy.**

**Every time a scholar is tardy they will earn homework club that day.**

If a scholar needs to be sent home due to a behavioral infraction, a parent/guardian must come to the school, meet with the Principal and/or Dean of Students, and remove their child from school grounds. Incomplete Day consequences apply in cases of suspension. Scholars can be dismissed via taxi with verbal consent from parents, however, parents are required to come into school for a re-entry meeting.

### **Homework and Homework Club**

Homework is an essential component of UP Academy Leonard's academic program. Scholars have three daily responsibilities related to homework:

- Write down all homework assignments in their scholar planners.
- Complete all homework assignments to the high standards set forth by the school.
- Read independently each night for 20 minutes

All homework assignments are collected each morning before the school day begins.

**If a scholar has not satisfactorily completed his or her homework that is due on a given school day, even if absent, late, or dismissed early the prior day, or tardy (i.e. arriving after homework submission time), he or she will be required to go to Homework Club from 3:20-3:45pm.** Homework Club is held on Mondays, Tuesdays, Wednesdays and Thursdays.

Homework Club is a quiet, constructive place where scholars begin the successful completion of their homework assignments. During Homework Club, academic support is provided by UP Academy Leonard staff members. Homework club is not considered a punitive consequence; rather it is viewed as a support for scholars to help them complete homework in a quiet, structured environment. The goals of Homework Club include increasing homework completion rates, improving homework quality, helping scholars achieve mastery of academic objectives, and building academic confidence.

The school will make its best effort to contact families at home or at work to notify them of their children's participation and obligation to stay after school by 2:30pm.

The following policies apply to Homework Club attendance:

- **Other than for family/medical emergencies or emergent health-related appointments, scholars may not be excused from Homework Club**, as it is a critical part of the school's academic program. **Please note that transportation challenges will never be accepted as a reasonable excuse for missing Homework Club.**
- Only in very rare circumstances will a child ever be excused from Homework Club more than one time during a given academic quarter.
- No scholars will be excused from Homework Club unless a parent or guardian has directly communicated with the UP Academy Leonard Principal, Director of Operations, or Dean of Students regarding one of the above-listed exceptions.

### **Make-Up Work Policies**

Scholars who are not in school miss critical academic assignments and assessments. The UP Academy Leonard make-up policy is designed to hold scholars accountable for all missed assignments and assessments, as well as to ensure timely make-up work such that scholars do not fall behind academically.

If an UP Academy Leonard scholar is not in class, the work that he/she missed is always collected systematically. When a scholar is not at his or her desk (whether it is because the scholar is absent, in the bathroom, or in the Dean's office), the shoulder partner is responsible for ensuring that one copy of each distributed material is placed on his or her desk in a neat pile. At the end of each day, the absent work monitor should collect each stack of absent work and clip it with a binder clip, and place it in the classroom mailbox. Each grade level will choose a single scholar whose daily job will be to collect the absent work in classroom mailboxes and deliver all of them (for each homeroom) to the main office. Similarly, it is the responsibility of this single scholar to collect the absent work that was not picked up by parents each morning and return those packets to their homerooms. In this way, if a parent comes in to pick up work for a scholar, the office staff is able to quickly and efficiently retrieve the scholar work from that homeroom, and even if a scholar does not come to collect his or her work on a given day, the work is on his or her desk upon return.

*Homework.* If a scholar is absent, late, or dismissed early for any reason, all missed homework assignments are due:

- By 7:45am on the day of the scholar's return, for purposes of assigning Homework Club.
- By 7:45am on the day following the scholar's return, for the purposes of academic credit. (If a scholar has been absent for more than one consecutive school day, he/she will have as many school days as absences to submit missed homework for purposes of academic credit. For example, if a scholar is absent on Monday and Tuesday, the scholar has two days to complete the homework for purposes of academic credit. In this case, the work is due by Friday morning at 8:00am.)

*Assessments.* If a scholar is absent for any reason (up to five consecutive days), or if a scholar is late and/or dismissed early, all missed assessments (e.g., tests, quizzes) must be made up on the day the scholar returns to school. If a scholar is absent for five or more consecutive school days, he/she must meet with the school Principal to determine a reasonable timeline for making up missed assessments.

Other than for homework and assessments missed during absence from school, UP Academy Leonard does not permit scholars to makeup or redo assignments for academic credit.

### ***Additional Academic Supports***

At UP Academy Leonard, we work tirelessly to assist our scholars in their pursuit of academic success. In addition to the specific supports already noted above, and those supports in place for scholars with specific learning needs (e.g., Special Education scholars, English Language Learners), there are a few specific ways in which struggling scholars are supported by our staff:

*DEAR.* Drop Everything And Read is a daily routine for all UP Academy Leonard scholars both in and outside of school. Scholars are required to pick from one of many grade level appropriate books from their homerooms DEAR shelf. Scholars are required to read these DEAR books during Intervention Blocks twice a week and at home each night. The more scholars read, the more they can build their vocabulary/reading skills/reading comprehension, the better they will do in high school and college.

*Academic Tutoring.* All core subject teachers at UP Academy Leonard provide daily tutoring in their respective subject areas. These tutoring sessions, scheduled carefully as to never conflict with other scholar commitments, are held on Mondays, Tuesdays, Wednesdays, and Thursdays during either Literacy Blocks or Focus. Teachers invite specific scholars to attend these tutoring sessions, based on quantitative analysis of individual academic weaknesses. Other scholars may request tutoring invitations from their teachers, which may be granted depending of space availability and the anticipated tutoring topics.

### ***Dress Code***

UP Academy Leonard Middle School has a dress code. The dress code applies during all school days and during all school-sponsored events.

The UP Academy Leonard dress code has been adopted to improve the educational environment for all scholars. Specifically, we have instituted a dress code for the following reasons:

- To foster a sense of school identity and community;
- To prepare scholars for the expectations related to professional attire that future institutions, organizations and employers will have;
- To ensure that our scholars focus on learning instead of clothing;
- To increase school safety and security by making the presence of visitors/outside immediately apparent;
- To reduce the cost of clothing for families.

### Enforcement of Dress Code Policy

It is the goal of the school to have a dress code which makes things easier for parents and scholars rather than more difficult. For that reason, we have made every effort to be clear about this policy and consistent in its enforcement. Parents who have questions or concerns should contact the school immediately and seek clarification.

**Like all school policies, the dress code policy is strictly enforced.** Although it may seem as if small exceptions should be no problem, we cannot allow deviations from this code. If the policy states “shoes should be all black,” it means just that. It is important that all scholars adhere to the same code. If an exception is made for one scholar, it would then have to apply to all scholars, and the code has changed. It is in the best interest of everyone if UP Academy Leonard means what it says and says what it means. Please read the code and purchase school clothing accordingly. We have tried to make the policy clear and detailed in order to reduce ambiguity. Families who have concerns or questions should contact the school immediately.

**Scholars who are out of dress code are not allowed to attend their classes.** Parents of scholars who are not in dress code will be asked to bring the proper attire to school. In addition, dressing inappropriately may result in disciplinary consequences.

The UP Academy Leonard dress code is not intended to suppress speech or expression. Scholars have alternate ways to express themselves through, among other things, verbal and written speech in the classrooms.

There are two dress codes at UP Academy Leonard Middle School. They are the **School Dress Code** and the **Fitness Dress Code**. Scholars follow the School Dress Code on Mondays, Tuesdays, Wednesdays and Thursdays unless they have Fitness on those days. All scholars must follow the Fitness Dress Code on days when they have Fitness class and have the option of following either dress code on Fridays.

### School Dress Code Policy:

*Mandatory Items – School Dress Code* (every scholar **must have** the following):

- Navy blue, short-sleeved polo-style shirt with UP Academy Leonard logo.\*
- Khaki-colored (tan) dress pants, worn with a belt through belt loops or skirts that drop at least one inch below the knee or khaki colored Bermuda shorts that are at least to the knee in length.
  - Scholars may not wear khaki pants, shorts or skirts that are cargo-style (more than two front pockets and two back pockets), or made of denim or corduroy. Scholars may not wear khaki jogger pants either.
  - Scholars may not wear clothing with logos, unless it is the UP Academy Leonard logo or a small dress pant logo (i.e. Dockers) on the rear pocket.
  - Skirts may NOT have slits.
- A short-sleeve white, black, navy blue or grey undershirt.
  - Undershirts must not be oversized.
- Scholars may wear a plain, long sleeved shirt or sweater beneath their UP Academy Leonard polo shirt during the cooler months of the year. These shirts must be solid white, black, navy blue or grey and cannot be oversized.
- Black, white, khaki, navy blue or brown belt.

- Belts must look professional and must be solid in color. They may not be overly wide and must fit through belt loops.
- Buckles must be professional and not oversized or distracting. Belts should have no excessive ornamentation.
- Black dress shoes or sneakers.
  - **Shoes must be black with no other colors, logos, or metal that is larger than a quarter.**
  - Shoes must be tied at all times.
  - Black boots are allowed. If boots come over the pants, they must be short (halfway up scholar's shin). No heels are allowed (or platform shoes).

*Optional Items – School Dress Code* (scholars **may choose** to wear the following in addition to the mandatory school dress code. All items below may not have any other **logos** except the UP Academy Leonard logo.)

- Blue crewneck sweater with the UP Academy Leonard logo.\*

**\*These uniform pieces will be sold to families directly from an UP Academy Leonard vendor. Uniform pieces will be sold during family orientations and throughout the course of the school year through Allante Fashions on 431 Essex Street in Lawrence.**

Fitness Dress Code Policy:

- Fitness T-shirt with UP Academy Leonard's logo.\*
- Navy blue sweatpants with UP Academy Leonard's logo.\*
- Black sneakers

*Optional Items – Fitness Dress Code*

- Blue shorts with the UP Academy Leonard logo.\*
  - Shorts must be appropriately sized.

**\*These uniform pieces will be sold to families directly from an UP Academy Leonard vendor. Uniform pieces will be sold during family orientations and throughout the course of the school year through Allante Fashions on 431 Essex Street in Lawrence.**

Dress Code Specifics

- **Scholars may not wear clothing with logos, unless it is the UP Academy Leonard logo.**
- Scholars **may not alter** their clothing in any way (e.g. writing/drawing, cutting, etc.)  
Pant cuffs may not be frayed.
- Once scholars enter the school building, wearing of **hats, head wraps, durags bandanas, kerchiefs, sweatshirts or jackets** is not permitted unless it is in accordance with religious observation. Hats worn in the school building may be confiscated.
- Scholars may wear accessories that are color-coordinated with the school uniform (navy blue, black, khaki, white, or grey) and which do not cause any type of disruption. Any clothing or accessory that might disrupt learning or that does not conform to standards of health, safety and cleanliness is not allowed. Accessories that do not align with the school's dress code will be confiscated. Parents and guardians may retrieve these items from the school's Dean of Student's Office.

- **Chains and necklaces** may be worn, and may need to be removed during Fitness class.
- Scholars may not wear any clothing tied around the waist or neck unless approved by the nurse or an administrator.
- When scholars **enter the school building**, they must be in the proper uniform. Scholars must be in uniform while on school grounds **and may not change out of their uniform before dismissal**. Upon arriving to school scholars may not visit their homeroom to gather uniform pieces.
- Polo shirts must be **tucked in only when scholars are in the School Dress Code**. Shoelaces must be **tied** and Velcro on shoes must be **fastened** at all times.
- Scholars may not use beepers, headphones/music equipment (e.g. CD-players, iPods, etc.), or cell-phones while in the school building, even if it is before or after school, unless they have received permission from the Principal or Dean of Students. These items will be confiscated and the scholar will be subject to disciplinary consequences.
- Scholars who draw or write on their uniform will be considered out of uniform and referred to the Dean of Students office.

As stated previously, scholars will not be admitted to class until their attire meets the requirements listed above. Families with questions or concerns about the uniform policy should consult the Principal. Further, the Principal, the Dean of Students, and the faculty have the right to restrict individual items of clothing as necessary if such clothing interferes with normal school activities.

### **Sample Scholar Schedule**

<b>Start</b>	<b>End</b>	<b>Duration</b>	<b>Period</b>
7:30	7:45	0:15	Arrival
7:45	8:00	0:15	Homeroom
8:00	8:50	0:50	Period 1
8:50	9:40	0:50	Period 2
9:40	9:50	0:10	AM Break
9:50	10:40	0:50	Period 3
10:40	11:05	0:25	Lunch 1 / Period 4A

11:05	11:30	0:25	Period 4B
11:30	11:55	0:25	Lunch / Period 4C
11:55	12:45	0:50	Period 5A
12:45	1:35	0:50	Period 5B
1:35	1:45	0:10	PM Break
1:45	2:35	0:50	Period 6A
2:35	3:10	0:40	Intervention
3:10	3:20	0:10	PM Homeroom
3:20	3:20	0:00	Dismissal

*Note: This is a sample schedule only. For each scholar, times, schedule, and course offerings may vary.*

**Monday – Thursday Sample  
Friday Sample**

Start	End	Duration	Period
7:30	7:45	0:15	Arrival
7:45	8:10	0:15	Extended Homeroom
8:10	8:50	0:40	Period 1
8:50	9:30	0:40	Period 2
9:30	9:40	0:10	AM break
9:40	10:20	0:40	Period 3
10:20	11:00	0:40	Period 4
11:00	11:25	0:25	Lunch 1 / Focus
11:25	11:50	0:25	Intervention
11:50	12:00	0:10	PRIDE
12:00	1:20	1:20	Enrichment
1:20	1:20	0:00	Dismissal

Scholars should arrive at UP Academy Leonard every day at approximately 7:30am. By 7:45am, daily, scholars must have fulfilled several morning responsibilities and be seated in the appropriate seat within the school.

As shown on the schedule, before academic classes scholars engage in homeroom meetings, which meet five days per week.

Starting at 8:00 are, scholars have two 100 minute classes (Math, ELA) which are broken into two periods (50 minutes each). Scholars will have one 50 minute class of Social Studies and Science. After each 100 minute block, scholars have a scheduled break in instruction – a break, lunch or homeroom. Scholars will also have one 50 minute period for Specials.

First dismissal occurs at 3:20pm, however, scholars who earned detention or Homework Club will be dismissed at either 3:45pm or 4:10pm.

Each Friday, after morning homeroom, scholars have four 40-minute classes. After lunch, scholars receive their weekly PRIDE Report, a comprehensive report of scholar performance.

Scholars participate in Enrichment classes from 12:00pm-1:20pm and are then dismissed. However, scholars who earn PRIDE Scores below a 70 are required to serve

Friday Extension during Enrichment and are also required to stay at school until 1:20pm.

### **School Supplies**

Scholars are expected to have at least two #2 pencils and a back pack with them on the first day of school.

During scholar orientation week, all scholars will be provided with one 3-ring binder per core subject (mathematics, English, science or social studies). Also during orientation week, the school will distribute to each scholar a specific planner that scholars will use to keep track of assignments and due dates.

#### *Nonessential supplies*

Scholars should not bring non-essential items of value to school – monetary or otherwise – since they cannot be securely stored. **Although UP Academy Leonard prides itself on being very safe, the school does not accept responsibility for any missing items of value.** While cell phone possession is not forbidden, all phones must be turned completely off before entering the building. If a scholar is found to be using his or her cellular phone in any capacity during school hours, it will be confiscated. Phones that are on in school during school hours will be confiscated as well. Scholars who bring inappropriate items to school, including but not limited to toys, iPods, CD players, and laser pointers will have such items confiscated immediately. A parent or guardian must come to the school to retrieve the confiscated items, as scholars may not retrieve confiscated items themselves. Repeated violations may result in suspension or items being held by UP Academy Leonard until the end of the school year.

### **School Breakfast, Lunch, and Afternoon Snack**

The school participates in the National School Breakfast and Lunch Program, which provides free or reduced price breakfast and lunch as well as free milk to eligible scholars. UP Academy Leonard is a universal free breakfast and lunch site beginning in the 2012-13 school year. In order to maintain that status, all families must fill out an eligibility form at the beginning of the school year. We urge families, regardless of whether they think they will qualify, to return the form so that we can continue to provide free breakfast and lunch to all scholars in future years. If you have questions about the forms, please contact the Director of Operations.

Families of scholars who order lunch and have particular dietary restrictions should alert the school's Director of Operations and nurse as early in the school year as possible.

*Breakfast.* Scholars may participate in the free breakfast program as long as the scholar arrives by 7:38am.

*Lunch.* Scholars may either purchase lunch and milk from the school or bring their own lunches from home. Lunch will be served Monday, Tuesday, Wednesday, and

Thursday between 10:40 and 11:55, depending on the lunch block to which scholars are assigned. On Fridays, lunch will be served from 11:00 to 11:50.

*Afternoon Snack.* A nutritious, afternoon snack will be provided to scholars during PM Break on Mondays, Tuesdays, Wednesdays and Thursdays. This snack is provided free of charge.

Scholars are allowed to bring water and juice to school. However, sodas, energy drinks and coffee will not be allowed. Any scholar drinking these beverages will receive a demerit for disregarding directions and will be asked to either throw it away or put the closed bottled away in their backpack.

**Chewing gum is not allowed at UP Academy Leonard.** Any scholar chewing gum will be asked to throw these items away and will receive a detention.

To ensure clean and safe hallways, scholars may not eat in hallways; that is, scholars will be asked to store food in their backpacks upon entering the school. If an item cannot be stored in their backpacks, they will be asked to throw it away.

### **Grading Policies**

UP Academy Leonard scholars take four core academic classes (Mathematics, English, Social Studies, and Science) during a given school year. English and Mathematics classes meet for four 100 minute blocks per week and one additional 40 minute block for the entire school year. Science and Social Studies classes meet for four 50 minute blocks per week and one additional 40 minute block per week.

All scholars also take a daily “specials” class Monday-Friday; they will take art, fitness and life skills.

Scholars also attend an 85-minute enrichment course on Fridays. Scholars select a new enrichment course to take every trimester. These classes are delivered by teacher volunteers and experts from the surrounding community. Enrichment classes are mostly offered in the areas of sports and the arts.

Every week, scholars will receive weekly PRIDE reports with information about their performance in each core subject area. At the end of each quarter, scholars will receive formal report cards with detailed information about their performance in each core subject area.

*Skill and Content mastery.* The Skill and Content component measures scholar mastery of a subject's skill and content standards, as determined by performance on formal assessments and in-class assignments. This also measures a scholar's relative mastery of six, broader scholarly habits (e.g., organization, note-taking).

*Homework.* The Homework component measures both a scholar's completion of, and performance on, Homework assignments.

*Honor Roll.* At the end of each quarter, an Honor Roll will be published. Scholars with all four core grades above 95% with no failing grades earn Highest Honors status; scholars with all four core grades above 90% with no failing grades earn High Honors status; Scholars with all four core grades above 85% with no failing grades earn Honor status. All honor roll scholars will be recognized at a formal, quarterly ceremony.

*Honorable Mention.* At the end of each quarter, teacher teams will nominate scholars who have shown the most consistent effort across several academic categories (e.g., homework completion, organization, participation) during the preceding quarter. These scholars will be recognized at the Honor Roll ceremony.

*Failure.* At the end of the year, the quarter grades for each core academic subject are averaged together into a final, yearlong Course Grade. (Science and Social Studies grades are averaged together to make up one grade, such that scholars finish the year with three final grades: Math, English, and Science/Social Studies.) A scholar fails a core subject if his/her final, yearlong Course Grade is below 70%. All final course grades are rounded up or down to the nearest whole percentage.

### **Promotion Policies**

If a scholar passes all core subjects and has not been absent for more than 15 days of the school year, the scholar is promoted automatically to the next grade level.

If a scholar fails one core subject, he/she must attend summer school in order to have an opportunity to be promoted to the next grade level. The scholar must pass a subject-specific minimum competency test at the conclusion of summer school in order to be promoted to the next grade level. If the scholar does not pass the minimum competency test, he/she may be retained.

If a scholar fails two or more core subject areas, he/she may be automatically retained and repeat the grade level.

### **Homeroom Teachers and Scholar Advisors**

At the beginning of the year, all scholars are assigned a **Homeroom**. Homerooms are named after the alma mater of the Homeroom teacher (e.g., University of New Hampshire). Scholars take all core academic classes within their Homeroom. All administrative forms (e.g., lunch order forms, permission slips) will be collected by Homeroom teachers on a daily basis during AM Homeroom.

Scholars are also assigned an **Advisor**. Advisors will develop and maintain close relationships with their advisees throughout the school year. Families should expect to hear updates from their child's advisor on a regular basis. Families should also see their child's advisor as the point person for all non-subject specific questions and concerns.

### **Enrichment Activities**

UP Academy Leonard's program focuses relentlessly on the development of core academic skills. However, in order to best prepare our scholar body for future pursuits, scholars must also be exposed to extracurricular activities on a regular basis.

Every Friday afternoon, from 12:00-1:20pm, the school will offer Enrichment activities for all scholars. Scholars will sign up for a specific Enrichment activity at the beginning of each season (i.e. fall, winter, and spring). While some activities will be taught by UP Academy Leonard staff members, most activities will be taught by external instructors.

Please be advised that some Enrichment activities (e.g. sports teams) will (a) last beyond regular dismissal time on Friday afternoons, (b) hold mandatory meetings on other days of the week, and/or (c) occur off of school grounds. In such situations, families will receive permission slips which detail this additional information.

Scholars who earn a PRIDE Report score lower than 70 are not eligible to participate in Enrichment during that respective week (see additional information below).

### **Individual Incentive and Accountability System: Scholar PRIDE Reports**

UP Academy Leonard has developed a scholar PRIDE Report system to provide scholars, families, and teachers with a frequent, comprehensive report of scholar performance. A scholar's weekly PRIDE Report total is impacted by his/her fulfillment of behavioral, homework, and attendance expectations. Year-to-date attendance and academic data is also included on the report. The PRIDE week runs Friday through Thursday (for logistical reasons). All scholars receive PRIDE Reports every Friday. Each scholar starts the "PRIDE week" with 90 Points.

**Scholars may increase their PRIDE Score by meeting or exceeding expectations** during a given week by:

- Earning merits from a staff member for a variety of reasons, including but not limited to:
  - Volunteering to help a scholar or teacher
  - Volunteering service to the school
  - Taking initiative
  - Showing courtesy
  - Performing an act of kindness
  - Outstanding effort or improvement
  - Earning high test or quiz grades
  - Being awarded an Act Worthy of Public Recognition (Super Merit)

**Scholars will decrease their PRIDE Score when they fail to meet expectations.** Specifically, PRIDE Points are deducted when:

- Scholars do not meet behavioral expectations (e.g., they earn demerits , detentions, suspensions);
- Scholars do not meet attendance expectations (e.g., they are absent, late, or dismissed early);
- Scholars do not complete homework assignments up to UP Academy Leonard standards;

- Scholars are referred out of class;
- And scholars misbehave in homework club or detention.

Scholars with PRIDE scores of less than 70 must attend **Friday Extension**.

Each weekly PRIDE score is added to each scholar's **PRIDE Bank** account. Each score is averaged to make up a scholar's **PRIDE Average**.

Scholars with **high PRIDE Report averages** earn rewards, including but not limited to:

- Invitations to school celebrations
- Invitations to school dances
- Invitations to school field trips

Scholars with the highest PRIDE Averages will eventually earn special bracelets which entitle them to privileges including the following:

- Fun Shoe Fridays
- Random Snack Days

Scholars with **low PRIDE Report averages** lose privileges and receive other consequences. Specifically:

- Scholars cannot participate in school celebrations
- Scholars will not be invited to school dances, reward field trips, or other reward events
- Scholars are required to attend Friday Extension and cannot attend Friday Enrichment

Scholars can use the points in their **PRIDE Bank** to purchase items during the **PRIDE auction**.

At **PRIDE Auctions**, held twice a year, scholars can bid on a variety of different prizes, usually involving an out-of-school-time trip led by a volunteering teacher.

Weekly PRIDE Reports are sent home to be **reviewed and signed by parents/guardians**. Scholars complete a **weekly reflection** to be reviewed by the scholar's advisor. The purpose of the reflection is for the scholar to better understand where they did well or need to improve, and to serve as a starting point for conversations between scholar and advisor as needed. If a PRIDE Report or reflection is not returned the day it is due, or if the reflection is incomplete or unprofessional, scholars will face consequences.

The school reserves the right to add or subtract PRIDE Points for examples of very good or very poor behavior.

### **Whole Class Incentive and Accountability: PRIDE Block Challenge**

The PRIDE Block Challenge is a class-wide, positive incentive system. The system uses peer motivation and interclass competition to encourage scholars to work together to meet high expectations for Perseverance, Respect, Integrity, Discipline, and Enthusiasm. During every period of the school day, classes are assessed on their performance as a group, earning between zero and five PRIDE points. The number of points earned is based on the following observable criteria:

### **Perseverance**

- Scholars work through difficult problems in class
- Scholars overcome a rough class by improving effort and behavior over the course of the day
- Scholars consistently participate in class

### **Respect**

- When scholars disagree, they do so respectfully
- Scholars treat each other, and the teacher with courtesy
- Scholars respect all school property and personal property
- Scholars demonstrate self-respect

### **Integrity**

- Scholars follow teacher directions, even when the teacher is not watching
- Scholars tell the truth when asked a difficult question
- Scholars stand up for what is right and/or for others in the class
- Scholars do the right thing when others may not

### **Discipline**

- Scholars ask for help in class when they don't understand
- Scholars show support for classmates by ignoring misbehavior
- Scholars use their breaks to sharpen pencils and get out necessary materials for upcoming class

### **Enthusiasm**

- Showing contagious enthusiasm
- Encouraging another scholar who struggles
- Displaying consistent, exemplary posture
- Displaying exemplary participation

Homeroom teachers will assign an individual to keep score on the PRIDE class board. During PM homeroom, the homeroom teacher or scholar will add the total number of points earned for the day. A block is earned only if there is 100% compliance. Classes receive rewards for consistently high scores, such as ordering lunch from a restaurant, watching a movie or taking a field trip. Conversely, classes lose privileges for receiving low scores (e.g., silent breaks, no outdoor recess, silent lunches). When giving the score to the class, teachers use this opportunity to give concrete suggestions for improvement.

### ***General Holiday Policy***

In order to create an inclusive environment for all scholars with a focus on academics, UP Education Network schools do not celebrate holidays (i.e., Halloween, Thanksgiving,

Hanukkah, Christmas, Valentine's Day, St. Patrick's Day, or Easter). The school will develop alternative ways to bring scholars together and to foster a spirit of joy throughout the year. On holidays, including the ones mentioned above, we kindly request that families not bring in gifts, treats, or other food items.

### **Birthday Policy**

On scholars' birthdays, UP Education Network schools allow celebrations that foster an inclusive spirit, but that do not detract from instructional time (this includes lunch, considering that classes eat together in the cafeteria). If it is your student's birthday, he/she may bring in a healthy treat to share with all scholars in the class during snack time (e.g., granola bars, muffins, or fruit snacks). Please note that unhealthy foods such as cakes, cupcakes, cookies, or ice cream are not allowed. Families will be informed if there is a food allergy in the class; if such an allergy exists, we ask that families avoid that food product in birthday snacks. Please also note that birthday treats need to be easily consumed by dismissal. Please contact the classroom teacher to make arrangements for any birthday celebrations. If you prefer that your student's birthday not be acknowledged, please contact your classroom teacher and we will gladly respect your request. *Children may not distribute invitations to parties within the school building unless every member of the class is invited.*

### **General School Information**

#### **To Contact Us**

UP Academy Leonard Middle School  
60 Allen Street  
Lawrence, MA 01840  
Tel. (978) 722-8159  
[www.upacademyleonard.org](http://www.upacademyleonard.org)

We are committed to establishing and maintaining an open and respectful line of communication between families and UP Academy Leonard staff. Families should contact staff by telephone or e-mail and understand that we will try and return calls within 24 hours in the event that a message is left. Families will also have an opportunity to meet with staff during the three scheduled parent-teacher conference days. In addition, meetings can be arranged at any time by appointment. If a parent needs to see a staff person more immediately, the parent should report directly to the Main Office, and we will facilitate the soonest possible contact.

### **Transportation**

Our transportation policy is identical to that of the Lawrence Public Schools. More specifically, school bus transportation is not provided to scholars, unless such service is managed by the Individual Education Program of a scholar who receives special education services.

If you have any questions about transportation, please contact the school's Director of Operations.

## **Health Care**

### Medical Records

Massachusetts state law requires all scholars enrolling in a new school to have a physical examination before entering the school. Before a scholar can enroll in the school, the school must have on file the following forms:

- *Medical Requirements Checklist*. This form contains records showing that the scholar has: 1) had a physical exam in the six months prior to the start of the school year; 2) up-to-date immunizations; and 3) permission to receive screening for vision, hearing, and scoliosis.
- *Health Information Form*. This form provides important information about a scholar's emergency contacts, health care providers, and insurance. Most importantly, it gives the school permission to initiate emergency medical treatment in the event that a parent or guardian cannot be reached.
- *Authorization to Dispense Medication Form*. If a scholar requires medication while in school, the school must have on file an Authorization to Dispense Medication form, filled out by the scholar's physician. No scholar is allowed to bring medication to the school without the nurse's full knowledge. Scholars who have provided the school with medication dispensation authorization forms should bring the medication (other than Tylenol and ibuprofen, which the school will stock in the health office) to the school on the first day, or contact to the school to make other arrangements. All medication must be presented in its original container from the pharmacy and must be brought in by a parent or accompanied by a note from the parent.

The medication dispensation authorization form requirement applies to all medication, including Tylenol and ibuprofen. If a scholar needs to take Tylenol or ibuprofen during the school day, the scholar must have on file the authorization signed by his or her physician and a parent or guardian, giving the school permission to administer the medication during the school year. The medication dispensation authorization form requirement also applies to asthma inhalers, which scholars should keep in their backpacks. If a scholar needs to use his/her asthma inhaler during the school day, he/she should go to the health office to self-administer the inhaler.

### Health and Illness

The school requests that children do not come to school if they are seriously ill. If school staff believes that a child needs to see a doctor, is contagious, increases the risk of illness to other children, or requires prolonged individual staff attention that interferes with the safety and regular functioning of the classroom, the school will contact families and ask them to pick up and take their child home.

Parents will be contacted if a child has a moderate-to-high-fever; is experiencing vomiting or diarrhea; shows signs of contagious diseases; and/or has an illness that prevents the child from participating in activities.

#### Health Education, Sex Education, and Sexuality Education Policy

UP Academy Leonard may provide health education to scholars, designed to provide scholars with the knowledge and skills to make responsible, well-informed personal health decisions. The health education curriculum covers a wide variety of topics, including human sex education and human sexuality issues.

Under Massachusetts law, parents or guardians have the right to exempt their children from any portion of a curriculum that primarily involves human sexual education or human sexuality issues by submitting written notification to the school principal. The written notification should specify the lessons from which the child is to be exempted. A child who is exempted will not be penalized because of the exemption. The school may provide alternative assignments for exempted scholars. A copy of the health education curricula and related materials will be maintained in the main office for review.

#### **Visitor Policy**

Parents are welcome and encouraged to visit UP Academy Leonard at any time during the school year. All visitors are required to report to the Main Office upon entering the building. Any visitor who does not report to the office or is found in the building without authorization will be asked to leave immediately. If a parent or guardian would like to observe an UP Academy Leonard classroom, he or she should contact the school's Principal, Director of Operations, or Dean of Students to arrange a visit in advance.

In case of an emergency, parents or guardians should contact the Main Office either by phone or in person. Under no circumstances should parents or guardians contact scholars in their classrooms or attempt to withdraw scholars from the building without notifying and receiving permission from staff members in the Main Office.

#### **E. Nondiscrimination**

UP Academy Leonard does not discriminate in admission to, access to, treatment in, or employment in its services, programs and activities, on the basis of race, color or national origin, in accordance with Title VI of the Civil Rights Act of 1964 (Title VI); on the basis of sex, in accordance with Title IX of the Education Amendments of 1972; on the basis of disability, in accordance with Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title B of the Americans with Disabilities Act of 1990 (ADA); or on the basis of age, in accordance with the Age Discrimination in Employment Act of 1974 (ADEA). In addition, no person shall be discriminated against in admission to UP Academy on the basis of race, sex, gender identity, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language or a foreign language, or prior academic achievement, as-required by M.G.L.c.71, §89(1); 603

CMR 1.06(1). Finally, no person shall be discriminated against in obtaining the advantages, privileges or access to the courses of study offered by UP Academy on the basis of race, sex, color, gender identity, religion, national origin, or sexual orientation as required by M.G.L, c. 76, § 5. If you have questions or concerns about our nondiscrimination policy, please reach out to the Title IX and 504 coordinators.

Title IX Coordinator  
Ashley Hutchinson  
Director of Operations  
60 Allen Street  
Lawrence, MA. 01840  
phone: 978-722-8159

504 Coordinator:  
Elizabeth Skeris  
Special Education Coordinator  
60 Allen Street  
Lawrence, MA. 01840  
phone: 978-722-8159

## **F. Harassment**

UP Academy is committed to maintaining a school environment free of harassment based on race, color, religion, gender, sexual orientation, national origin, age, disability or any other protected category.

Harassment by administrators, certified and support personnel, scholars, vendors and other individuals at school or at school-sponsored events is unlawful and is strictly prohibited. UP Academy Charter School requires all employees and scholars to conduct themselves in an appropriate manner with respect to their fellow employees, scholars and all members of the school community.

### Definition of Harassment

Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of race, color, religion, gender, sexual orientation, national origin, age, disability, or any other protected category, or that of the individual's relatives, friends or associates and that creates an intimidating, hostile or offensive learning environment; or unreasonably interferes with an individual's educational opportunities

Harassing conduct includes, but is not limited to:

- epithets;
- slurs;
- negative stereotyping;
- threatening, intimidating or hostile acts that relate to the above characteristics; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of the above characteristics, and that is placed on walls, bulletin boards, or elsewhere on the premises, or circulated on paper or electronically

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

Sexual Harassment. While all types of harassment are prohibited, sexual harassment requires particular attention. Sexual harassment includes but is not limited to: sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when:

1. Acceptance of or submission to such conduct is made either explicitly or implicitly a term or condition of employment or education.
2. The individual's response to such conduct is used as a basis for employment decisions affecting an employee or as a basis for educational, disciplinary, or other decisions affecting a student.

3. Such conduct interferes with an individual's job duties, education or participation in extra-curricular activities.
4. The conduct creates an intimidating, hostile or offensive work or school environment.

#### Harassment and Retaliation Prohibited

Harassment in any form or for any reason is absolutely forbidden. This includes harassment by teachers, administrators, certified and support personnel, scholars, vendors and other individuals in school or at school related events. In addition, retaliation against any individual who has brought harassment or other inappropriate behavior to the attention of the school or who has cooperated in an investigation of a complaint under this policy is unlawful and will not be tolerated by UP Academy Charter School.

Persons who engage in harassment or retaliation may be subject to disciplinary action, including, but not limited to: reprimand, suspension, termination/expulsion or other sanctions as determined by the school administration and/or Board of Trustees, subject to applicable procedural requirements.

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

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

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Harassment in any form or for any reason is absolutely forbidden. This includes harassment by teachers, administrators, certified and support personnel, scholars, vendors and other individuals in school or at school related events. In addition, retaliation against any individual who has brought harassment or other inappropriate behavior to the attention of the school or who has cooperated in an investigation of a complaint under this policy is unlawful and will not be tolerated by UP Academy Leonard.

Persons who engage in harassment or retaliation may be subject to disciplinary action, including, but not limited to reprimand, suspension, termination/expulsion or other sanctions as determined by the school administration and/or the Receiver, subject to applicable procedural requirements.

## **Hazing**

UP Academy Leonard is required by law to communicate the Commonwealth of Massachusetts's anti-hazing law to every scholar. Scholars who participate in hazing, or fail to report hazing to the Principal are subject to disciplinary consequences set forth in the Code of Conduct.

*Massachusetts Anti-Hazing Law: M.G.L. c. 269, Section 17. Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.*

*The term "hazing" shall mean any conduct or method of initiation into any scholar organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any scholar or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such scholar or other person, or which subjects such scholar or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.*

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

*M.G.L. c. 269, Section 18. Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.*

*M.G.L. c. 269, Section 19. Each institution of secondary education and each public and private institution of postsecondary education shall issue to every scholar group, scholar team or scholar organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated scholar group, scholar team or scholar organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated scholar groups, teams or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated scholar groups, teams or organizations.*

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

*eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen. And that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.*

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

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

### **Corporal Punishment and Scholar Restraint**

UP Academy Leonard maintains a strict Code of Conduct and clear disciplinary procedures. These procedures do not allow for corporal punishment but rather include a clear set of consequences including demerits, detentions, and loss of privileges, suspensions, and expulsions.

In accordance with M.G.L. sect. 37G, corporal punishment of pupils is prohibited. School personnel can use reasonable force as is necessary to protect pupils, other persons, and themselves from an assault by a pupil. When such an assault has occurred, the Principal shall file a detailed report of such with the school board. All personnel authorized to administer any forms of restraint shall be trained annually in accordance with Department of Education guidelines.

### **Grievance Procedure**

#### *Where to File a Complaint*

Any student who believes that UP Academy has discriminated against or harassed her/him because of her/his race, color, national origin, sex, disability, or age in admission to, access to, treatment in, or employment in its services, programs, and activities may file a complaint with the Principal. If the Principal is the person who is alleged to have caused the discrimination or harassment, the complaint may be filed with the CEO of UP Education Network, the Dean of Students, or the Dean of Curriculum and Instruction. These individuals are listed below and are hereinafter referred to as "Grievance Administrators."

- CEO of UP Education Network: Veronica Conforme
- Deans of Students: Danny Suriel
- Deans of Curriculum and Instruction: Amanda Forbes, Lauren Johnson

#### *Complaints of Harassment by Peers*

In the event the complaint consists of a student's allegation that another student is harassing him/her based upon the above-referenced classifications, the student may, as an alternative to filing a complaint with the Principal or a Grievance Administrator, file a complaint with the complaint manager (hereinafter referred to as "Building Complaint Manager"). The name of the Building Complaint Manager(s) is kept at the school and may be obtained from the main office.

#### *Complaints of Discrimination Based on Disability*

Parents or scholars who disagree about the identification, evaluation, or educational placement of a student, who because of a handicap needs or is believed to need special instruction or related services (pursuant to, e.g., Section 504 of the Rehabilitation Act of 1973, Chapter 766, and/or the Individuals with Disabilities Education Act) must use the procedure outlined in the Massachusetts Department of Elementary and Secondary Education's Parents' Notice of Procedural Safeguards (formerly known as the "Parent's Rights Brochure"). A copy of the Notice is available from the Learning Specialist.

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

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

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

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

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

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

Within twenty (20) school days of receiving the complaint, the Grievance Administrator will meet with the grievant and/or her/his representative to review the information gathered and, if applicable, to propose a resolution designed to stop the discrimination or harassment and to correct its effect. Within ten (10) school days of the meeting with the grievant and/or representative, the Grievance Administrator will provide written disposition of the complaint to the grievant and/or representative and to the respondent(s).

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

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

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

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

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

*Appeals.* If the grievant is not satisfied with a disposition by a Grievance Administrator, the grievant may appeal the disposition to the Receiver in writing:

**Cynthia Paris**  
**Superintendent, Lawrence Public Schools**

The Receiver will issue a written response on the appeal to the grievant within thirty (30) school days of receiving the appeal.

Generally, a grievant may file a complaint with the U.S. Department of Education, Office for Civil Rights, JW McCormack POCH, Boston, Massachusetts 02109-4557, telephone (617) 223-9662, TTY (617) 223-9695 as follows:

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

### **Complaint Procedures**

Both the school and the school district work in conjunction with one another to hear and resolve any complaints. If a problem arises, both the school and the district encourage the complainant to address the problem directly with the staff member(s). If the complainant is dissatisfied with the proposed resolution by the appropriate faculty or staff member, a meeting should be scheduled with the Principal. If this does not resolve the issue, then the district encourages the complainant to contact the Receiver who will arrange to have the complaint heard as soon as possible.

Any parent, guardian, or other individual or group who believes that the school has violated or is violating any state or federal law or regulation regarding special education or any other law may file a complaint directly with the MA DESE by contacting the Office of Program Quality Assurance at (781)338-3700 or [compliance@doe.mass.edu](mailto:compliance@doe.mass.edu).

This complaint policy will be disseminated annually to all school community members and will also be made available upon request.

### **Scholar Records**

#### *Scholar Records - (General)*

Federal and state laws provide parents and eligible scholars (those who are age 14 or older) with rights of confidentiality, access and amendment relating to scholar records. Copies of the Massachusetts Student Records Regulations ("Regulations"), detailing these rights, are available in the office of the Principal and Main Office. The following is a general overview of the provisions in the Regulations.

#### *Access and Amendment*

A parent or eligible scholar has a right to access the scholar record. In order to obtain access to the scholar record, please contact the Principal.

A parent or eligible scholar has a right to add relevant comments, information and other written materials to the scholar record. In addition, a parent or eligible scholar may request that information in the scholar record is amended or deleted. In order to amend the record, please contact the Principal.

#### *Scholar Records - (Access by non-custodial parents)*

Massachusetts General Laws c. 71, §34H ("Section 34H") governs access to scholar records by a parent who does not have physical custody of a scholar. Generally, Section 37H requires a non-custodial parent seeking access to submit a written request to the Principal on an annual basis. Parents who have questions or concerns regarding access to records by non-custodial parents are requested to contact the Principal for detailed information regarding the procedures that must be followed under Section 34H.

#### *Confidentiality*

Release of scholar records generally requires prior written consent of the parent or eligible scholar.

In the following circumstances, however, UP Academy Leonard may release a scholar record to a third party without the parent or eligible scholar's written consent:

- School officials with legitimate educational interest;
- Other schools to which a scholar is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a scholar;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies;
- State and local authorities, within a juvenile justice system, pursuant to specific State law;
- Upon notification by law enforcement authorities that a scholar has been reported missing

#### *Scholar Directory*

In addition, UP Academy Leonard will not release directory information to third parties without prior written consent. Directory information includes: the scholar's name, address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of the members of athletic teams, class, participation in recognized activities and sports, honors and awards, and post-high school plans.

In the event a parent or eligible scholar objects to the release of any of the above directory information, the parent or eligible scholar should put that objection in writing and give it to the Principal. Absent receipt of a written objection by the third week of school, the directory information will be released without further notice or consent.

#### *Filing a Complaint*

If you are not happy with any decisions, you have a right to file an appeal to the Principal. In addition, complaints relative to federal rights governing scholar records may be filed with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington DC.

## **Internet Acceptable Use Policy**

### *Acceptable Use*

The Internet is a global network linking computers around the world. Internet use provides valuable opportunities for research, curriculum support, and career development. The primary purpose of providing access to the Internet is to support the educational mission of UP Academy Leonard using only approved sites. UP Academy Leonard expects that scholars will use this access in a manner consistent with this purpose. Scholars are not allowed to access school *Wi-Fi* from any device not belonging to the school.

While the Internet is a tremendous resource for electronic information, it has the potential for abuse. UP Academy Leonard makes no guarantees, implied or otherwise, regarding the factual reliability of data available over the Internet. Users of the UP Academy Leonard Internet service assume full responsibility for any costs, liabilities, or damages arising from the way they choose to use their access to the Internet. UP Academy Leonard has installed special filtering software in an effort to block access to material that is not appropriate for children.

### *Unacceptable Use*

The following is a list of prohibited behaviors. The list is not exhaustive but illustrates unacceptable uses of the UP Academy Leonard internet service:

- Disclosing, using or disseminating personal identification information about self or others;
- Accessing, sending or forwarding materials or communications that are defamatory, pornographic, obscene, sexually explicit, threatening, harassing, or illegal;
- Using the Internet service for any illegal activities such as gaining unauthorized access to other systems, arranging for the sale or purchase of drugs or alcohol, participating in criminal gang activity, threatening others, transferring obscene material, or attempting to do any of the above
- Using the Internet service to receive or send information relating to dangerous instruments such as bombs or other explosive devices, automatic weapons or other firearms, or other weaponry;
- Vandalizing school computers by causing physical damage, reconfiguring the computer system, attempting to disrupt the computer system, or destroying data by spreading computer viruses or by any other means;
- Copying or downloading of copyrighted material without authorization from the copyright holder, unless the copies are used for teaching (including multiple copies for classroom use), scholarship, or research. Users shall not copy and forward or copy and upload any copyrighted material without prior approval of the Principal;
- Plagiarizing material obtained from the Internet. Any material obtained from the Internet and included in one's own work must be cited and credited by name or by electronic address or path on the Internet. Information obtained through E-mail or news sources must also be credited as to sources;
- Using the Internet service for commercial purposes;
- Downloading or installing any commercial software, shareware, freeware or similar types of material onto network drives or disks without prior permission of the Principal; and

- Overriding the Internet filtering software.

### *Safety Issues*

Use of the Internet has potential dangers. Parents and scholars are encouraged to read two brochures regarding Internet safety that the Massachusetts Attorney General's Office has prepared. The brochures are entitled *The Internet, Your Child and You: What Every Parent Should Know* and *Internet Safety: Advice from Kids Who Have Faced Danger Online*. Copies of these brochures are available on the Internet at [www.ago.state.ma.us](http://www.ago.state.ma.us).

The following are basic safety rules pertaining to the Internet:

- Never reveal any identifying information such as last names, ages, addresses, phone numbers, parents' names, parents' employers or work addresses, or photographs;
- Use the "back" key whenever you encounter a site that you believe is inappropriate or makes you feel uncomfortable;
- Immediately tell the Principal if you receive a message that you believe is inappropriate or makes you feel uncomfortable.
- Never share your password or use another person's password. Internet passwords are provided for each user's personal use only. If you suspect that someone has discovered your password, you should change it immediately and notify the Principal

### *Privacy*

Users should not have an expectation of privacy or confidentiality in the content of electronic communications or other computer files sent and received on the school computer network or stored in the user's directory or on a disk drive. UP Academy Leonard reserves the right to examine all data stored on diskettes involved in the user's use of UP Academy Leonard's Internet service.

Internet messages are public communication and are not private. All communications including text and images may be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver. Network administrators may review communications to maintain integrity system-wide and ensure that users are using the system responsibly.

### *Violations*

Access to UP Academy Leonard's internet service is a privilege, not a right. UP Academy Leonard reserves the right to deny, revoke or suspend specific user privileges and/or to take other disciplinary action, up to and including suspension, expulsion (scholars) for violations of this policy. The school will advise appropriate law enforcement agencies of illegal activities conducted through UP Academy Leonard's internet service. The District also will cooperate fully with local, state, and/or federal officials in any investigation related to any illegal activities conducted through the service.

## **UP Academy Bullying Prevention & Intervention Plan**

### **I. LEADERSHIP**

*Leadership at UP Academy played a critical role in development and implementation of the Bullying Prevention and Intervention Plan ("the Plan") in the context of other whole school and community efforts to promote positive school climate. Leaders have a primary role in teaching scholars to be civil to one another and promoting understanding of and respect for diversity and difference. Leadership at UP Academy is committed to setting priorities and staying up-to-date with current research on ways to prevent and effectively respond to bullying.*

A. Public involvement in developing the Plan. As required by M.G.L. c. 71, § 37O, the Plan was developed in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, scholars, parents, and guardians. Consultation included notice and a public comment period before the Plan was adopted.

B. Assessing needs and resources. The Plan serves as UP Academy's blueprint for enhancing capacity to prevent and respond to issues of bullying within the context of other healthy school climate initiatives. As part of the planning process, school leaders, with input from families and staff, will assess the adequacy of current programs; review current policies and procedures; review available data on bullying and behavioral incidents; and assess available resources including curricula and training programs. This "mapping" process will assist the school in identifying resource gaps and the most significant areas of need. Based on these findings, we will revise or develop policies and procedures; establish partnerships with community agencies, including law enforcement; and set priorities. At least once every four years beginning with 2015/16 school year, the district will administer a Department of Elementary and Secondary-developed student survey to assess school climate and the prevalence, nature, and severity of bullying in its school(s). Additionally, the school will annually report bullying incident data to the Department.

The Principal of UP Academy worked with the Dean of Scholars, and School Counselor (where applicable) to conduct a needs assessment using the following techniques: 1) surveying scholars, staff, parents, and guardians on school climate and school safety issues; and 2) collecting and analyzing building-specific data on the prevalence and characteristics of bullying (e.g., focusing on identifying vulnerable populations and "hot spots" in school buildings, on school grounds, or on school buses). This information will help to identify patterns of behaviors and areas of concern, and will inform decision-making for prevention strategies including, but not limited to, adult supervision, professional development, age-appropriate curricula, and in-school support services. Needs assessment analysis will be conducted through leadership team meetings in the spring and early summer, allowing the team adequate time to respond to the data and implement new strategies before the next school year. The leadership team takes ownership of conducting and responding to this needs assessment.

C. Planning and oversight. Responsibility for various aspects of the Plan will be taken by the following members of the leadership team:

Principal	Social Workers/School Counselors	Dean of Students/School Counselors
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<ul style="list-style-type: none"> <li>• Developing or revising current policies and protocols under the Plan, including an Internet safety policy, and designating key staff to be in charge of implementation of them; and</li> <li>• Supervising the parent or family engagement efforts and drafting parent information materials.</li> <li>• Amending student and staff handbooks and codes of conduct; and</li> </ul>	<ul style="list-style-type: none"> <li>• Planning for the ongoing professional development that is required by the law;</li> <li>• Choosing and implementing the curricula that the school or district will use;</li> </ul>	<ul style="list-style-type: none"> <li>• Receiving reports on bullying;</li> <li>• Collecting and analyzing building- and/or school-wide data on bullying to assess the present problem and to measure improved outcomes; and</li> <li>• Creating a process for recording and tracking incident reports and for accessing information related to targets and aggressors.</li> <li>• Planning supports that respond to the needs of targets and aggressors;</li> <li>• Reviewing and updating the Plan each year, or more frequently.</li> </ul>
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D. Priority statement:

The mission of UP Academy is to ensure that its scholars acquire the knowledge, skills, and strength of character necessary to succeed on the path to college and to achieve their full potential. The school is committed to providing all scholars with a safe learning environment that is free from bullying and cyber-bullying. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process.

We recognize that certain scholars may be more vulnerable to become targets of bullying, harassment, or teasing based on actual or perceived characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics. The school will identify specific steps it will take to create a safe, supportive environment for vulnerable populations in the school community, and provide all scholars with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

**II. TRAINING AND PROFESSIONAL DEVELOPMENT**

*Under M.G.L. c. 71, § 37O we are required to provide ongoing professional development for all staff, including but not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, and paraprofessionals.*

A. Annual staff training on the Plan. During August staff orientation, UP Academy will provide annual training for all school staff on the Plan, which will include staff duties under the Plan, an overview of the steps that the Principal or designee will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula to be offered at all grades throughout the school. Staff members hired after the start of the school year are required to participate in training during the school year in which they are hired, unless they can demonstrate participation in an acceptable and comparable program within the last two years.

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

- (i) Developmentally (or age-) appropriate strategies to prevent bullying;
- (ii) Developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents;
- (iii) Information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;
- (iv) Research findings on bullying, including information about specific categories of scholars who have been shown to be particularly at risk for bullying in the school environment;
- (v) Information on the incidence and nature of cyber-bullying; and
- (vi) Internet safety issues as they relate to cyber-bullying.

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

C. Written notice to staff. The leadership team will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties, in the employee handbook.

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

*A key aspect of promoting positive school climates is ensuring that the underlying emotional needs of targets, aggressors, families, and others are addressed. The following sections outline strategies we will use to provide support and services necessary to meet those needs.*

- A. Identifying resources. Annually, the leadership team will review the current staffing and programs that support the creation of positive school environments by focusing on early interventions and intensive services. Once this mapping of resources is complete, the team will develop recommendations and action steps to fill resource and service gaps for the upcoming year. These recommendations may include adopting new curricula, reorganizing staff, establishing safety planning teams, and identifying other agencies that can provide services.
- B. Counseling and other services. Counseling will be provided by contracted licensed professionals. When necessary, the leadership team will build partnerships with community based organizations to provide culturally and linguistically appropriate resources. Principals, along with counselors or other staff members, will develop safety plans for scholars who have been targets of bullying or retaliation. As the need arises, the school will provide social skills programs to prevent bullying and will also offer education and/or intervention services for scholars exhibiting bullying behaviors. In addition, the leadership team may consider using tools including, but not limited to, behavioral intervention plans, social skills groups, and individually focused curricula.
- C. Scholars with disabilities. As required by M.G.L. c. 71B, § 3, as amended by Chapter 92 of the Acts of 2010, when the IEP Team determines the student has a disability that affects social skills development or the student may participate in or is vulnerable to bullying, harassment, or teasing because of his/her disability, the Team will consider what should be included in the IEP to develop the student's skills and proficiencies to avoid and respond to bullying, harassment, or teasing.
- D. Referral to outside services. When the leadership team, with the guidance of licensed professionals, determines that school resources are insufficient to address a specific bullying situation, scholars and families may be referred to outside services. Referrals will comply with relevant laws and policies.

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

*Age-appropriate instruction on bullying prevention in each grade will be incorporated into the school's homeroom, advisory or community/morning circle. The curriculum will be evidence-based. Effective instruction will include classroom approaches, whole school initiatives, and focused strategies for bullying prevention and social skills development.*

- A. Specific bullying prevention approaches. Bullying prevention curricula will be informed by current research which, among other things, emphasizes the following approaches:
- using scripts and role plays to develop skills;
  - empowering scholars to take action by knowing what to do when they witness other scholars engaged in acts of bullying or retaliation, including seeking adult assistance;
  - helping scholars understand the dynamics of bullying and cyber-bullying, including the underlying power imbalance;
  - emphasizing cyber-safety, including safe and appropriate use of electronic communication technologies;

- enhancing scholars' skills for engaging in healthy relationships and respectful communications; and
- engaging scholars in a safe, supportive school environment that is respectful of diversity and difference.

The Plan will be reviewed with scholars during homeroom periods annually in September.

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

- setting clear expectations for scholars and establishing school and classroom routines;
- creating safe school and classroom environments for all scholars, including for scholars with disabilities, lesbian, gay, bisexual, transgender scholars, and homeless scholars;
- using appropriate and positive responses and reinforcement, even when scholars require discipline;
- using positive behavioral supports;
- encouraging adults to develop positive relationships with scholars;
- modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;
- using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development;
- using the Internet safely; and
- supporting scholars' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

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

*The following outlines the procedure at UP Academy for reporting and responding to bullying and retaliation.*

A. Reporting bullying or retaliation. Reports of bullying or retaliation may be made by staff, scholars, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. A school staff member is required to report immediately to a Principal or Dean of Scholars any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by scholars, parents or guardians, or other individuals who are not school staff members, may be made anonymously. No disciplinary action shall be taken against a student solely on the basis of an anonymous report. A Bullying Incident Report Form will be available to the school community.

Use of the Bullying Incident Report Form is not required as a condition of making a report. UP Academy will: 1) include a copy of the Bullying Incident Report Form in the Family Handbook distributed to scholars and parents or guardians at the beginning of the year; 2) include a copy of it in the Employee Handbook distributed

to all staff members in August; 3) make it available in the school's main office, the Dean's office, and other locations determined by the leadership team; and 4) post it on the school's website. The Bullying Incident Report Form will be made available in the most prevalent language(s) of origin of scholars and parents or guardians.

At the beginning of each school year, the leadership team will provide the school community, including administrators, staff, scholars, and parents or guardians, with written notice of the policies for reporting acts of bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the Principals, will be incorporated in student and staff handbooks, on the school website, and in information about the Plan that is made available to parents or guardians.

1. Reporting by Staff A staff member will report immediately to the Principal or Dean of Scholars when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school policies and procedures for behavior management and discipline.

2. Reporting by Scholars, Parents or Guardians, and Others The school expects scholars, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the Principal or the Dean of Scholars. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Scholars, parents or guardians, and others may request assistance from a staff member to complete a written report. Scholars will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member, or with the Principal or Dean of Scholars

B. Responding to a report of bullying or retaliation.

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

The Principal or Dean of Scholars will implement appropriate strategies for protecting a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation.

2. Obligations to Notify Others

- a. Notice to parents or guardians. Upon determining that bullying or retaliation has occurred, the Principal or Dean of Students will promptly notify the parents or guardians of the target and the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the Principal contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.
- b. Notice to Another School or District. If the reported incident involves scholars from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the Principal or other school official first informed of the incident will promptly notify by telephone the Principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.
- c. Notice to Law Enforcement. At any point after receiving a report of bullying or retaliation, including after an investigation, if the Principal or Dean of Students has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the Principal or Dean of Students will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the Principal shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

In making this determination, the Principal will, consistent with the Plan and with applicable school policies and procedures, consult with other members of the leadership team.

- C. Investigation. The Principal or Dean of Scholars will investigate promptly all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the scholars involved.

During the investigation the Principal or Dean of Students will, among other things, interview scholars, staff, witnesses, parents or guardians, and others as necessary. The Principal or Dean of Students will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

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

Procedures for investigating reports of bullying and retaliation will be consistent with school policies and procedures for investigations. If necessary, the Principal will consult with legal counsel about the investigation.

In the event the targeted student is a student who has a disability or receives IDEA FAPE services or Section 504 FAPE services, UP Academy will investigate whether there is evidence of a disability-based harassment violation and whether the bullying has impacted the student's receipt of IDEA FAPE services or Section 504 FAPE services. Evidence to consider in relation to a denial of FAPE services include a sudden decline in grades, an onset of emotional outbursts, an increase in the frequency or intensity of behavioral interruptions, or a rise in missed classes of sections of IEP/Section 504 services.

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

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

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

If the investigation reveals that the bullying was a disability-based harassment violation, UP Academy will take prompt and effective steps reasonably calculated to end the bullying, eliminate the hostile environment, prevent it from recurring, and, as appropriate, remedy its effects. If the investigation reveals any evidence of a loss of IDEA FAPE or Section 504 FAPE services, such as a sudden decline in grades, an onset of emotional outbursts, an increase in the frequency or intensity of behavioral interruptions, or a rise in missed classes of sections of IEP/Section 504 services, UP Academy will convene the IEP team or Section 504 team to determine whether, and to what extent: (1) the student's educational needs have changed; (2) the bullying impacted the student's receipt of IDEA FAPE services or Section 504 FAPE services; and (3) additional or different services, if any, are needed, and to ensure any needed changes are made promptly.

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

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

E. Responses to Bullying.

1. Teaching Appropriate Behavior Through Skills-building. Upon the Principal or Dean of Students determining that bullying or retaliation has occurred, and in accordance with M.G.L. c. 71, § 37O(d)(v), the school will use a range of responses that balance the need for accountability with the need to teach appropriate behavior. Skill-building approaches that the Principal may consider include:

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

2. Taking Disciplinary Action. If the Principal or Dean of Students decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the Principal or Dean of Students, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with the Plan and with the school's Code of Conduct.

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

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

3. Promoting Safety for the Target and Others. The Principal or Dean of Students will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well. One strategy that may be used is to increase adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur. Other strategies include teaching a lesson on empathy and how to be an up-stander, or creating a solution team.

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

## **VI. COLLABORATION WITH FAMILIES**

*UP Academy strives to engage and collaborate with scholars' families in order to increase the capacity of the school to prevent and respond to bullying. Resources for families and communication with them are essential aspects of effective collaboration. The law requires the district or school Plan to include provisions for informing parents or guardians about the bullying prevention and intervention curricula used by the school district or school including:*

- A. Parent education and resources. The school will offer education programs for parents and guardians that are focused on the parental components of the anti-bullying curricula and any social competency curricula used by the school. Topics will include, but are not limited to, the following: (i) how parents and guardians can reinforce the curricula at home and support the school plan; (ii) the dynamics of bullying; and (iii) online safety and cyber bullying. The programs will be offered in collaboration with the Parent Committee.
- B. Notification requirements. Each year UP Academy will inform parents or guardians of enrolled scholars about the anti-bullying curricula that are being used. This notice will include information about the dynamics of bullying, including cyber bullying and online safety. The school will send parents written notice each year about the student-related sections of the Plan and the school's Internet safety policy. All notices and information made available to parents or guardians will be in hard copy and electronic formats, and will be available in the language(s) most prevalent among parents or guardians. UP Academy will post the Plan and related information on its website.

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

Acts of bullying, which include cyber bullying, are prohibited:

- (i) on school grounds and property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district or school; or through the use of technology or an electronic device owned, leased, or used by a school district or school, and
- (ii) at a location, activity, function, or program that is not school-related through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

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

As stated in M.G.L. c. 71, § 37O, nothing in this Plan requires the district or school to staff any non-school related activities, functions, or programs.

### **VIII. DEFINITIONS**

Aggressor means perpetrator of bullying or retaliation as defined in M.G.L. c. 71, §37O.

Bullying is the repeated use by one or more scholars or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that:

- i.causes physical or emotional harm to the victim or damage to the victim's property;
- ii.places the victim in reasonable fear of harm to himself or of damage to his property;
- iii.creates a hostile environment at school for the victim;
- iv.infringes on the rights of the victim at school; or
- v.materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this section, bullying shall include cyber-bullying.

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

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

Retaliation is any form of intimidation, reprisal, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying.

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

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

### **IX. RELATIONSHIP TO OTHER LAWS**

Consistent with state and federal laws, and the policies of the school, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, sex, religion, national origin, or sexual orientation. Nothing in the Plan prevents the school from taking action to remediate discrimination or harassment based on a



5. If staff member, state your position: \_\_\_\_\_

6. Information about the Incident:

Name of Target (of behavior): \_\_\_\_\_

Name of Aggressor (Person who engaged in the behavior) \_\_\_\_\_

Date(s) of Incident(s): \_\_\_\_\_

Time When Incident(s) Occurred: \_\_\_\_\_

Location of Incident(s) (Be as specific as possible): \_\_\_\_\_

7. Witnesses (List people who saw the incident or have information about it):

Name: \_\_\_\_\_ • Student • Staff • Other

Name: \_\_\_\_\_ • Student • Staff • Other

Name: \_\_\_\_\_ • Student • Staff • Other

8. Describe the details of the incident (including names of people involved, what occurred, and what each person did and said, including specific words used). Please use additional space on back if necessary.

---

FOR ADMINISTRATIVE USE ONLY

9. Signature of Person Filing this Report: \_\_\_\_\_ Date: \_\_\_\_\_  
(Note: Reports may be filed anonymously.)

10: Form Given to: \_\_\_\_\_ Position: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date Received: \_\_\_\_\_

II. INVESTIGATION

1. Investigator(s): \_\_\_\_\_

Position(s): \_\_\_\_\_

2. Interviews:

Interviewed aggressor

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

Interviewed target

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

Interviewed witnesses

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

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

3. Any prior documented incidents by the aggressor?  Yes  No  
 If yes, have incidents involved target or target group previously?  Yes  No  
 Any previous incidents with findings of BULLYING, RETALIATION  Yes  No

Summary of Investigation:

(Please use additional paper and attach to this document as needed)

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### III. CONCLUSIONS FROM THE INVESTIGATION

#### 1. Finding of bullying or retaliation:

- YES  NO

Incident documented as \_\_\_\_\_

- Bullying  
 Retaliation  
 Discipline referral only \_\_\_\_\_

#### 2. Contacts:

- |  |             |
|--|-------------|
| <input type="checkbox"/> Target's parent/guardian    | Date: _____ |
| <input type="checkbox"/> Aggressor's parent/guardian | Date: _____ |
| <input type="checkbox"/> Law Enforcement             | Date: _____ |

#### 3. Action Taken:

- Suspension
- Education
- Support Services or Counseling Referral
- Community Service
- Other \_\_\_\_\_

**4. Describe Safety Planning:** \_\_\_\_\_

**Follow-up with Target:** scheduled for \_\_\_\_\_.

**Initial and date when completed:** \_\_\_\_\_

**Follow-up with Aggressor:** scheduled for \_\_\_\_\_.

**Initial and date when completed:** \_\_\_\_\_

**Report forwarded to Head of School: Date** \_\_\_\_\_

**Report forwarded to Dean of Students: Date** \_\_\_\_\_

**Signature and Title:** \_\_\_\_\_

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

Statement of Understanding

I have received and read a copy of UP Academy's Scholar and Family Handbook and understand the rules, regulations, and procedures of the school.\* I understand that if I ever have any questions regarding school policies, I should ask a member of the school community for a further explanation.

\_\_\_\_\_  
Scholar Name  
Parent/Guardian Name

\_\_\_\_\_

\_\_\_\_\_  
Scholar Signature  
Parent/Guardian Signature

\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_

*\*If a family has more than one child attending the school, a separate Statement of Understanding must be returned for each child.*

*We thank you for your cooperation and wish you the best for the new school year*

## ***UP Academy Leonard Code of Conduct***

**UP Academy Leonard (“UP Academy” or “school”) has created a Code of Conduct in order to:**

- Ensure that our school is a respectful, positive space for learning;
- Allow scholars to focus on their learning; and
- Prepare scholars to become engaged citizens who follow rules set by our communities.

The Code of Conduct describes behaviors that UP Academy considers inappropriate or unacceptable (which we will call “behavioral infractions”) and the consequences of those behaviors. Scholars who do not meet the school community’s clearly defined standards for reasonable and acceptable behavior will not be permitted to disrupt the education of others. We believe that a firm and consistent discipline policy allows all scholars to be treated fairly and promotes a positive, safe learning environment.

The following list of behavioral infractions is not comprehensive; it offers examples of inappropriate or unacceptable behaviors. While we have stated possible consequences for certain behavioral infractions, UP Academy staff has sole discretion to determine the consequence of each behavioral infraction.

A school-related behavioral infraction refers to the violation of this code occurring:

- While the scholar is on school grounds, during uniformed arrival / dismissal, or on transportation to and from the school,
- During school-sponsored activities and trips,
- During all other school-related events, and
- Off of school grounds that results in substantial disruption to the learning environment.

Scholars are expected to always respond respectfully to the authority and direction of school staff. Behaviors that are considered disrespectful include, but are not limited to: rolling of the eyes, making inappropriate remarks or sounds in response to a request, or disregarding instructions. Such disrespect will not be tolerated. To that end, we expect respectful interactions and we allow for scholars to express disagreement in a respectful manner.

Enforcement of UP Academy’s Code of Conduct is based upon a framework of progressive discipline. Specifically, minor infractions result in less severe consequences while larger infractions result in more severe consequences. Furthermore, first-time infractions result in less severe consequences while repeated infractions result in more severe consequences.

### Section I: Operational Disciplinary Procedures

#### **A. Special Consideration for Scholars with Individualized Education Plans**

UP Academy holds all scholars to the same standards and expects all scholars to act with scholarly behavior at all times. Staff will work to support scholars with Individualized Education Plans (IEPs) so that they are able to meet these expectations.

Scholars with IEPs are entitled to special access by law, as determined by the Individuals with Disabilities Education Act (IDEA). Once a scholar with an IEP has been suspended for a total of 10 cumulative days throughout the school year, the school will host a manifestation hearing. The goal of this hearing is for the team to determine whether a scholar's actions are a result (a manifestation) of the scholar's disability. If the action is believed to be a manifestation of their disability, the scholar will be allowed to return to school immediately and the team will work to support the scholar in having a successful re-entry. If the action is not believed to be a manifestation of the disability, the suspension length will be determined as a result of the meeting. However, the scholar will continue to receive educational services, though in a different environment and to make progress towards meeting the goals set out in the scholar's IEP.

Please note that the school will attempt to schedule a manifestation hearing as soon as the offending action has occurred (and in no more than 10 days). If the parent/guardians miss the meeting, the school team will work to reschedule. After the second missed meeting, the team will host one more meeting, regardless of the presence of the parent/guardian.

In accordance with state law, schools may choose to exclude scholars from school, regardless of manifestation determination for offenses that involves scholars carrying a weapon, scholars knowingly possessing, using, selling or soliciting drugs or instances in which scholars inflict bodily harm.

### **B. Scholar Searches**

In order to maintain the security of all its scholars, UP Academy staff reserve the right to conduct searches of its scholars and their property when there is reasonable suspicion to do so. If searches are conducted, the school will ensure that the privacy of the scholars is respected to the extent possible, and that scholars and their families are informed of the circumstances surrounding and results of the search. School cubbies, desks, and lockers which are assigned to scholars for their use, remain the property of UP Academy, and scholars should, therefore, have no expectation of privacy in these areas.

### **C. Behavior to and from School**

The UP Academy Code of Conduct applies on school bus, public transportation, in the community, and all other means of access during general transit to and from the school. Scholars who walk, take the school bus, or travel via MBTA are expected to act responsibly and respectfully at all times. All school rules apply during transit to and from the school. On the bus certain additional rules may apply: scholars may be given assigned seats, an administrator or other staff member will meet the bus every morning; scholars will be required to remain on the bus until an administrator or staff member checks with the driver as to behavior; failing to adhere to bus directives or expectations (i.e. remaining in an assigned seat, putting hands out of the bus, throwing things, using profane language, not obeying the bus driver) are all infractions, as well as those listed in the Code of Conduct. More serious behavior (i.e. fighting) will be investigated and treated in the same manner as if the conduct or incident occurred on school grounds. Regarding public transit, any action deemed inappropriate by MBTA or school officials will be investigated and treated in the same manner as if the conduct or incident occurred on school grounds.

The following consequences may occur as a result of violating bus or MBTA rules:

- One infraction = loss of transportation privileges for a week.
- Two infractions = loss of transportation privileges for a month.

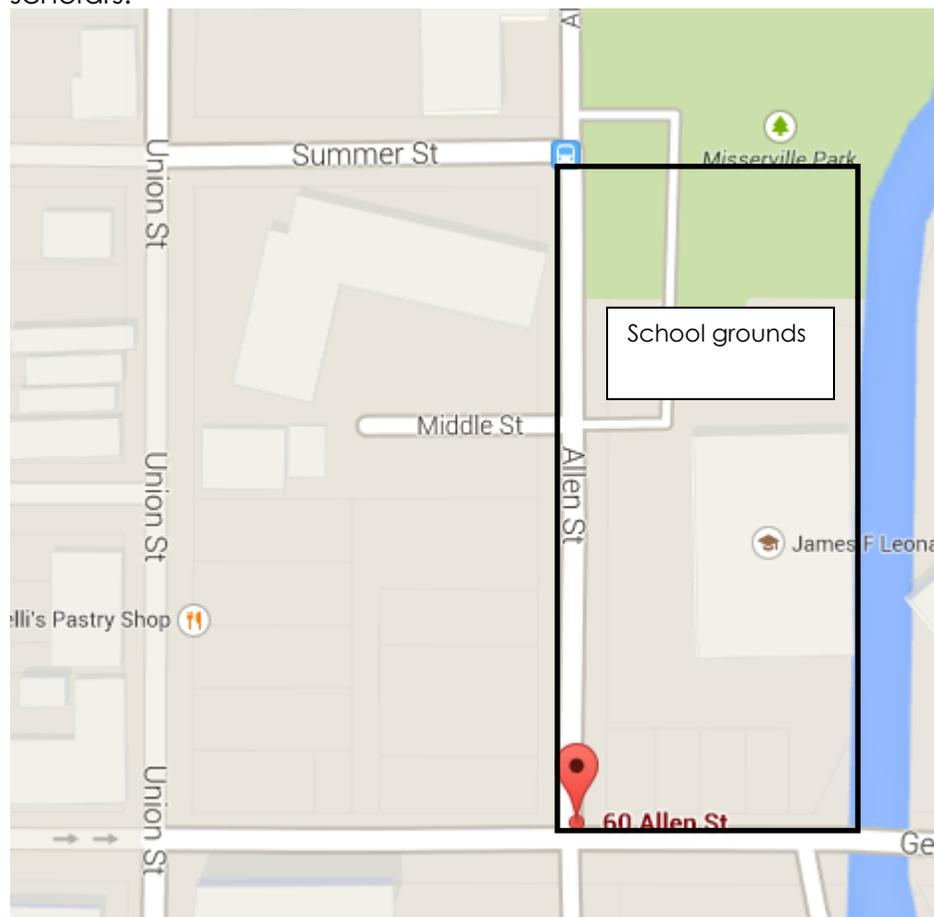
- Three infractions = loss of transportation privileges for the year.

Infractions, if serious enough, can warrant immediate loss of transportation privileges for the year. Other consequences (e.g., demerits, detentions, suspensions,) may apply as well.

*Families are strongly encouraged to reinforce the importance of proper bus behavior and the potential consequences for bad behavior.*

Consequences for misconduct by scholars riding on transportation provided by their Individualized Education Plan will be dealt with on a case-by-case basis and in adherence with all applicable laws and regulations.

The map below indicates the areas that are considered "school grounds"; during arrival and dismissal times, staff will be stationed in these areas to ensure the safety of scholars.



#### **D. Field Trips/End-of-Year Events**

The school's curriculum may sometimes require outside learning experiences or special school events. During these activities, it is important for all scholars to be responsible for their behavior since the site of the activity or event is a temporary extension of the school grounds.

A permission slip will be sent home at the beginning of the school year and must be signed by a parent or guardian to allow the scholar to attend all school-sponsored

field trips and events. The school will attempt to notify all parents and guardians before each school-sponsored trip. For trips that are not school-sponsored (e.g., voluntary trips), a permission slip may be sent home prior to the trip/ event, and must be signed by a parent or guardian.

A scholar may be considered ineligible for a trip for reasons including but not limited to: low PRIDE Report average, not returning the school-sponsored trip permission form, involvement in a disciplinary incident on a prior trip, poor school attendance, and misbehavior in school in the days prior to the trip, etc. Scholars who are considered ineligible for attending a trip will be required to attend school that day.

If parents or other volunteers assist with such trips or events, scholars must afford these chaperones the same respect they would provide to teachers. Appropriate behavior must be maintained when attending school-sponsored events, and riding on school-provided transportation. Past inappropriate behavior, or excessive demerits and/or suspensions, may result in loss of privileges in attending or participating in class trips and events, end-of-year or otherwise.

#### **E. Cheating, Plagiarism, and Copying Other's Work**

Cheating on homework or exams, using resources inappropriately, and copying other people's work – scholars' or otherwise – is not only unfair but in the case of plagiarism, illegal. If scholars are unsure about an assignment or unsure about a test question or testing procedure, they should go to their teacher and ask for direction. Specific guidelines regarding cheating and plagiarism will be reviewed with scholars during Scholar Orientation and reiterated throughout the year. The school will determine appropriate consequences but cheating, plagiarism, and copying other's work may result in In-Class Reflection, Suspension, loss of academic credit, and/or other consequences.

#### **F. Academic Credit for Homework / Missed Assignments**

Any scholar who is serving an in-school suspension, short-term suspension, long-term suspension, or expulsion shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. Scholar work will be available in a folder for pick-up by a family member at the school daily after 4:35pm. The completed work will receive full credit, if submitted by deadlines in accordance with the school make-up policy outlined in the Scholar and Family Handbook. If a scholar does not complete this work, the scholar may face standard academic consequences (e.g., no academic credit).

## Section II: Demerits, Detention & Friday Extension

### A. Demerits

**Definition:** To achieve the goal of college readiness, scholars must maximize the learning time they have in school. Low-level misbehaviors, while not necessarily a sign of disrespect, take away from instructional time. A demerit serves as a reminder for scholars not to repeat those misbehaviors, and to refocus after small mistakes. If a scholar commits any of the following infractions, the scholar will receive a demerit. In addition to a demerit, the scholar may receive additional targeted, corrective consequences and/or lose other school privileges as determined by UP Academy staff.

Infractions which may warrant a demerit include, but are not limited to:

#### **Inappropriate communication:**

- Passing a note (non-threatening in nature)
- Side conversations
- Face talking
- Providing suggestions during silent classwork
- Talking to a member of another group
- General noise making (whistling, tapping pencil, etc.)
- Noise-level-meter violation

#### **Unprofessional conduct**

- Shoes or personal property on other scholar's desk
- Unorganized work area
- Eating during class without permission.
- Inappropriate materials: sharpie, candy, soda, etc
- Uniform violation (shirt untucked, pants slouched, taking off shoes, taking off uniform shirt)
- Unprepared for class (i.e. – no sharpened pencils or leaving binder in crate)
- Extensive grooming during class (combing hair, putting on chapstick, braiding, biting nails, any active fidgeting)

#### **Disengagement**

- Poor posture
- Off task during lesson
- Tipping chair back

#### **Disregarding Directions**

- Hand not up in time after count-down
- Failure to track when requested or "faux" tracking
- Out of seat without permission

**Procedures:** When a scholar earns a demerit, the scholar will be notified by the issuing teacher.

### B. Detention

**Definition:** The rules of school are the rules of life. Disrespectful responses, whether intentional or unintentional, are not tolerated in professional work environments or institutions of higher education. Therefore, it's our duty to teach our scholars to handle

adversity with respect for themselves and those in positions of authority. A detention is a consequence that requires scholars to stay after school, complete assigned punitive work, and reflect on instances of repeated non-compliance, low-level disrespect, or low-level breaches of trust and integrity.

If a scholar commits any of the following infractions, the scholar may receive a detention. Infractions which warrant a detention include, but are not limited to:

**Misuse of materials in a manner that disrupts learning:**

- No DEAR book/ leaving class materials at home
- Cell phone and electronics policy violation (+collection)
- Chewing gum
- Littering
- Head down on desk

**Wrong response** —Challenging teacher authority or being disrespectful, including but not limited to:

- Statements such as "I don't care!" or "come on!"
- Directed wrong response to teacher
- Humming in class (i.e.- causing disruption in class)

**Inappropriate contact or communication:**

- A 'knock it off' hand poke or swat
- Lack of physical self-control (kicking chair/falling over yourself/soft shoulder bump)
- Low level profanity ('damn' or 'hell')  
Walking in the hallway and communicating with someone in another class or line

**Procedures:** On Mondays-Thursdays, detention is served from 3:20-4:10 p.m. on the day the detention is earned. Single detention will be dismissed at 3:45 and double detention at 4:10. If a scholar is required to serve detention and Homework Club (HWC) during the same day, he/she will be required to serve the HWC from 3:20-3:45 and the detention from 3:45-4:10 pm.

If a student is required to stay for detention, he/she will be notified by the issuing teacher during PM Homeroom or Focus. If a student is required to stay for detention, the school will do its best to contact the family by an auto call at 2:30 pm, or by manual phone through 2:50pm. In the case that the school cannot directly reach the family, the student is still required to stay at school. It is imperative that the school always have correct contact information for all parents and guardians. Families should provide the school with all relevant contact information as requested at the beginning of the year and keep the school updated if family contact information should change.

Other than for family/medical emergencies or health-related appointments, scholars may not be excused from detention. Under these circumstances, a family member must directly communicate with the Principal, Dean of Scholars, or their designee in order for their child to be dismissed at 3:20 pm. Absences from detention can only be excused by the Principal or Dean of Scholars.

## C. Referrals

**Definition:** Scholars who earn 3 consequences (demerits/detentions or a combination of the two) within a single class or commit a referral-worthy infraction will be referred to the Dean of Students office. Referrals are designed for scholars to reflect meaningfully on their misbehavior and return to class ready to learn. Referrals are also a way for the Dean of Students to process high level misbehavior and issue consequences while supporting scholars in reflecting on their choices. If a scholar commits any of the following infractions, the scholar may receive a referral. Infractions which warrant a referral include, but are not limited to:

**Being found in an unauthorized location during the school day.** (8<sup>th</sup> grader on 3<sup>rd</sup> floor)

**Disruption of learning environment**

- 3<sup>rd</sup> consequence in a class-period (repeated disruption of class – scholar should be referred in the moment, not after class)
- Play-fighting
- Throwing items in class
- Gossip that instigates escalation
- Walking by a class or line and making a noise/joke that disrupts class
- Sleeping

**Disrespect to adult:**

- Lying to avoid consequences
- Multiple wrong responses to an adult
- Storming away from adult or not returning when called
- Aggressive response to consequence "I hate this school" or slamming a desk

**Disrespect to space/property:**

- Vandalism

**Threats/Aggression**

- Includes Slamming doors, binders, or other objects to display aggression

**Attacking the dignity of another scholar.**

- Laughing at mistakes
- Hate-language

## D. Friday Extension

**Definition:** Scholars who have earned a weekly cumulative PRIDE score below 70 will miss Friday enrichment and will stay at school until, at latest, 1:20pm. In the event that an academic week does not end in a Friday, Extension will still be served at the discretion of the School Leadership Team.

**Procedures:** Scholars will receive notice with their weekly PRIDE Reports on Friday. UP Academy will reach families by auto-call before 12:00pm on Fridays.

### Section III: Suspension and Expulsion

The following section sets forth the procedures for determining consequences scholars may face for violations of the Code of Conduct. All scholars are entitled to due process commensurate with the disciplinary consequences to which they may be subject. Part One governs non-expellable disciplinary offenses, including in-school suspensions, short- and long-term suspensions, and emergency removals. Part Two governs expellable offenses.

Scholars who are serving in-school suspension, short-term or long-term suspension, or expulsion will have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. The Dean of Students will inform the scholar and parent of this opportunity in writing when such suspension or expulsion is imposed.

Scholars who are expelled or suspended for more than ten consecutive days, whether in school or out of school, have an opportunity to receive educational services and make academic progress toward meeting state and local requirements, through the school's Education Service Plan.

If a scholar withdraws from the school and/or moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the scholar to its schools or provide educational services to the scholar in an education service plan, under section 21 of chapter 76.

#### **Part One: Procedures Governing Non-Expellable Disciplinary Offenses**

This section governs procedures for offenses that may result in (A) In-School Suspension; and (B) Short Term and Long Term Out-of-School Suspensions, pursuant to G.L. c. 71, §37H <sup>3</sup>/<sub>4</sub>.<sup>2</sup> For such offenses under this section, no scholar may be suspended or expelled from school for ninety (90) school days or more.

The Receiver has designated the Principal and Dean of Students as the decision-maker for overseeing matters involving disciplinary offenses that may result in suspension or expulsion for any period of time. In such cases, the Principal and Dean of Students will exercise discretion in deciding the consequence, consider ways to re-engage the scholar in learning, and avoid using expulsion as a consequence until alternatives have been tried. Possible alternatives that may be considered include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, writing a letter of apology and publicly present this letter to UP Academy staff and/or scholars, submitting a reasonable and genuine plan for improvement, signing a behavior contract and positive interventions and supports.

*Note: This Section does not apply to the following disciplinary offenses: (a) possession of a dangerous weapon; (b) possession of a controlled substance; (c) assault on a member of the educational staff; and (d) a felony charge of delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony (collectively, "Expellable Offenses"). For procedures*

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<sup>2</sup> A copy of G.L. c. 71, . 71, §37H <sup>3</sup>/<sub>4</sub>, and 603 CMR 53.00, et. seq., is set forth at Appendix A.

*governing Expellable Offenses, see Part Two below. Further, procedures governing special education scholars are set forth in this Code of Conduct at Section One, Paragraph A.*

### **A. In-School Suspension**

**Definition:** In-School Suspension is when a scholar is removed from regular classroom activities, but not from the school premises, as a result of his or her conduct. If a scholar faces in-school suspension for more than ten (10) school days, consecutively or cumulatively during the school year, the procedures governing long-term suspension (Section B of Part One below) will be followed. Removal from extracurricular or after-school activities does not count as removal for purposes of calculating the number of days of suspensions.

Infractions which may warrant an In-School Suspension include, but are not limited to:

- In the category of **Inappropriate Language:**
  - Examples: High-level profanity not targeted at another individual
- In the category of **Harassment:**
  - Examples: Teasing intended to frighten or intimidate that does not rise to the level of bullying
- In the category of **Threats:**
  - Examples: Threatening to damage school property
- In the category of **Physical Contact:**
  - Examples: Instigating an altercation, regardless of participation
- In the category of **Disrespect:**
  - Examples: Mocking others in tone, words, or ideas in a way that is intended to hurt
- **Other Infractions:**
  - Skipping school or afterschool commitments
  - Leaving school grounds without permission
  - Certain integrity violations (e.g., lying)

**Procedures:** When a scholar has engaged in behavior that may result in an In-School Suspension (and Short-Term and Long-Term Out-of-School Suspensions are not being considered), the scholar will be removed from class and sent to the Main Office, Dean of Students' office, or another designated school location. The Dean of Students will inform the scholar of the disciplinary offense charged and the basis for the charge, and provide the scholar an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident. If the Dean of Students determines that the scholar committed the disciplinary offense, the Dean of Students will inform the scholar of the length of the scholar's in-school suspension, which shall not exceed 10 school days, cumulatively or consecutively, in a school year, and the school's expectations of the scholar during the In-School Suspension.

On the same day as the In-School Suspension decision, the Dean of Students will make reasonable efforts to notify the parent orally of the In-School Suspension, the disciplinary offense, the reasons for concluding that the scholar committed the infraction, and the length of the In-School Suspension. The Dean of Students will also invite the parent to a meeting (a "Parent Meeting") to discuss the scholar's academic performance and behavior, strategies for scholar engagement, and possible responses to the behavior. This meeting will be scheduled on the day of the suspension, if possible, or as soon as possible thereafter.

The Dean of Students will also send written notice to the scholar and parent about the In-School Suspension, including the reason for and length of the In-School Suspension discipline, and inviting the parent to a Parent Meeting, if the Parent Meeting has not already taken place.

While carrying out In-School Suspensions, scholars must check-in with the Dean of Students at the start of the regularly scheduled school day. The Dean of Students, or his or her designee, will reiterate the expectations of the In-School Suspension, which may include that the scholar will:

- Not be permitted to attend class, and must report to the Dean of Students office as required;
- Complete content and instructional materials while serving out the In-School Suspension;
- Not be permitted to communicate to socialize with any scholars throughout the day;
- Not participate in selected school or class activities;
- Not participate in breaks;
- Not attend reward events including field trips, dances, etc. (exceptions may be made in extraordinary circumstances at the sole discretion of the school administration)

Violation of the requirements of In-School Suspension may result in further discipline, up to an including Out- of-School Suspension and/or additional days of In-School Suspension.

## **B. Out-of-School Suspension**

**Definition:** The consequences of certain behavior may result in a short-term or long-term out-of-school suspension (collectively or individually, "out-of-school suspension").

A **Short-Term Out-of-School Suspension** means the removal of a scholar from the school premises and regular classroom activities for no more than ten (10)

consecutive or cumulative school days. A **Long-Term Out-of-School Suspension**

means the removal of a scholar from the school premises and regular classroom for more than ten (10) consecutive or cumulative school days.

These consequences are aligned with Lawrence Public Schools Code of Conduct and include Level IV and Level V misbehaviors, but are not limited to them. The following infractions which may warrant an Out-of-School Suspension:

- In the category of **Inappropriate Language:**
  - Examples: targeted high-level profanity, targeted hate language
- In the category of **Harassment:**
  - Examples: bullying, sexual harassment, and other targeted harassment
- In the category of **Threats:**
  - Examples: threatening to cause mass harm, threatening to hurt another person
- In the category of **Physical Contact:**
  - Examples: dangerous, targeted physical contact, fighting or attempted fighting, assault, physical contact that is sexual in nature
- In the category of **Disrespect:**
  - Examples: Significant disruption to the learning environment (e.g., pulling fire alarm), verbal confrontation with adult
- **Other Infractions:**

- Using or possessing tobacco products
- Being charged with a felony (see M.G.L. c. 71, §37H1/2 in Appendix)

**Procedures:** When a scholar has engaged in behavior that may result in an out-of-school suspension of any length, the scholar will be removed from class and sent to the Dean of Students' office. The Dean of Students will provide oral and written notice to the scholar and parent before the suspension takes effect, which notice will include but not be limited to informing the scholar of the disciplinary offense charged, the basis for the charge, the potential consequences, and rights to a hearing, including the parent's opportunity to participate in the hearing. Relevant portions of the oral and written notice will be provided in English and the primary language spoken in the scholar's home.

For infractions that may result in a Short-Term Out-of-School Suspension, the hearing will be held with the Dean of Students. The Dean of Students will determine at the hearing, based on the available information, including mitigating circumstances, whether the scholar committed the disciplinary offense, and if so, what remedy or consequence will be imposed. The Dean of Students will notify the scholar and the parent in writing of the determination and the reasons for it, and if the scholar is suspended, the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal.

If a suspension is imposed, the scholar and parent/guardian will be provided with written notice in English and in the primary language spoken at home of the right to right receive educational services that will enable the scholar to make academic progress during the period of suspension.

For infractions that may result in a Long-Term Out-of-School Suspension or considered Level 4 and Level 5 offenses under the LPS Code of Conduct, the hearing will be held with the Lawrence Public Schools Hearing Officer. The Hearing Officer will determine at the hearing, based on the available information, including mitigating circumstances, whether the scholar committed the disciplinary offense, and if so, what remedy or consequence will be imposed. The Hearing Officer will notify the scholar and the parent in writing of the determination and the reasons for it, and if the scholar is suspended, the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal. If a suspension is imposed, the scholar and parent/guardian will be provided with written notice in English and in the primary language spoken at home of the right to right receive educational services that will enable the scholar to make academic progress during the period of suspension.

**Appeals:** Decisions imposing Long-Term Out-of-School Suspensions after a hearing with the Hearing Officer may be appealed. An explanation of appeal rights for expulsions is outlined in the statutes in the Appendix. Such disciplinary appeals will be made to the Receiver. Written notice of appeals rights will be provided in English and in the primary language spoken in the scholar's home. Note that Long-Term Suspensions will remain in effect unless and until the Receiver decides to reverse on appeal the Dean of Students' hearing determination.

Saturday School is an alternative to suspension that will be provided for some suspension-worthy infractions. These have been predetermined by the school

leadership team based on the impact that certain infractions have on the school community.

A family may accept the Saturday School alternative only when presented it by the Dean of Students during a suspension hearing. Based on the findings and decision made by the Dean of Students during the hearing, a suspension may still be scheduled for a future date. After the scholar attends the Saturday School session, the suspension will be appeased, and there will be no need for the scholar to serve it.

### **C. Emergency Removal**

In cases of emergency that do not involve scholars with Individualized Education Plans or Expellable Offenses, the school may authorize removal of a scholar on an emergency basis. Such emergency removal may occur when the Dean of Students has charged the scholar with a disciplinary offense and determined that his or her continued presence either a) poses a danger to a person or property, or b) materially or substantially disrupts the order of the school. The Dean of Students must also determine that there is no alternative available to alleviate the disruption or danger. In such cases, adequate provisions will be made for the scholar's safety and transportation.

In such case, the Dean of Students will make immediate and reasonable efforts to inform the scholar and parent/guardian orally of the emergency removal, the reason for the need for the emergency removal, the disciplinary offense, the basis for the charge, the potential consequences, including the potential length of the scholar's suspension, and the opportunity for the scholar to have a hearing with the Dean of Student or Hearing Officer concerning the proposed suspension, among other rights to which the scholar is entitled.

### **Part Two: Procedures Governing Expellable Offenses**

This section governs procedures relating to conduct that may result in expulsion. UAL's procedures are aligned with that of Lawrence Public School District's Code of Conduct. We follow the same requirements as other LPS schools when scholars commit expulsion worthy behaviors known as Level VI behaviors.

Any scholar who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion hearing with the school district.

Any scholar who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion hearing with the school district.

Per the Memorandum of Agreement between UP Education Network and Lawrence Public Schools, "in no event may a scholar be expelled without the prior, specific approval of the Receiver."

Therefore, expulsion for those offenses listed above and any other offenses deemed to be expellable by Lawrence Public Schools will involve the Receiver. Upon receipt of the recommendation for expulsion by the Principal or her/his designee, the Receiver or his designee will conduct a hearing to consider the expulsion of a scholar as provided for in M.G. L. c. 76, §16 and § 17.

The following procedural safeguards will be in effect:

- After the behavioral infraction has occurred, and prior to the LPS hearing for a Level VI violation, the scholar may be referred to another educational setting as determined by Lawrence Public schools for a length of time as mutually determined by the Principal and Lawrence Public Schools.
- The scholar shall receive written notice of the hearing including:
  - The charge(s);
  - Date, time and place of a hearing;
  - Notice of the right at the hearing to:
    - Be represented by their parents, legal or other representative (at the scholar's / parent's own expense);
    - Present evidence; and
    - Confront and cross-examine witnesses.
- The Receiver will record (by tape or other appropriate means) the hearing and a copy of such will be made available to the scholar upon request.
- Notices and proceedings will be translated into the scholar's/parent's primary language if necessary for their understanding of the proceedings.
- A scholar and/or parent, upon request, will have the right to review the scholar's records in accordance with the Massachusetts Student Records Regulations or other applicable law.
- All decisions by the Receiver regarding expulsion of a scholar will be issued to the scholar in writing.

Per M.G.L. c. 71, §37H, any school district that expels a scholar under this section shall continue to provide educational services to the scholar during the period of expulsion, under section 21 of chapter 76. If the scholar moves to another district during the period of expulsion, the new district of residence shall either admit the scholar to its schools or provide educational services to the scholar in an education service plan, under section 21 of chapter 76. If an Expulsion is imposed, the scholar and parent/guardian will be provided with written notice in English and in the primary language spoken at home, of the right to receive educational services that will enable the scholar to make academic progress.

## **APPENDIX A**

### **M.G.L. Chapter 71, Section 37H**

#### **(Expulsion for possession of a dangerous weapon or a controlled substance or assault of educational personnel)**

*(a) Any scholar who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter ninety four C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.*

*(b) Any scholar who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal.*

(c) Any scholar who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the scholar may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal. After said hearing, a principal may, in his discretion, decide to suspend rather than expel a scholar who has been determined by the principal to have violated either paragraph (a) or (b).

(d) Any scholar who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the superintendent.\* The expelled scholar shall have ten days from the date of the expulsion in which to notify the superintendent\* of his appeal. The scholar has the right to counsel at a hearing before the superintendent.\* The subject matter of the appeal shall not be limited solely to a factual determination of whether the scholar has violated any provisions of this section.

(e) When a scholar is expelled under the provisions of this section, no school or school district within the commonwealth shall be required to admit such scholar or to provide educational services to said scholar. If said scholar does apply for admission to another school or school district, the superintendent of the school district to which the application is made may request and shall receive from the superintendent of the school expelling said scholar a written statement of the reasons for said expulsion.

**The following changes to M.G.L. Ch. 71 Section 37H will be effective on July 1, 2014:**

(e) Any school district that suspends or expels a scholar under this section shall continue to provide educational services to the scholar during the period of suspension or expulsion, under section 21 of chapter 76. If the scholar moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the scholar to its schools or provide educational services to the scholar in an education service plan, under section 21 of chapter 76.

(f) Districts shall report to the Department of Elementary and Secondary Education the specific reasons for all suspensions and expulsions, regardless of duration or type, in a manner and form established by the Commissioner. The Department of Elementary and Secondary Education shall use its existing data collection tools to obtain this information from districts and shall modify those tools, as necessary, to obtain the information. On an annual basis, the Department of Elementary and Secondary Education shall make district level de-identified data and analysis, including the total number of days each scholar is excluded during the school year, available to the public online in a machine readable format. This report shall include district level data disaggregated by scholar status and categories established by the Commissioner.

(g) Under the regulations promulgated by the Department, for each school that suspends or expels a significant number of scholars for more than 10 cumulative days in a school year, the Commissioner shall investigate and, as appropriate, shall recommend models that incorporate intermediary steps prior to the use of suspension or expulsion. The results of the analysis shall be publicly reported at the school district level.

**M.G.L. Chapter 71, Section 37H ½**

**(Delinquency complaint against scholar; suspension; hearing; expulsion upon conviction; appeal)**

(1) Upon the issuance of a criminal complaint charging a scholar with a felony or upon the issuance of a felony delinquency complaint against a scholar, the principal or headmaster of a school in which the scholar is enrolled may suspend such scholar for a period of time determined appropriate by said principal or headmaster if said principal or headmaster determines that the scholar's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The scholar shall

receive written notification of the charges and the reasons for such suspension prior to such suspension taking effect. The scholar shall also receive written notification of his right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in effect prior to any appeal hearing conducted by the superintendent.\*

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

(2) Upon a scholar 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 or headmaster of a school in which the scholar is enrolled may expel said scholar if such principal or headmaster determines that the scholar's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The scholar shall receive written notification of the charges and reasons for such expulsion prior to such expulsion taking effect. The scholar shall also receive written notification of his right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the superintendent.\*

The scholar shall have the right to appeal the expulsion to the superintendent.\* The scholar shall notify the superintendent,\* in writing, of his request for an appeal no later than five calendar days following the effective date of the expulsion. The superintendent\* shall hold a hearing with the scholar and the scholar's parent or guardian within three calendar days of the expulsion. At the hearing, the scholar shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent\* shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the scholar. The superintendent\* shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the expulsion. Upon expulsion of such scholar, no school or school district shall be required to provide educational services to such scholar.

**M.G.L. Chapter 71, Section 37H ¾**

(a) This section shall govern the suspension and expulsion of scholars enrolled in a public school in the commonwealth who are not charged with a violation of subsections (a) or (b) of section 37H or with a felony under section 37H1/2.

(b) Any principal, headmaster, superintendent or other person acting as a decision-maker at a scholar meeting or hearing, when deciding the consequences for the scholar, shall exercise discretion; consider ways to re-engage the scholar in the learning

process; and avoid using expulsion as a consequence until other remedies and consequences have been employed.

(c) For any suspension or expulsion under this section, the principal or headmaster of a school in which the scholar is enrolled, or a designee, shall provide, to the scholar and to the parent or guardian of the scholar, notice of the charges and the reason for the suspension or expulsion in English and in the primary language spoken in the home of the scholar. The scholar shall receive the written notification and shall have the opportunity to meet with the principal or headmaster, or a designee, to discuss the charges and reasons for the suspension or expulsion prior to the suspension or expulsion taking effect. The principal or headmaster, or a designee, shall ensure that the parent or guardian of the scholar is included in the meeting, provided that such meeting may take place without the parent or guardian only if the principal or headmaster, or a designee, can document reasonable efforts to include the parent or guardian in that meeting. The department shall promulgate rules and regulations that address a principal's duties under this subsection and procedures for including parents in scholar exclusion meetings, hearings or interviews under this subsection.

(d) If a decision is made to suspend or expel the scholar after the meeting, the principal or headmaster, or a designee, shall update the notification for the suspension or expulsion to reflect the meeting with the scholar. If a scholar has been suspended or expelled for more than 10 school days for a single infraction or for more than 10 school days cumulatively for multiple infractions in any school year, the scholar and the parent or guardian of the scholar shall also receive, at the time of the suspension or expulsion decision, written notification of a right to appeal and the process for appealing the suspension or expulsion in English and in the primary language spoken in the home of the scholar; provided, however, that the suspension or expulsion shall remain in effect prior to any appeal hearing. The principal or headmaster or a designee shall notify the superintendent\* in writing, including, but not limited to, by electronic means, of any out-of-school suspension imposed on a scholar enrolled in kindergarten through grade 3 prior to such suspension taking effect. That notification shall describe the scholar's alleged misconduct and the reasons for suspending the scholar out-of-school. For the purposes of this section, the term "out-of-school suspension" shall mean a disciplinary action imposed by school officials to remove a scholar from participation in school activities for 1 day or more.

(e) A scholar who has been suspended or expelled from school for more than 10 school days for a single infraction or for more than 10 school days cumulatively for multiple infractions in any school year shall have the right to appeal the suspension or expulsion to the superintendent. The scholar or a parent or guardian of the scholar shall notify the superintendent\* in writing of a request for an appeal not later than 5 calendar days following the effective date of the suspension or expulsion; provided, that a scholar and a parent or guardian of the scholar may request, and if so requested, shall be granted an extension of up to 7 calendar days. The superintendent\* or a designee shall hold a hearing with the scholar and the parent or guardian of the scholar within 3 school days of the scholar's request for an appeal; provided that a scholar or a parent or guardian of the scholar may request and, if so requested, shall be granted an extension of up to 7 calendar days; provided further, that the superintendent\*, or a designee, may proceed with a hearing without a parent or guardian of the scholar if the superintendent\*, or a designee, makes a good faith effort to include the parent or guardian. At the hearing, the scholar shall have the right to present oral and written testimony, cross-examine witnesses and shall have the right to counsel. The superintendent shall render a decision on the appeal in writing within 5 calendar days

*of the hearing. That decision shall be the final decision of the school district with regard to the suspension or expulsion.*

*(f) No scholar shall be suspended or expelled from a school or school district for a time period that exceeds 90 school days, beginning the first day the scholar is removed from an assigned school building.*

## **Restraint Prevention and Behavior Support Policy**

UP Academy, in accordance with 603 CMR 46.00 et seq., has determined that the school staff will adhere to the following guidelines. These guidelines apply not only during school hours but also at school-sponsored events and activities, whether or not on school property.

### **Section 1: Use of Physical Restraint**

School staff may use physical restraint<sup>3</sup> only as an emergency procedure of last resort and is only permitted when a student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions. No written individual behavior plan or individualized education program (IEP) may include use of a physical restraint as a standard response to any behavior.

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<sup>3</sup> Physical restraint is direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.

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

### **Section 2: Prohibitions on the Use of a Physical Restraint**

Physical restraint may not be used as a means of discipline or punishment or as a response to property destruction, disruption of school order, a student's refusal to comply with a school rule or staff directive, or verbal threats when those actions do not constitute a threat of imminent, serious, physical harm. Physical restraint shall not be used when the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting. Only those staff members that have received in-depth training as described within this policy shall administer physical restraints. School staff must review and consider any known medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans regarding the use of physical restraint on an individual student.

Prone restraint<sup>4</sup> is prohibited in the school except on an individual student basis, and only under the following circumstances:

- The student has a documented history of repeatedly causing serious self-injuries and/or injuries to other scholars or staff;
- All other forms of physical restraint have failed to ensure the safety of the student and/or others;
- There are no medical contraindications as documented by a licensed physician;
- There is psychological and behavioral justification for the use of it and there are no psychological or behavioral contraindications, as documented by a licensed mental health professional;
- The school has obtained consent to use prone restraint in an emergency as set out in 603 CMR 46.03.

If all of the above conditions are met, all must be documented in advance of a prone restraint and the school should maintain this documentation. Medication restraint<sup>5</sup>, mechanical restraint<sup>6</sup> and seclusion<sup>7</sup> are prohibited in school settings.

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<sup>4</sup> Prone restraint is a physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student's body to keep the student in the face-down position.

<sup>5</sup> Medication restraint shall mean the administration of medication for the purpose of temporarily controlling behavior. Medication prescribed by a licensed physician and authorized by the parent for administration in the school setting is not medication restraint.

<sup>6</sup> Mechanical restraint is the use of a physical device or equipment to restrict a student's freedom of movement. The term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical services related professional, and are used for the specific and approved positioning or protective purposes for which such devices were designed (e.g. orthopedically prescribed devices).

<sup>7</sup> Seclusion is defined as the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include a time-out as defined in 603 CMR 46.02.

The regulations do not prevent a teacher, employee or agent of UP Academy from using reasonable force to protect scholars, other persons, or themselves from assault or imminent serious harm or from restraining scholars as otherwise provided in 603 CMR 46.00.

### **Section 3: Prevention & Alternatives to Restraint**

As part of UP Academy's commitment to using physical restraint only as an emergency procedure of last resort, school staff will engage in a number of strategies to prevent the use of restraint. As a first response, school staff will utilize a number of CPI Nonviolent Crisis Intervention-approved alternative strategies, including, but not limited to:

- Allowing scholars a safe place to calm down on his/her own using reinforcing, positive, and calm language
- When necessary, evacuating a space to ensure the safety of others in order to allow for de-escalation without the need for restraint
- Not engaging with unproductive language, remarks, or questions that may escalate a student unnecessarily
- Acknowledging a student's feelings and frustration with a situation
- Seeking support from the student's school-based support team

In some cases, the school may utilize time-out as a behavioral support strategy to prevent the need for restraint. Time-out will only be utilized as a calm-down strategy when a student needs to de-escalate in a space away from the classroom or learning area; if the student demonstrates continued agitation and a need for time-out beyond 30 minutes, the principal will be notified and give verbal approval for continuing the time-out.

UP Academy staff will also utilize varied methods for more broadly preventing student violence, self-injurious behavior, and suicide, including but not limited to:

- Utilization of the school's behavior ladder, which directs staff when to intervene if scholars are engaging in potentially dangerous behavior
- The Dean of Students, in collaboration with school support staff, will develop individualized plans for scholars that require more support than the school-wide behavior intervention system provides
  - Individual crisis counseling and student support by the school-based social worker and counselors, in conjunction with the Principal and Dean of Scholars, for any student who may be at risk of suicide and/or self-injurious behavior
  - Partnering with external providers, as needed, to provide additional counseling and support to individual scholars, and when necessary, families

UP Academy will partner with families and scholars in these prevention efforts, engaging them in discussions about restraint prevention and the use of restraint solely

as an emergency procedure. UP Academy will annually share this policy with all families and scholars through UP Academy's Family Handbook. In addition, UP Academy's school culture and student support teams work closely with scholars and families, as needed, on developing self-regulation and de-escalation strategies to prevent scenarios where restraint may be required. This may happen in whole-school, small-group, or individual settings.

#### **Section 4: Proper Administration of a Physical Restraint**

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

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

School personnel shall discontinue the restraint as soon as the student is no longer an immediate danger to himself or others, or the student indicates that he or she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing. As noted in Section 2 of this policy, floor restraints, including prone restraints, are prohibited unless the school personnel administering the restraint has received in-depth training, in the judgment of the trained staff member, such method is required to provide safety for the student or others present, and the additional conditions detailed in Section 2 have been met.

#### **Section 5: Duration & Safety Requirements**

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

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

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

### **Section 6: Follow-Up Procedures**

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

- Review the incident and restraint with the student to address the behavior that precipitated the restraint;
- Review the incident with school personnel who administered the restraint to discuss whether proper restraint procedures were followed; and
- Consider whether any follow-up is appropriate for the scholars who witnessed the incident.

### **Section 7: Reporting & Reviewing Requirements**

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

School staff shall report and document the use of physical restraint, for any length of time. The school staff member who administers a physical restraint shall verbally inform the Principal or designee of the restraint as soon as possible and no later than the close of the school day in which the restraint was administered. A written report shall be completed and provided to the Principal or designee no later than the next working day after the restraint was administered. If the Principal has administered the restraint, the principal must prepare the report and submit it to an individual or team designated by the superintendent for review. The Principal/designee must maintain an ongoing record of all such reported instances, which will be made available for review by the Department or the student's parent, upon request. In addition, the school will annually report all data regarding the use of physical restraint to the Department. Such data shall be reported in a manner and form directed by DESE.

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

The Principal or designee must make reasonable efforts to inform the student's parents of any physical restraint within 24 hours of the event, and by written report either within three school working days to an e-mail address provided by the parent for communication about the student, or by regular mail postmarked no later than three

school working days of the use of the restraint. If the school customarily provides a parent of the student with school-related information in a language other than English, the written restraint report must be provided to the parent or guardian in that language. The principal must provide the student and parent an opportunity to comment orally and in writing on the use of restraint and on information in the written report.

### **C. Contents of the Reports**

All written reports of restraint referenced above must include the following information:

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

In the event that a physical restraint results in an injury to the student or staff member, the school must send a copy of the written report to the Department postmarked no later than three school working days of the administration of restraint. The school must also send the department a copy of the record of physical restraints maintained by the Principal for the 30-day period prior to the date of the reported restraint. The Department shall determine if additional action by the school is warranted, and if so, shall notify the school of any required actions within 30 calendar days of receipt of the required written report(s).

#### **D. Individual Student Review**

The Principal will conduct a weekly review of restraint data to identify scholars who have been restrained multiple times during the week. If such scholars are identified, the principal will convene one or more review teams as the principal deems appropriate to assess each student's progress and needs. If the principal directly participated in the restraint, a duly qualified individual designated by the superintendent must lead the team's discussion. The assessment must include at least the following:

- Review and discussion of the written reports submitted in accordance with 603 CMR 46.06 and any comments provided by the student and parent about such reports and the use of restraints
- An analysis of the circumstances leading up to each restraint, including factors such as time of day, day of the week, antecedent events, and individuals involved
- Consideration of factors that may have contributed to escalation of behaviors, consideration of alternatives to restraint, including de-escalation techniques and possible interventions, and such other strategies and decisions as appropriate, with the goal of reducing or eliminating the use of restraint in the future
- An agreement on a written plan of action by the program

The principal or designee shall ensure that a record of each individual student review is maintained and made available for review by the Department or the parent, upon request.

#### **E. Administrative Review**

On a monthly basis, the principal will conduct a school-wide review of restraint data. This review should consider patterns of use of restraints by similarities in the time of day, day of the week, or individuals involved; the number and duration of physical restraints school-wide and for individual scholars; the duration of restraints; and the number and type of injuries, if any, resulting from use of the restraint. The principal will determine whether it is necessary or appropriate to modify the school's restraint prevention and management policy, conduct additional staff training on restraint reduction and prevention strategies, such as training on positive behavior strategies and supports, or take such other action as necessary or appropriate to reduce or eliminate restraints.

### **Section 8: Training Requirements**

All staff will receive training regarding the school's restraint prevention and behavior support policy. Such training shall occur within the first month of staff returning for orientation, and for employees hired after the school year begins, within a month of their employment. This training shall also include:

- The role of the student, family, and staff in preventing restraint;

- The school's restraint procedures, including use of time-out as a behavior support strategy distinct from seclusion;
- Interventions that may preclude the need for restraint, including de-escalation of problematic behaviors and other alternatives to restraint in emergency circumstances;
- When behavior presents an emergency that requires physical restraint, the types of permitted physical restraints and related safety considerations, including information regarding the increased risk of injury to a student when any restraint is used, in particular a restraint of extended duration;
- Administering physical restraint in accordance with medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans applicable to an individual student; and
- Identification of program staff who have received in-depth training pursuant to 603 CMR 46.04(3) in the use of physical restraint.

In addition to the training for all school staff, at the beginning of each school year, the Principal shall ensure any staff who may administer restraint receive an in-depth training in accordance with 603 CM4 46.04(4). This will include:

- Appropriate procedures for preventing the use of physical restraint, including the de-escalation of problematic behavior, relationship building and the use of alternatives to restraint;
- A description and identification of specific dangerous behaviors on the part of scholars that may lead to the use of physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
- The simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
- Instruction regarding documentation and reporting requirements and investigation of injuries and complaints;
- Demonstration by participants of proficiency in administering physical restraint; and
- Instruction regarding the impact of physical restraint on the student and family, recognizing the act of restraint has impact, including but not limited to psychological, physiological, and social-emotional effects.

## **Section 9: Complaint Procedures**

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

Before initiating a formal complaint procedure, a student or his/her parent/guardian who has concerns regarding a specific use of a physical restraint, may seek to resolve his/her concerns regarding a specific use of a physical restraint by raising the issue with the Principal of the school. The student and/or his/her parent/guardian should direct their concerns regarding a specific use of a physical restraint to the Principal within ten

(10) days of the parent/guardian's receipt of the written report from the school detailed above. The Principal shall attempt, within his/her authority to work with the individual to resolve the complaint fairly and expeditiously. If the student and/or his/her parent/guardian are not satisfied with the resolution, or if the student and/or his/her parent/guardian does not choose informal resolution, then the student and/or his/her parent/guardian may proceed with the formal complaint process detailed below.

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

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