

# STUDENT AND FAMILY HANDBOOK

## 2022-2023

VERITAS PREP CHARTER SCHOOL

MIDDLE SCHOOL CAMPUS • 370 PINE STREET • SPRINGFIELD, MA 01105

HIGH SCHOOL CAMPUS • 225 CARANDO DRIVE • SPRINGFIELD, MA 01104

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## **I. Our Mission**

Veritas Preparatory Charter School prepares Scholars in grades 5 – 12 to compete, achieve, and succeed in High School, college, and beyond.

## **II. Introduction**

Everything we do as a school is intended to help us reach this mission. We hold each Scholar to the highest expectations and provide them with the support to reach them. This handbook outlines the expectations to which we will consistently hold all our Scholars and families and the supports we will provide to ensure that they are reached.

## **III. Equal Educational Opportunity**

Pursuant to its charter, Veritas Preparatory Charter School serves Scholars in the 5<sup>th</sup>-12<sup>th</sup> grades. Veritas Preparatory Charter School does not discriminate on the basis of race, color, creed, national origin, ethnicity, religion, gender, gender identity, sexual orientation, mental or physical disability, age, ancestry, special needs, English or foreign language proficiency, athletic ability, or academic achievement.

## **IV. General School Information**

### **SCHOOL HOURS**

#### **Middle School Campus**

Arrive at the school building at 8:30 am

Classes begin at 8:45am

Classes end, and Scholars are dismissed from the school building Mondays, Tuesdays, Thursdays, and Fridays at 3:30pm and Wednesdays at 1:30pm

Teachers hold professional development Wednesdays from 1:30 – 3:45pm

#### **High School Campus**

Classes begin at 8:00 am

Classes end followed by a staggered dismissal from the school building Mondays-  
Thursdays between 3:15-3:30pm and Fridays at 12:00pm

Teachers hold professional development Fridays from 12:00 – 1:30pm

### **SCHOOL CALENDAR AND CLOSINGS**

Scholar and teacher schedules reflect in length, organization, and content our dedication to the school's mission. At the Middle School, we operate on a trimester schedule and at the High School on a semester schedule which provides up to 185 total days of instruction.

Veritas Preparatory Charter School will close the school building in cases of extreme weather conditions. In such situations, we will follow the Springfield Public Schools closings. Please listen to local television stations for cancellation announcements. If Springfield Public Schools announces a delayed opening, early dismissal, or a closing, Veritas Prep will also be delayed, released early, or closed for the day.

## **SCHOLAR RECORDS**

Federal and state laws provide parents/guardians 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 Scholar Records Regulations (“Regulations”), detailing these rights, are available in the school’s Main Office or on the Department of Elementary and Secondary Education’s website.

**High School:** As an Early College High School, Veritas must align our requirements to the regulations for High Schools and for college learning. The policies below sometimes include separate rules for college courses. This ensures Scholars can earn college credits and a High School diploma at the same time with the support they need.

Thank you for reading the policies below closely. To acknowledge your understanding of the specific requirements of Early College, we ask that all participating Scholars and families sign the Early College Release Form included in this handbook.

**Access and Amendment by Parents/Guardians or Scholars** – A parent/guardian or eligible Scholar has a right to access Scholar records and to seek their amendment if the parent/guardian or eligible Scholar believes them to be inaccurate, misleading, or otherwise in violation of the Scholar's privacy rights. To obtain access or to seek amendment to Scholar records, please contact the principal.

**Access to college records:** Veritas will work with our college partners to obtain and deliver Scholar information. Scholars at Veritas agree to share their records with families and Veritas Staff as part of the Early College program agreement. All college course progress will be included in Veritas progress reports and report cards. Parents/guardians who have questions or concerns about college records should contact the Dean of Early College.

**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 34H requires a non-custodial parent seeking access to submit a written request for consideration along with other documentation to the Principal or Executive Director on an annual basis. Parents/guardians who have questions or concerns regarding access to records by non-custodial parents should contact the principal for detailed information regarding the procedures that must be followed.

**Access by Authorized School Personnel and Third Party** – Release of Scholar records generally requires consent of the parent/guardian or eligible Scholar. However, the state regulations provide certain exceptions. For example, staff employed or under contract to the district have access to records as needed to perform their duties. Veritas Preparatory Charter School also releases a Scholar’s complete Scholar record to authorized school personnel of a school to which a Scholar seeks or intends to transfer without further notice to or receipt of consent from, the eligible Scholar or parent/guardian.

In addition, Veritas Preparatory Charter School has a practice of releasing directory information, consisting of the following: 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/guardian or eligible Scholar objects to the release of any of the above information, the parent/guardian or eligible Scholar may state that objection in writing to the Director of Operations. Absent receipt of a written objection by the end of September each year, the directory information will be released without further notice or consent. Additionally, the school will release the names and addresses of Scholars to a third-party mail house, upon request, unless the parent/guardian or eligible Scholar requests that the school withhold that Scholar's information.

There are other circumstances in which student records may be released without the consent of a parent/guardian or eligible student which are set forth in the Massachusetts student record regulations at 603 CMR 23.00 et seq, copies of which are available from the school.

Parents/guardians and eligible Scholars have a right to file a complaint concerning alleged failures by a school district to comply with the requirements of the Scholar records laws and regulations with the Massachusetts Department of Education, 75 Pleasant Street, Malden, MA 02148. Complaints relative to federal statutes and regulations governing Scholar records may be filed with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington DC.

## **MEDICAL RECORDS AND HEALTH SERVICES**

Massachusetts state law requires all families enrolling a student for in-school, hybrid, or remote-learning, to submit the following paperwork:

**VERITAS PREP HEALTH HISTORY FORM:** This health form must be updated and signed by the student's parent/guardian **yearly**. This form provides us with emergency contact information and will help inform us of any severe allergies and new and/or ongoing health problems that may occur during the summer months. This form also allows you to give the school nurse permission to administer/apply certain over-the-counter medications approved by the School Medical Director's Standing Orders.

**PHYSICAL EXAMS:** All students must have a physical exam within one year prior to entrance to school or within 30 days after school entry and every other year thereafter. Any student requiring medications while at school and/or participating in any after school athletic program, must have updated health forms each year. Please provide the school nurse with a copy of your student's most recent physical exam and immunization record, signed by your student's provider.

**IMMUNIZATION RECORDS:** Under 105 CMR 220.00 Immunization of Students Before Admission to School: Students are required to have 5 doses of DTap, 4 doses of Polio, 3 doses of Hepatitis B, 2 doses of MMR & Varicella. Additionally, students in grades 7-12 require 1 dose of Tdap, 1 dose of MenACWY in grades 7-9 and another in grades 11-12. Medical exemptions (statement from a physician stating that a vaccine is medically contraindicated for a student) and religious exemptions (statement from student, or parent/guardian if the student is <18 years of age, stating that a vaccine is against sincerely held religious beliefs) must be renewed annually at the start of the school year.

**MEDICATIONS:** A "**Standard Medication Order Form**" must be completed each school year by your child's provider and signed and dated by **both** the provider and parent/guardian. Any medication to be given during school hours must be delivered directly to the School Nurse by the parent/guardian or another responsible adult. The medication must be brought to school in the **original, pharmacy labeled container**. Non-prescription medications also need to be delivered in their original packaging. If your child is being followed by a doctor for asthma or has a prescribed EpiPen for a life-threatening allergy, an action plan must also be completed by your child's provider and returned to the school nurse. Please

note, whenever possible, there will be no nebulizer treatments allowed at school. Inhalers with a prescribed spacer, using good technique are equally effective.

**ALLERGY AWARE FACILITY:** There may be individuals in our school that have a life-threatening allergy to foods of all varieties. Any exposure to the allergen through contact or ingestion can cause a severe allergic reaction that requires emergency medical treatment. As an *allergen-aware* school, nuts and nut-containing products **are allowed** on school premises for personal lunches and snacks, but **are not** permitted to be shared and/or distributed by families, students, coaches, staff, and/or visitors.

**EXCLUDABLE CONDITIONS:** Please notify the school nurse if your child has been diagnosed with any of the following conditions for guidance on when to return to school:

- Covid-19 \*see specific Covid-19 guidelines below\*
- Dengue
- Diphtheria
- Rubella (German Measles)
- Malaria
- Measles
- Meningitis
- Monkeypox
- Mumps
- Pertussis (Whooping Cough)
- Polio
- Smallpox
- Tuberculosis
- Varicella (Chicken Pox)
- Zika

**EXCLUSION DURING DISEASE OUTBREAKS:** In situations when one or more cases of disease are present in a school, all susceptible students and staff, including those with medical or religious exemptions, are subject to exclusion as described in the Reportable Diseases and Isolation and Quarantine Requirements (105 C.M.R. 300.000). The reporting and control of diseases identified as posing a risk to the public health is prescribed by state regulation and law.

**WHEN TO KEEP YOUR CHILD HOME FROM SCHOOL:** It can be difficult to know when to keep your child home from school with Covid-19 still present in our community. If you suspect your child has Covid-19 please test them as soon as possible and refer to the Covid-19 guidelines below. If they test positive please let your school nurse know. However, in the absence of a known contagious illness, your child should not miss school except in the case of serious illness such as fever (temperature > 100 degrees), significant GI symptoms or severe pain symptom. Please contact your child's school nurse and/or pediatrician for specific guidance. For any extended absence, a clearance note from your medical provider needs to be presented to the school nurse prior to returning to school.

**COVID-19 GUIDELINES:** Per the Massachusetts Department of Public Health Covid-19 Isolation and Exposure Guidance for Children and Staff in the school setting:

- A rapid antigen test, such as a self-test done at home, is preferred to a PCR test in most situations
- To count for isolation, Day 0 is the first day of symptoms OR the day the positive test was taken, whichever is earlier
- Contact tracing is no longer recommended or required

- Testing of asymptomatic individuals is no longer recommended or required
- Universal masking is not recommended, however, any individual who wishes to continue to mask, should be supported in that choice. For those who need or choose to mask, masking is never required when the individual is eating, drinking, sleeping, or outside
- Quarantine is no longer required nor recommended for children or staff in these settings, regardless of vaccination status or where the exposure occurred. All exposed individuals may continue to attend programming as long as they remain asymptomatic. Those who can mask should do so until Day 10, and it is recommended that they test on Day 6 of exposure. If symptoms develop, follow the guidance for symptomatic individuals, below.
- Children and staff who test positive must isolate for at least 5 days. If they are asymptomatic or symptoms are resolving and they have been fever free without the use of fever-reducing medicine for 24 hours, they may return to programming on Day 6 and should wear a high-quality mask through Day 10:
  - If the individual is able to mask, they must do so through Day 10.
    - If the individual has a negative test on Day 6 or later, they do not need to mask.
    - If the individual is unable to mask, they may return to programming with a negative test on Day 6 or later.
- Symptomatic individuals can remain in their school or program if they have mild symptoms, are tested immediately onsite, and that test is negative. Best practice would also include wearing a mask, if possible, until symptoms are fully resolved. For symptomatic individuals, DPH recommends a second test within 48 hours if the initial test is negative.
  - If the symptomatic individual cannot be tested immediately, they should be sent home and allowed to return to their program or school if symptoms remain mild and they test negative, or they have been fever-free for 24 hours without the use of fever-reducing medication and their symptoms are resolving, or if a medical professional makes an alternative diagnosis. A negative test is strongly recommended for return.
- All individuals are encouraged to stay up-to-date with vaccination as vaccines remain the best way to help protect yourself and others
- Veritas does not mandate the Covid-19 vaccine, however, please be advised that colleges the high school partners with may have a different policy

### **Covid-19 Symptoms:**

- Fever (100.0° Fahrenheit or higher), chills, or shaking chills
- Cough (not due to other known cause, such as chronic cough)
- Difficulty breathing or shortness of breath
- New loss of taste or smell
- Sore throat
- Headache *when in combination with other symptoms*
- Muscle aches or body aches
- Nausea, vomiting, or diarrhea
- Fatigue, when in combination with other symptoms
- Nasal congestion or runny nose (not due to other known causes, such as allergies) *when in combination with other symptoms*

## **BREAKFAST, LUNCH, AND SNACKS**

Veritas participates in the Community Eligibility Program which provides all Scholars with free breakfasts and lunches as well as free milk regardless of income qualifications. We use Sodexo to manage our food program and all meals provided are in compliance with the National School Breakfast and Lunch Programs. A variety of hot and cold breakfast items will be served to Scholars throughout the week. Scholars are eligible to receive breakfast each morning, if they arrive by 8:30 am at the Middle School campus and 7:45 am at the High School campus. The school will provide a variety of lunch options throughout the week, as well, with both hot and cold options available and milk being served daily, or Scholar's may bring their own lunches from home. **Note:** Scholars will not have access to a refrigerator or microwave so their lunches should not require refrigeration or microwaving.

Although the school provides free breakfast and lunch to all scholars, regardless of income, families are welcome to send their scholar with food from home. Food from home should aim to meet the same USDA guidelines as the food provided at school. The school provides free milk for all scholars. We highly discourage sugary drinks and sodas as these beverages provide no nutritional value. If you do send your scholar with such beverages, please note that they cannot be consumed in the classroom. Given the important papers and electronics in the classroom, only water is allowed. Food from home should be for personal consumption only unless the scholar has enough to share with the entire class for a celebration.

Any Scholar having dietary restrictions should contact the school Nurse or Director of Operations as soon as possible, as well as provide medical documentation describing the specific dietary restrictions and needs of that Scholar. **Sodexo will require a doctor's note indicating specifics around the food allergy in order to accommodate any dietary restrictions.** Families will be provided with a dietary form that should be completed by their child's physician and returned to the school.

## **EXTRACURRICULAR OPPORTUNITIES**

All Veritas Scholars will receive access to extracurricular opportunities including athletics, clubs, and Scholar leadership opportunities. We recognize that extracurricular activities are important avenues for career exploration, social-emotional learning, and character development and will therefore make these opportunities available to Scholars both during and after the school day. All extracurricular activities will be facilitated and supervised by Veritas staff members.

**High School Eligibility:** See [Program of Study](#), Assessment and Grading section for minimum grade requirements. Scholars must be meeting course expectations in their courses to be eligible for athletics. Scholars meeting only the minimum requirements in more than one course may require an eligibility conference to establish goals and ensure they're tracking successfully towards their academic grades.

Scholars who are below the minimum requirements in a course or only at the minimum in more than one course may not be eligible for athletics or extracurriculars and will be required to have an eligibility conference which may lead to a probationary period of eligibility by which time grades must improve for eligibility to continue.

## **TRANSPORTATION**

Springfield Public schools will provide transportation for Scholars at both campuses. Veritas Preparatory Charter School will serve as a liaison and request information from families to inform bus

stops and routes. Any questions or concerns regarding transportation should be communicated to the Director of Operations. Please see below for more information:

**Middle School:** Springfield Public Schools will provide transportation for Veritas Preparatory Charter School Scholars in adherence with the district's transportation policy.

**High School:** All Veritas Preparatory High School Scholars are eligible for transportation regardless of the Scholar's home distance from the school. Due to the location of the school and lack of sidewalks, Scholars may not walk to and from school. For families who prefer to pick up/drop off their scholar, please inform the Director of Operations as soon as possible.

## **SCHOOL SUPPLIES**

During Scholar orientation week, Scholars will receive some of their school supplies, including binders and folders to organize their materials for each subject. All families are encouraged to provide their Scholars with Dixon Ticonderoga pencils and Wide-Ruled Filler Paper. Scholars are not allowed to write on or decorate the binders and folders provided by the school.

Scholars should not bring non-essential items of value to school – monetary or otherwise – since they cannot be securely stored. Although Veritas Preparatory Charter School prides itself on being very safe, the school does not accept responsibility for any missing items of value. Scholars who bring inappropriate items to school, including but not limited to toys, iPods, CD players, laser pointers, beepers, pagers and **cell phones**, will have such items confiscated and returned to the Scholar at the end of the day. In some cases, a parent/guardian must collect the item.

## **COMMUNICATION WITH FAMILIES**

We keep parents/guardians advised of their child's academic progress toward promotion on a consistent basis. Parents/guardians receive both verbal and written communication concerning the progress of their child throughout the school year. We want to be sure parents/guardians are always fully aware of their child's academic status and that teachers have very specific and intentional times to meet with families. All parents/guardians are expected to come to school to pick up their child's report cards at the Middle School and progress reports at the High School at the times outlined below:

**Middle School:** In the middle of each trimester (October, January, and May) families receive formal written progress reports. At the end of each trimester (November and March), there is a formal family conference/report card night where teachers and parents/guardians meet to discuss their Scholar's progress as well as to pick up their Scholar's report card.

**High School:** In the middle of each semester at the Quarter 1 and Quarter 3 mark (November and March), Scholar Led Conferences take place. During this time, Scholars, families, and teachers meet to pick up and review progress reports and discuss their Scholar's. At the end of each semester (January and June) families will receive formal written report cards

**Translation** – Veritas Preparatory Charter School recognizes that communication and partnership with parents/guardians is vital for the educational success of Scholars. We want to ensure that everyone in the school community has equal access to district and school publications. The following documents are available in Spanish and Somali:

- Application for Lottery Admission
- Scholar and Family Handbooks
- Parental Surveys
- Progress Reports
- Report Cards
- Individual Education Plans/Accommodation Plans
- District/School Communications
- Disciplinary Notices

A Spanish language interpreter is also provided at the following major school-wide events:

- School Information Sessions
- Report Card Nights
- Annual School Lottery Event

To enable effective communication with Limited English Proficient parents/guardians, interpretation and translation services are available at no cost to parents/guardians. A parent/guardian does not have to be of limited English proficiency in speaking, reading, writing, and comprehending English to be eligible for interpretation services or translation, but rather, it is only necessary that a parent/guardian be limited in at least one of these areas to receive services. Interpretation services facilitate a parents'/guardians' due process rights, including interpretation for IEP meetings, 504 meetings and Scholar discipline hearings. Families can request translation or interpretation services in their home language by calling the main office at 413-539-0055 (*Middle School*) or 413-264-2646 (*High School*).

### **Outside Partners**

Veritas Prep contacts families by text message or email to share important information or gather feedback to improve your experience as a Veritas family. This communication may come from a Veritas staff member directly but can also include communication through our outside partners, like DeansList or Possip. As a Veritas parent or guardian, the number you give to us at enrollment will be used for these purposes. You may contact the Front Office directly if you need to opt out of using our outside partners, but this will mean you may not receive important or urgent messages or could miss the opportunity to give feedback on your scholar's school.

## **V. School Policies and Procedures**

### **ATTENDANCE POLICY**

Given the fast pace and high rigor of Veritas Prep's curriculum, **missing one day of school can have a detrimental effect on a Scholar's learning.** Attendance in High School, as in all grades, is essential to success. It is even more critical in High School as Scholars prepare for careers and begin attending college classes. Inconsistent attendance and absences create significant challenges for Scholars to find time to redo the learning and maintain current tasks. Missing too many classes can lead to real learning losses and course failures.

Parents/guardians are expected to ensure that their child is in school. Please do not allow your child to miss a day of school except for serious illness. We ask that families not schedule vacations or non-emergency appointments during school time. **Families should take advantage of 1:00pm dismissal on**

**Wednesdays (Middle School) and 12:00 pm dismissal on Fridays (High School), as well as school vacations, to schedule appointments and travel.**

**All Scholar absences, including illness, appointments, vacations, excessive incomplete days, etc. count as absences. If a Scholar exceeds 15 absences, either excused or unexcused, in a school year, Veritas Preparatory Charter School reserves the right to retain the Scholar.** Veritas Preparatory Charter School distinguishes between excused and unexcused absences. A Scholar would be given an excused absence if he/she provides a doctor's note for the day they are absent; a parent/guardian note excusing their Scholar's absence is not sufficient documentation to excuse the absence.

*Acceptable reasons for excused absences, tardies, and dismissals include:*

- A verified medical appointment or illness: Note: Medical notes from doctors must indicate that the child was seen at the Doctor's office on the day of absence. Dr.'s notes must be turned in within 5 days of the absence)
- The death of a family member (parent, sibling, grandparent, aunt, uncle, cousin)
- Religious holidays
- Legal obligation such as court appearance – verified with copy of summons
- Absences approved by the principal
- Additionally, Scholars are afforded rights under Section 504 of the Rehabilitation Act ("Section 504"), the Americans with Disabilities Act ("ADA"), and the Individuals with Disabilities Education Act ("IDEA") should their absences be related to a disabling condition. Other rare exceptions may apply.

Scholars who are absent from school **cannot** attend or participate in any school-sponsored activities occurring on the day of the absence, unless the school has given advance permission. Because Veritas Preparatory Charter School reserves the right to retain any Scholar who exceeds 15 absences, the school will provide support at the following set intervals:

- At 3, 5, 10 and 15 Scholar absences, Veritas Prep will contact the family in writing.
- The Culture Team will contact the family for meetings at 5, 10 and 15 absences. The meetings will discuss supports for the Scholar, which may include an attendance contract or Saturday School assignments.
- At 15 Scholar absences, **the school reserves the right to retain any Scholar.**

According to M.G.L. c. 76 and c. 72, § 8, all Scholars under 16 are expected to be in school. All Scholars under the age of 16 will be expected to comply with these laws and, when applicable, Veritas Preparatory Charter School will follow the procedures set forth in M.G.L. c. 76, § 18 before permanently unrolling a Scholar from Veritas and offering that seat to another prospective Scholar. In cases of truancy, the Executive Director (or her/his designee) will investigate the situation. Veritas Preparatory Charter School operates in compliance with Department of Transitional Assistance requests and requirements, which can include mandated reporting of truancy to appropriate state agencies.

Veritas Preparatory Charter School keeps accurate records of attendance and will make the records available for inspection by the DESE as needed. All questions regarding Scholar attendance and attendance records should be directed to the school's Director of Operations. In cases of truancy,

Veritas Preparatory Charter School may report the Scholar and/or family to appropriate local and state authorities.

**Early College:** Please see Period and Course attendance below.

***Incomplete Days: Lateness and Early Dismissal*** – At Veritas Preparatory Charter School, if a Scholar does not complete a full school day, he/she is assigned an Incomplete Day. If a Scholar is not in his/her assigned seat by 8:45am at the Middle School and 8:05 am at the High School, for any reason, he/she is assigned an Incomplete Day. If a Scholar is dismissed early, for any reason, he/she is assigned an Incomplete Day. If a Scholar arrives late and leaves early, this counts as **two** Incomplete Days.

Every 5 Incomplete Days count as 1 absence within the school's Attendance Policy.

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

Veritas Preparatory Charter School may excuse Incomplete Days in cases of court-mandated appearances, if proper documentation is provided, disability related appointments and religious observances.

**Excessive Incomplete Days are not tolerated.** In order to ensure that Scholars show up on time and do not leave early, the school will provide consequences and support at the following set intervals:

- Every 5 Incomplete Days count as one absence within the school's attendance policy.
- At 10 Incomplete Days Veritas Prep's administration will contact the family in writing
- At 20 Incomplete Days, Veritas Prep's administration will require a family meeting to discuss attendance issues.
- Incomplete Days will result in deductions to Scholar's weekly paycheck.

Early dismissal guidelines:

- For their own safety, **Scholars must be picked up by a parent, guardian or designated emergency contact person in order to be dismissed prior to the end of the day.** This policy applies to all early dismissals, including a note or appointments and illness.
  - Scholars leaving early must check in with the main office before leaving
  - Parent/guardians or emergency contacts **MUST** show and ID when dismissing a scholar
- If a parent/guardian needs to change how their Scholar is to be dismissed,
  - A phone call has to be made to the school office so that ample time is given to notify the Scholar and his/her teachers without disrupting class:
    - **Middle School:** 2:30pm Mondays, Tuesdays, Thursdays, and Fridays and by 12 Noon on Wednesdays
    - **High School:** 2:30 pm Monday –Thursday and by 11 am on Fridays
      - If a call is made after these times, we will not be able to accommodate your request.

If a Scholar needs to be sent home due to a behavioral infraction, a parent/guardian must come to the school, meet with the Director of Culture or his/her designee, and remove the Scholar from school grounds. Incomplete Day consequences apply in cases of suspension. Scholars being sent home for

behavioral infractions will not be dismissed unless the parent/guardian has physically come to the school (see Appendix A: Code of Conduct for more details), unless certain rare exceptions apply.

***High School only:***

**PERIOD and COURSE ATTENDANCE**

When Scholars are in school, they must attend all scheduled classes. Attendance is taken in every class, within the first 5 minutes. Scholars who are not present in class within the first 10 minutes will be marked absent unexcused unless they bring the teacher a signed note or pass from a staff member which indicates permission to be elsewhere at that time.

**UNEXCUSED MISSED CLASS TIME**

Any unexcused missed class time when a Scholar is present in school

- Must be made up during teacher Office Hours for that course or another agreed-upon time between the teacher and Scholar.
- Scholars are expected to make up the time within 48 hours. Families will be notified a day in advance of required Office Hours.
- Efforts will be made to work with Scholar schedules when attending Office Hours within 48 hours is not possible. However, this could affect a Scholars' grade or course credits and may result in no credit for missed work.
- Missed Office Hours for missed class time may result in a Scholar-family-teacher conference or Administrative Office Hours

**College courses** may not allow make-up work for absences beyond the allowable number in their policy. A close review and signature acknowledging course policies prior to course enrollment is required for all college courses.

***College Course Attendance:*** College Instructors have the legal right to determine their own attendance and grading policies. Some have very strict attendance policies and require that no more than 3 classes are missed to earn credit. These policies are published in their syllabus and reviewed with our Scholars. All Scholars taking college courses must adhere to the course specific attendance and lateness policies as detailed on the course syllabus. Veritas staff work with Scholars to ensure they understand these policies and track their progress towards expectations and support them to succeed.

**It is the scholar's responsibility to contact all professors and program staff, if they are going to miss their college class.** Dismissal from any college class is highly discouraged.

Our Early Alert System (see [Program of Study](#)) ensures Scholars and families are notified if a Scholar is at risk of losing credit for attendance or academic performance reasons.

**ACADEMIC SUPPORT POLICY**

We believe all Scholars can succeed with the right opportunities and supports. Academic supports are built into our schedule, including:

**Middle School:**

**Focused Intervention** will be provided as part of the daily schedule for Scholars struggling with math and/or literacy. Math Lab and Literacy Lab will be targeted to address specific skills and content each Scholar needs to master to make progress in the general curriculum and to address academic needs.

### **High School:**

Our program of study is designed to be in compliance with the state requirements. Please refer to the [High School program of study](#) to learn more. Below are academic supports we will provide to Scholars to be successful in their High School career:

- **Personalized learning block:** We have created a time in the High School schedule when all staff are ready to support Scholars and all Scholars can access support. During this time, we provide targeted instruction for Scholars in areas of need. This year we will have a heavy emphasis on math support
- **Seminar and Structured Study Days:** Our Seminar course includes Structured Study days 1-2 times per week. During this time Scholars learn about study skills and develop and implement study plans. They access support from teachers and some Scholars attend study sessions led by special educators to receive personalized supports
- **Office Hours:** Each teacher holds weekly Office Hours to provide support for Scholars and check in on assignments, habits, or other needs.

### **MAKE-UP WORK POLICY**

Scholars who are not in school miss critical academic assignments and assessments. Our school make-up policy is designed to hold Scholars accountable for all missed assignments and assessments, as well as to ensure timely make-up work so that Scholars do not fall behind academically. Scholars with incomplete work will earn a “0” (zero) for that assignment in their gradebook.

If Scholars miss a class for any reason (absence, lateness, and early dismissal), they are responsible for collecting their missing work from the teacher. All work, including homework, needs to be completed by the following day. If a Scholar is out for two days, he/she will have two days to complete the make-up work, etc.

**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 within the number of consecutive school days that the Scholar had been absent. For example, if a Scholar had been absent for three consecutive days, he/she would have three school days to take the missed assessment. If a Scholar is absent for five or more consecutive school days, he/she must meet their teacher to determine a reasonable timeline for making up missed assessments. In rare circumstances, exceptions to the make-up policy may be granted by a school administrator.

**College Courses** - As noted previously, Early College Instructors set their own rules for missed and makeup work. Veritas staff will work closely with Scholars to ensure they understand these policies and are meeting college course expectations.

## **HOMEWORK POLICY**

Homework (HW) is assigned nightly and is an essential component of Veritas Preparatory Charter School's academic program. Each night, you can expect your scholar to have homework in multiple classes. Every effort is made to avoid homework over school vacations to support Scholar mental health and time for their busy lives.

HW is used to review and apply materials and subject content taught in class that day or in a previous lesson and serves as a consistent barometer for Scholar performance. It is used to engage in reading and begin or follow up on longer term tasks including writing and projects. HW tasks are designed to be completed independently, using resources Scholars have been taught to work with in class.

Since HW is review or application of subject content already taught, it allows teachers to know how each Scholar is performing on lesson standards and to identify any interventions Scholars may need.

Nightly HW also helps Scholars become accustomed to the self-motivation and time-management skills needed to advance their education. At the High School level, homework is graded on Habits of Success - Time and Task Management. For more on Habits of Success, see [Program of studies](#).

Scholars will need a quiet space where they can complete their HW each evening. We ask families to provide this space and help redirect their scholar if he or she gets distracted, but we do not expect families to provide academic assistance. If your scholar is struggling to complete a specific assignment:

**Middle School:** Please call their teacher for support or write a note on the assignment.

**High School:** Please ask Scholars to contact their teacher through email messaging or phone or assist them in writing a note to the teacher about the assignment. At the High School level, it is important that Scholars themselves reach out for the support they need. Given they are still learning this skill, they may need your support.

**Early College:** Homework at the college level is entirely determined by the professor and Scholars must follow those policies outlined in the course syllabus. Veritas staff will ensure Scholars understand all course expectations and it is the Scholar's ultimate responsibility to complete all assignments

Teachers should reach out to discuss supports for consistently struggling scholars such as adjusting homework or providing after school tutoring. If you feel your child's academic needs are not being met, please reach out to your scholar's teacher(s).

## **HOMEWORK CENTER**

At the Middle School campus, Scholars will be assigned to Homework Center that day if they do not bring their completed homework to school. Homework Center provides a quiet space for scholars to complete work during lunch. Although it is not enough time to complete all work, we hope that attending Homework Center allows scholars to build their academic habits and practice some of the skills they missed by skipping a homework assignment.

At the High School campus, we have structured study time on certain school days, where Scholars may complete homework assignments.

## GRADING AND PROMOTION POLICY

Veritas Preparatory Charter School is committed to setting Scholars up for success in High School and establishes rigorous standards for promotion. We will use standards-based assessments and classwork to determine a Scholar's proficiency level and assign grades for each subject. Recommendation for promotion is made by the lead classroom teacher and the principal will make final promotion decisions. In special circumstances, the school may make exceptions to these promotion criteria.

### Middle School

**A scholar's promotion is primarily determined by the following criteria: grade level standards mastery, overall reading level, and attendance. While this set of criteria guides promotion and retention decisions, we also consider each scholar's circumstances in making this decision.**

#### Promotion Guidelines

- Grade Level Standards Mastery. In the 0-4 standards-based grading system an average of 3 in each core subject area is meeting grade level standards mastery in that subject. The expectation is that all scholars will demonstrate mastery of grade level standards by the end of the year. To help gauge a scholar's progress, the report card will compare his or her averages in each subject to the expected mastery level at that point in time and generate a letter grade. Teachers and families will be in communication via progress reports, report cards, and conferences if a scholar is not showing progress toward mastery. At the end of the second trimester, families will be notified if their child is at risk of retention during report card night.
- Reading & Math Level. If end of year assessments indicate that a scholar is reading and/or doing math well below grade level band, that scholar is at risk of be retained.
- Attendance. Absences are tracked on progress reports and report cards. Veritas Preparatory Charter School does not distinguish between excused and unexcused absences with respect to promotion. Scholars who accumulate more than 15 absences during the school year will be considered for retention in their current grade level.

### High School

Promotion policies at the High School level are different from the middle grades given the use of credits and the unique scheduling and structure of High School that allows Scholars to complete grade level work during a variety of times

Scholars at the High School level are identified as freshmen (grade 9), sophomores (10), juniors (11) and seniors (12) based on their year of attendance rather than courses or credits completed. This means in the first year, Scholars are considered freshmen, second year Scholars are sophomores and so on, regardless of credit accumulation or standing in courses.

Veritas Preparatory Charter School is committed to setting Scholars up for success throughout High School and into college. Our standards-based grading system tracks Scholar success on state expectations for each grade level, and Scholars who do not meet those expectations for a course will have to retake that course or a similar course or courses focused on the same standards. Several courses are tied to specific grade levels, like English 9. However, a Scholar may be considered a sophomore (10th grader) even if they are retaking English 9.

However, in order to graduate within 4 years, Scholars need to accumulate a certain number of credits each year (see [Program of Study](#)). Failing to meet course standards and earn course credits and having to repeat courses or standards may interfere with the timeline to graduation or require summer and alternate programming to graduate within 4 years.

In addition, with our Early College program and as is true in any High School where courses may have a specific sequence to prepare Scholars for the next level, Scholars may not be able to access a sophomore or junior level course if they haven't successfully completed the previous year's expectations. In such cases, Scholars will focus on meeting the standards not yet met. We make every effort to support Scholars to meet standards in the planned amount of time and provide extra tutoring and support sessions during school vacations and more.

**Summer Work** – It is impossible to make up a year's worth of work over our short summer. Instead of hosting summer school, we ask all Veritas Preparatory Charter School scholars complete summer work to stay sharp with their reading and math.

## **DRESS CODE POLICY**

### **Middle School:**

**Philosophy** – Veritas Preparatory Charter School has a dress code that applies during all school days and during all school-sponsored events unless otherwise noted. The Veritas Preparatory Charter School dress code has been adopted to improve the educational environment for all Scholars. Specifically, we have instituted a dress code for the following reasons:

- Foster a sense of school identity and community.
- Ensure that our Scholars focus on learning instead of clothing.
- Increase school safety and security by making the presence of visitors/outside immediately apparent.
- Reduce the cost of clothing for families.

**Enforcement** – It is the goal of the school to have a dress code that makes things easier for families and Scholars rather than more difficult. For that reason, we make every effort to be clear about this policy and consistent in its enforcement. Families who have questions or concerns should contact the school immediately and seek clarification. We are constantly seeking feedback from families on our policies and have made changes to the dress code policy over the years to make it most convenient for families.

**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. Our staff do not have the time to inspect every item for acceptability or exception. 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, in effect, changed. **Scholars who are out of dress code are not allowed to attend their classes.** The school will do their best to provide the proper uniform for a Scholar to borrow for that day, however, if that is not possible, **families of Scholars who are not in dress code will be asked to bring the proper attire to school.**

The Veritas Preparatory Charter School dress code is not intended to suppress speech or expression. Scholars have alternate ways to express themselves through, among other things, verbal and written expression in the classrooms. Scholars also have opportunities to earn dress down days through culture incentives on Rockstar Mondays.

#### **All Veritas Viper Apparel**

- Scholars can wear any solid color pants (no jeans) and a Veritas top (must have a logo).
- Scholars must wear Veritas approved or provided apparel for a top. This can be t-shirts, sweatpants, sweatshirts, etc.
- Veritas Viper apparel will come in many different colors, designs and styles. Scholars can design and suggest different clothing options.
- Scholars can wear choice shoes as long as they follow the following guidelines: Shoes must have a closed toe and a back. Scholars are not allowed to wear crocs, slides, slippers, etc. for safety reasons.
- Scholars are not allowed to wear hoods at any time to ensure appropriate classroom engagement. (Scholars can wear hoodies as long as the hood is down during the school day).
- Scholars are allowed to wear hats that do not cover the ears.

#### **Dress Down Day Dress Code:**

- Scholars must wear clothing including both a shirt with pants, shorts or skirt and shoes.
- When the body is standing straight, clothing must cover the chest, back, torso, stomach, and lower extremities from armpit to armpit to mid-thigh. Tops must have a strap and at no time may any part of a Scholar's buttocks be exposed.
- Clothing must cover all undergarments. No underwear or undergarments may be visible at any time. Clothing may not be see-through or skintight.
- Clothing must be suitable for all scheduled classroom activities. Crocs and hoodies are not permitted at any time. Hats that do not cover the ears are permitted.

#### ***Fit and Professionalism***

- **Scholars may not wear clothing with logos unless it is the Veritas logo.**
- Scholars may wear shirts tucked or untucked.
- Scholars **may not alter** their clothing in any way (e.g., writing, cutting, etc.)

#### ***Accessories***

- Scholars may not wear **accessories** that are unprofessional, distracting or potentially unsafe. Any clothing or accessory that might disrupt learning or that does not conform to standards of health, safety and cleanliness is not allowed.
  - Chains and necklaces may need to be removed during Fitness class.

#### **High School**

The founding Scholar leadership council collaborated with the leadership team to develop a dress code with the following grounding beliefs:

- Ensure Scholars focus on learning
- Encourage Scholars to express their individuality
- Promote equity for all genders

**Allowable Dress:**

- Scholars must wear clothing including both a shirt with pants, skirt, or the equivalent, and shoes that are appropriate for the occasion.
- Shirts and dresses must have fabric in the front and on the sides with lengths that are appropriate for the occasion.
- Clothing must cover undergarments and private parts.
- Hats and headwear must allow the face to be visible and not interfere with the line of sight of Scholars or staff.
- Hoodies must be down to allow the face and ears to be visible so Scholars can remain part of the learning community.

**Non-Allowable Dress:**

- Clothing may not depict, advertise, or advocate the use of alcohol, tobacco, marijuana, or other controlled substances.
- Clothing may not use or depict hate speech targeting groups based on race, ethnicity, gender, sexual orientation, gender identity, religious affiliation, or any other protected groups.
- Clothing, including gang identifiers, must not threaten the health or safety of any other Scholar or staff.
- If the Scholar's attire threatens the health or safety of any other person, then discipline for dress violations should be consistent with discipline policies for similar violations.

**Dress Up days:** As an Early college High School, we will have regular dress up days where Scholars are expected to wear business casual attire.

If Scholars do not meet our dress code expectations:

1st time: Conversation & strategizing for success; offer VPCS gear

2nd time: Attend Office Hours and review policy and why we have it

3rd time: Family Conference

**ELECTRONIC DEVICE POLICY****Electronic Devices**

- **Middle School:** Scholars may not use beepers, headphones/music equipment (e.g. CD-players, iPods, etc.), tablets, or cell-phones while in the school building, until after school or after detention. If Scholars are in possession of an electronic device, it must be shut down, with alarms turned off, and out of sight while Scholars are inside the school. For example, a cell phone may be powered off and kept inside of a Scholar's bag for use after school. While in school, the Scholar may utilize the office phone to contact a parent/guardian.

If a Scholar is seen with an electronic device, the device will be confiscated and given to a school leader who will return it to the Scholar at the end of the day. The parent/guardian will be notified, and the Scholar will receive a detention. If the Scholar violates the electronic policy again in the course of the same school year, a parent/guardian must come to the school to pick up any electronic device and the Scholar will be subject to disciplinary consequences.

- **High School:** Use of cell phones, electronic devices and headphones/earbuds are prohibited during the school day, unless the Scholar has earned enough points to use it during designated times and days.
  - Scholars who have earned enough points may use cell phones during lunch, on Thursdays. Cell phones and/or personal electronics/devices may not be used during an evacuation or fire drill unless directed by school staff.
  - The expectation is that cell phones and all other personal electronics/devices are turned off and put away unless at designated times. This includes, but is not limited to cell phones, smart watches, headphones/earbuds, gaming devices, personal computers, tablets, etc.
  - VPCS is not liable for any damage or theft of personal electronic devices that are brought to the VPCS or college partner Campuses.
  - If a cell phone and/or personal device/electronic is seen by a staff member outside of designated times:
    - The scholar will be asked to store the device in the cell phone hotels found in all classrooms. Scholars may retrieve their device at the end of the class.
    - If a scholar refuses to turn in his/her cell phone and/or personal electronic/device, it will be confiscated, and the Scholar will receive office hours, or a family member must pick it up after school.
    - Any scholar who has more than 3 cell phone/personal electronics violations per quarter will be required to turn in their cell phones and/or personal devices to the assistant principal upon entering the school building each day for up to 30 days.

### **Consequences of Breach of Policy**

Use of all Veritas Prep technology resources is a privilege. By using school provided devices, the user agrees to follow all Veritas Prep regulations, policies, and guidelines. Scholars and staff are encouraged to report misuse or breach of protocols to appropriate personnel, including building administrators or teachers. Abuse of these privileges may result in one or more of the following consequences:

- Suspension or cancellation of use or access privileges.
- Payments for damage or repairs.
- Discipline under appropriate school policy (ies).
- Liability under applicable civil or criminal laws.

### **Communication & Social Media**

Scholars are provided with school email accounts and online tools to improve the efficiency and effectiveness of communication and learning. When using online tools, members of the VPCS community will use appropriate behavior and means of communication.

Users need to be aware that data and other material/files maintained on the school's systems may be subject to review, disclosure, or discovery. Use of personal email accounts and communication tools to conduct school business is strongly discouraged and may open an individual's personal account to be

subject to inquiries. VPCS will cooperate fully with local, state, and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies or government regulations.

#### **Guidelines for Online Communication**

- Scholars will use their school email account for communication with teachers or other Scholars pertaining to academic subjects only.
- Scholars should only be communicating via school platforms and not with outside platforms that could be unsafe or lead to inappropriate content.
- Teachers will use school email addresses when communicating with Scholars and parents/guardians online.
- When teachers communicate with a parent/guardian, they refrain from discussing any non-related Scholars when possible.

#### **Use of Copyrighted Materials**

Violations of copyright law that occur while using the VPCS network or other resources are prohibited and have the potential to create liability for the school as well as for the individual. Scholars must comply with regulations on copyright plagiarism that govern the use of material accessed through the VPCS network. Users will refrain from using materials obtained online without requesting permission from the owner if the use of the material has the potential of being considered copyright infringement.

#### **Appropriate & Prioritized Technology Use**

Technology is provided to Scholars for academic purposes. VPCS reserves the right to prioritize academic use and limit certain network activities that are negatively impacting learning. Users are prohibited from using the VPCS network to access content that is inappropriate or illegal, including but not limited to content that is pornographic, obscene, illegal, or promotes violence.

#### **Network Filtering & Monitoring**

As required in the Children's Internet Protection Act (CIPA), VPCS is required to protect Scholars from online threats, block access to inappropriate content, and monitor Internet use by minors on school networks. IT (Insource) is responsible for managing the school's Internet filter and will work with the VPCS staff to ensure the filter meets the academic needs while protecting minors from inappropriate content.

#### **GoGuardian**

VPCS uses a program called GoGuardian to assist in the monitoring of Scholar Chromebook use. This platform assists in filtering out inappropriate or non-academic web content. VPCS staff are alerted by GoGuardian when content on a Scholar's Chromebook may be considered inappropriate. VPCS staff will monitor these alerts and contact parents/guardians as needed to inform them of Scholar activity.

When in a class session, GoGuardian helps teachers monitor the work habits and work production of Scholars logged into class. Teachers can actively monitor Scholar screens, assist them with opening proper web pages, and close out of unnecessary web content that may be open.

#### **Network Security**

Users are prohibited from altering or bypassing security measures on electronic devices, network equipment, and other software/online security measures without the written consent of VPCS.

### **Passwords**

Users are required to adhere to password requirements set forth by the IT (Insource) when logging into school computers, networks, and online systems. Users are not authorized to share their password and must use extra caution to avoid email scams that request passwords or other personal information.

### **Device Support**

VPCS provides basic installation, synchronization, and software support for VPCS-issued electronic devices. Password protection is required on all VPCS-issued electronic devices to prevent unauthorized use in the event of loss or theft. If Scholars find they are in need of device support or must report an issue with their VPCS device, that Scholar and/or parent/guardian must reach out to one of their advisory teachers who will contact the Operations team or tech support.

### **Loss/Theft**

Users must take reasonable measures to prevent a device from being lost or stolen. In the event an electronic device is lost or stolen, the user is required to immediately notify appropriate school staff and local authorities. VPCS will take all reasonable measures to recover the lost property and to ensure the security of any information contained on the device. If a device is not recovered the cost to replace the device may be the responsibility of a parent/guardian if it is discovered that the loss/theft was preventable.

### **Damage/Destruction**

Users must take reasonable measures to prevent a device from getting damage beyond normal use.. In the event an electronic device is damaged, the user is required to immediately notify appropriate school staff. Extensive or continued destruction or damage to a device(s) could result in excessive costs that would be the responsibility of a parent/guardian.

## **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. Veritas Preparatory Charter School offers Internet access to its Scholars and staff. The primary purpose of providing access to the Internet is to support the educational mission of the Veritas Preparatory Charter School. Veritas Preparatory Charter School expects that Scholars and staff will use this access in a manner consistent with this purpose.

While the Internet is a tremendous resource for electronic information, it has the potential for abuse. Veritas Preparatory Charter School makes no guarantees, implied or otherwise, regarding the factual reliability of data available over the Internet. Users of the Veritas Preparatory Charter School Internet service assume full responsibility for any costs, liabilities, or damages arising from the way they choose to use their access to the Internet. Veritas Preparatory Charter School 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 Veritas Preparatory Charter School’s 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 or 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.
- 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;
- Using the internet to bully another person is referred to as “cyber bullying” in this handbook and the school’s Bullying Prevention and Intervention Plan.
- 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 Executive Director.
- 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 Executive Director; and
- Overriding the Internet filtering software.

**Safety Issues** – Use of the Internet has potential dangers. Users 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 all types of Internet applications.

- Scholars should never reveal any identifying information such as last names, ages, addresses, phone numbers, families' names, families' employers or work addresses, or photographs.
- Scholars should use the "back" key whenever they encounter a site, they believe is inappropriate or makes them feel uncomfortable.
- Scholars should immediately tell a school staff member if they receive a message that they believe is inappropriate or makes them feel uncomfortable.
- Scholars should never share passwords or use another person's password. Internet passwords are provided for each user's personal use only. If a Scholar suspects that someone has discovered his or her password, the Scholar should change it immediately and notify a school staff member.

**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. Veritas Preparatory Charter School reserves the right to examine all data stored on diskettes involved in the user's use of Veritas Preparatory Charter School’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 the Veritas Preparatory Charter School’s Internet service is a privilege not a right. Veritas Preparatory Charter School 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), or dismissal (staff) for violations of this policy. The school will advise appropriate law enforcement agencies of illegal activities conducted through Veritas Preparatory Charter School Internet service. The school also will cooperate fully with local, state, and/or federal officials in any investigation related to any illegal activities conducted through the service.

## **CORPORAL PUNISHMENT POLICY**

In accordance with M.G.L. sect. 37G, corporal punishment of pupils is prohibited. Veritas Preparatory Charter School maintains a strict Code of Conduct (see Appendix A) and clear disciplinary procedures. These procedures do not allow for corporal punishment but rather include a clear set of consequences including deductions from behavior Promotion System, detentions, loss of privileges, suspensions, and expulsions.

## **PHYSICAL RESTRAINT AND BEHAVIOR SUPPORT**

Veritas Preparatory Charter School strives to ensure that each student is free from the use of physical restraint that is inconsistent with the requirements of 603 CMR 46.00. Physical Restraint is not a form of treatment or punishment and will be used only as an emergency measure of last resort after less intrusive measures have failed or been deemed inappropriate, and with extreme caution.

Preventative techniques will typically be utilized to avoid the need for restraint. De-escalation techniques including redirection, removal from the situation or offering emotional support from an appropriate adult will be attempted prior to physical contact. Restraint is to be used only as a last resort when a student’s behavior poses a threat of assault, or imminent, serious, physical harm to self or others.

All staff receive an annual review of the school’s Restraint Prevention and Behavior Support Policy and Procedures, see Appendix D. Training will include a focus on prevention and behavior support and the requirements for the use of restraint. At the beginning of each school year, the principal will identify and designate certain staff to receive in-depth, competency-based training on the proper administration of physical restraints.

The school complies with all state required restraint reporting. Any restraint lasting longer than 20 minutes will receive approval by the principal before continuing. The principal will make reasonable efforts to orally notify a parent/guardian within 24 hours of the use of restraint and shall notify parent/guardian by written report in the language primarily used by the parent/guardian within three school working days of the restraint.

The following restraints are prohibited: medication restraint, mechanical restraint, prone restraint unless permitted by 603 CMR 46.03(1)(b), seclusion and the use of physical restraint in a manner inconsistent with 603 CMR 46.00.

For additional information about the School's Restraint Prevention and Behavior Support Policy and Procedures, Appendix D.

## **PROHIBITION OF BULLYING AND CYBERBULLYING POLICY**

Pursuant to M.G.L. c. 71, Section 37H and 37O, bullying and cyberbullying are prohibited and may result in disciplinary action by the school administration. Please see Veritas Preparatory Charter School's Bullying Prevention and Intervention Policy in Appendix E.

## **PROHIBITION OF HAZING POLICY**

Veritas Prep prohibits all forms of hazing as defined by Massachusetts Anti-Hazing Law: M.G.L. c. 269, Section 17 attached as Appendix F.

## **ANTI-DISCRIMINATION AND ANTI-HARASSMENT**

### **Anti-Discrimination**

Our mission statement reflects our value of empowering students of all backgrounds to achieve their full potential. Accordingly, Veritas Prep does not discriminate in admission to, access to, treatment in, or employment in its services, programs and activities, on the basis of race, color, national origin, creed, sex, gender identity, religion, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language, academic achievement, pregnancy or pregnancy-related condition, homelessness, or any classification protected by law ("Protected Characteristics").

### **Discriminatory Harassment**

Veritas Prep expects all members of the school community to conduct themselves in an appropriate and professional manner. Veritas Prep is committed to equal employment and educational opportunity for all applicants, employees, students, and members of the school community without regard to Protected Characteristics in all aspects of employment and education. Veritas Prep is also committed to maintain a school and work environment that is free from harassment based on Protected Characteristics ("Discriminatory Harassment"). Discriminatory Harassment in any form, including sexual harassment, is unlawful and will not be tolerated. Additionally, retaliation against an individual who has complained about Discriminatory Harassment or who has cooperated with an investigation of a Discriminatory Harassment complaint is similarly unlawful and will not be tolerated.

For additional information, see Veritas Preparatory Charter School's Harassment Policy (Appendix G) and Grievance Procedure (Appendix H).

## **Sexual Harassment**

Sexual harassment is a form of Discriminatory Harassment that is illegal and will not be tolerated at Veritas Prep. See Veritas Preparatory Charter School's Harassment Policy (Appendix G) and Grievance Procedure (Appendix H).

If it is determined that harassment has occurred, Veritas Prep will act promptly to stop the harassment and take steps to remedy the effects of the harassment and to prevent its recurrence. Where appropriate, Veritas Prep will impose disciplinary action, up to and including suspension or expulsion.

## **Title IX**

Veritas Prep does not discriminate on the basis of sex in the educational program or activity which it operates and is required by Title IX of the Education Amendments of 1972 and its implementing regulations ("Title IX") not to discriminate in such a manner. This requirement not to discriminate in such a manner extends to employment in and admission to Veritas Prep. Inquiries concerning the application of Title IX to Veritas may be referred to the Title IX Coordinator. For additional information, see Veritas Preparatory Charter School's Title IX Policy (Appendix I) and Title IX Grievance Procedure (Appendix J).

## **Section 504**

Veritas Prep does not discriminate on the basis of handicap in violation of Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504") in the admission or access to, or treatment or employment in, its program or activity. See attached Section 504 Grievance Procedure (Appendix K).

## **Section 504 & Title IX Coordinator**

In accordance with this policy, the Director of School Supports is charged with coordinating Veritas Prep's efforts to comply with Section 504 and Title IX, which prohibit discrimination based on disability and sex, respectively. The Director of School Supports may be reached at:

**Jonathan Swan, Director of School Supports**

Email: [jswan@vpcs.org](mailto:jswan@vpcs.org)

Voice: 413-271-7237

## **SCHOOL VISITOR POLICY**

Families are welcome to visit the school anytime except during state testing. All visitors, including parents/guardians, must sign in at the main office and receive a visitor's badge before proceeding through the building. Visitors must adhere to Veritas Prep's school culture of respect, professionalism, and minimize disruptions to the flow of the school day. This means following our norms, respectfully addressing any concerns or needs with the appropriate adults, refraining from using profanity or

discriminatory language in conversation. Visitors who violate this policy will be immediately asked to leave the school and will no longer be allowed to visit.

**Visiting Classrooms** – Visitors are expected to observe instruction quietly from the back of the room in order to avoid disruptions. We teach our Scholars not to engage with visitors during instructional times in order to minimize disruptions.

**Tours** – Tours can be scheduled with our Director of Operations or Family Engagement Manager who can be reached by phone at 413-539-0055 (*Middle School*) or 413-264-2646 (*High School*).

In 2022-2023, visitors may be limited to rooms being at capacity and complying with safety regulations based on the current status and guidelines for the COVID crisis.

## **VOLUNTEER POLICY**

We will occasionally encourage family members to volunteer at school or on school sponsored trips. All school volunteers must first pass a CORI check prior to working with Scholars other than their own child. We will ask all family members interested in volunteering to submit a copy of their license or state issued identification and give signatory permission to the school's authorized representative to perform a criminal background check. Information from this check will remain confidential. Families can contact our Family and Engagement Manager to coordinate volunteer opportunities.

## **COMPLAINT PROCEDURE**

This complaint procedure is established by Veritas Preparatory Charter School for the purpose of complying with M.G.L. c. 71, sec. 89 (II). This statute requires charter schools to establish a process for any individual to file a complaint with the school's Board of Trustees in the event that the individual believes the school has violated any of the provisions of charter school law and/or regulations. This complaint procedure must be disseminated to all school community members and must be made available upon request. Both the school and the Board work in conjunction with one another to hear and resolve any complaints. If a problem arises, both the school and the Board 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 Executive Director. If this does not resolve the issue, then the Board encourages the complainant to contact the Board Chair who will arrange to have the complaint heard at the next possible meeting of the Board of Trustees.

If this meeting does not resolve the relevant complaint, the complainant should follow the guidelines set by M.G.L. c. 71, 89(II) and 603 CMR 1.10. If an individual believes that the school has violated any provision of the charter school law and regulations, he or she may file a formal complaint directly with the Board of Trustees. After receiving the complaint, the Board must send a written response to the individual within 30 days. The Board of Trustees shall, pursuant to a complaint received under 603 CMR 1.10, or on its own initiative, conduct reviews to ensure compliance with M.G.L. c. 71, 89 and 603 CMR 1.00. The charter school and the specific individuals involved shall cooperate to the fullest extent with such review. If the Board does not address the complaint to the individual's satisfaction, the individual may submit the complaint to the Commissioner of Elementary and Secondary Education,

who shall investigate the complaint and make a written response, 603 CMR 1.10(4). In the event the charter school is found in non-compliance with M.G.L. c. 71, s 89, or 603 CMR 1.00, as a result of a complaint or upon investigation, the Commissioner or the Board of Elementary and Secondary Education may take such action as it deems appropriate, including but not limited to suspension or revocation of the charter under 603 CMR 1.13, or referral of the matter to the District Attorney, the Office of the Attorney General, or any other agency for appropriate legal action. If an individual believes that the school has violated any federal or state law or regulation regarding special education may file a complaint directly with the Department of Elementary and Secondary Education.

## **VI. Appendices**

### **APPENDIX A: CODE OF CONDUCT**

#### **A. Code of Conduct Purpose**

Veritas Preparatory Charter School has created a Code of Conduct in order to:

- Maintain a respectful space for learning,
- Allow Scholars to focus on their learning,
- Set forth the implications and potential consequences of Scholar misconduct, and
- Prepare Scholars to become engaged citizens who follow rules set by our communities.

The Code of Conduct describes behaviors that Veritas Preparatory Charter School considers inappropriate or unacceptable (which we will call “Disciplinary Offenses”) and the consequences of those behaviors.

#### **B. Code of Conduct Philosophy**

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. Without a firm and consistent discipline policy, none of what we envision for the school can happen. This is the basis of our Scholar Code of Conduct.

Respect is core to our school culture. 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 questioning a staff person’s action or authority in a disrespectful manner. Such disrespect will not be tolerated.

At Veritas Preparatory Charter School, we seek to help Scholars become mature young adults. To that end, while we will not tolerate disrespect, we do allow for Scholars to express disagreement in a respectful manner. The school has developed routines and procedures that enable Scholars to easily express such disagreement with respect for all involved. Failure to disagree respectfully will result in further consequences.

Enforcement of Veritas Preparatory Charter School’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. Our consequences are designed to correct behavior and are aligned with our weekly behavior Promotion System. For example, for minor misbehaviors we use a deduction, which is designed to quickly and consistently change a Scholar’s behavior. We also have several other consequences that escalate in severity to encourage a Scholar to change his or her behavior and make better choices.

### **C. Code of Conduct Behavior Management System**

The behavior management system at Veritas Preparatory Charter School consists of a combination of rewards, incentives, and logical consequences. The system is designed to allow Scholar's opportunities to be recognized for positive behavior while also holding them accountable when they struggle. The behavior management system is explicitly taught to Scholars and staff at the start of each school year. The objective is to increase the amount of time Scholars spend learning in the classroom and minimize the amount of time spent out of the classroom.

#### **Middle School Specific Systems**

##### **Promotion System**

Teachers use the Promotion System to provide frequent visual feedback on behavior. There is a five-level ladder on the board and a magnet for each scholar. Names are moved up and down the ladder based on positive or negative choices made by scholars throughout the day. The higher up they move; the more points they accumulate. Teachers record points and reset magnets at the end of each class period.

If Scholars have enough points at the end of each week, they will be able to participate in *Rock Star Monday*. This will include a variety of incentives such as a special breakfast, dress-up days, jean days, and more. If Scholars earn enough points during the month, they are invited to participate in the monthly incentive, which include larger activities. Parents/guardians will be notified if their scholar has qualified to participate through a permission slip or flyer that will go home each month.

### **D. Code of Conduct Disciplinary Offenses**

A school-related Disciplinary Offense refers to a violation of this code occurring:

- While the Scholar is on school grounds or school-related transportation,
- During school-sponsored activities and trips, and
- During all other school-related events.
- Off of school grounds resulting in substantial disruption to the school environment

We have levels of consequences outlined below, but Veritas Preparatory Charter School staff has sole discretion to determine the consequence of each disciplinary offense.

#### **Community Violations**

Some behaviors at Veritas directly impact the learning of our community. These behaviors will receive a *community violation*, in which scholars will serve a same day reflection during lunch or afterschool.

Scholars earn community violations by:

1. Talking in our silent hallways
2. Being disrespectful to staff or other Scholars
3. Being continually disruptive to the learning environment.

#### **Reflection**

At Veritas, we value same day reflection. We know that Middle Schoolers learn best from their mistakes when they can reflect shortly after the community violation takes place. The more time between a reflection and the community violation, the less likely scholars are to recall the specifics of the incident

and understand the potential effects their actions had on others. This tends to lead to repeated misbehavior.

To keep the consequence close to the infraction, reflection is held twice per day, during lunch and after school. A Scholar may be asked to serve reflection if they ended the morning or afternoon or the lowest level of the behavior chart, or if they earned a community violation.

Lunch Reflection- Lunch reflection is for morning infractions. Lunch will be provided to the Scholar in the reflection room. Scholars who are unable to behave appropriately may earn an after-school reflection.

After School Reflection- After school reflection is for afternoon infractions. After school reflection is from 3:30-4:00pm and from 1:00-1:30 on Friday. Scholars who are unable to behave appropriately or skip after school reflection will earn a half day of out of class reflection the following day.

If a Scholar is required to serve an after-school reflection but has a previously scheduled extracurricular activity on the same day, he/she will be required to serve the detention and forfeit the opportunity to attend the activity.

Families will receive an **automated phone call by 2:30pm** if their scholar has earned an after-school reflection. It is the parent's/guardian's responsibility to call the school back if the scholar is unable to serve that day. Other than for family/medical emergencies or health-related appointments, Scholars may not be excused from detention. In this case, all Scholars will be required to make-up a missed reflection the following school day.

## **Referral**

Referrals to the Director of Culture are a last resort for teachers to use as a behavior intervention because they remove the scholar from the learning environment. Teachers are trained to prevent negative Scholar behaviors within the classroom by using a variety of strategies prior to referring them out of class.

A Scholar will be referred out of class if they are sent to the in-class reflection desk twice in a half-day period. This will allow the Scholar time to reset and reflect, making them more prepared to learn. Additionally, any behaviors that significantly endanger the physical or psychological safety of a member of the Veritas Preparatory Charter School community or cause significant disruption to the learning environment will result in a Scholar being referred to the Director of Culture immediately.

When referred, the Scholar will be given a pass and expected to report directly to the reflection room. In the reflection room, they will have the opportunity to process with staff and the sending teacher before returning to class. Scholars will likely not be given work to complete during a reflection as the reflection room staff is expected to get Scholars back to class as soon as possible.

## **High School Specific Systems:**

We believe that Scholars do well if they can. Challenging, unproductive or off-track behavior shows us where they need support. A Behavior Support System is a guide for staff and Scholars to the steps and strategies we use to teach, reteach, support and enable the Scholar behaviors that create a positive and productive school and thriving individuals. A systems approach helps us address challenging behaviors equitably. It supports adults to be consistent yet personalized in our responses and to partner with Scholars on solutions. It starts with creating an empowering community with Scholars. It

supports them to understand their behaviors, their impact on others, and builds skills so they can thrive. Each piece of our system engages Scholars to empower them to increasingly self-manage.

#### **Tier 1 Supports:**

- **Intentional Community Building:** Our staff will focus on schoolwide and classroom specific relationship building, Scholar/teacher collaboration, common expectations, and incentives, privileges, and celebrations.
  - **Incentives:** Scholars will earn points each day that will accumulate to earn privileges or money to use at the Veritas school store.
  - **Habits of Success:** Habits of success will be explicitly taught and assessed seminar and across all courses. A habits of success honor roll will recognize Scholars with strong habits and earn them privileges and other rewards aligned with their skills.
- **Behavior Response**
  - **Break Space:** Each classroom will have a break space for Scholars to reflect and refocus. Teachers can send Scholars to this space, or Scholars can ask to use the space in class.
  - **1:1 Conference:** Teachers will have a private and individual conference with Scholars who are off track to reset expectations and get them back to learning.

#### **Tier 2 & 3 Supports:**

- **Out of Class Conference:** A Scholar can be asked to participate in an out of class conference if they are unable to be in the learning environment without intervention. A member of the culture team will respond by processing with the Scholar, determining criteria for class reentry, and help them get back to class to reengage with the learning.
- **Office Hours** are a time to check in, problem solve, get support, or make up missed work or class time from excused or unexcused absences. All teachers hold Teacher Office Hours one day per week based on a set schedule. Admin Office Hours occur 3 days per week (T-Th) and may be used for check-ins or to address behavior or academics beyond a teacher's role. Scholars and families are given 24 hours' notice of assigned Office Hours. Office Hours are taken seriously. Scholar attendance is tracked and reported. An unexcused absence from Office Hours results in assigned Admin Office Hours the following day and families will be notified. Failure to attend Admin Office Hours results in a family conference.
- **Teacher Office Hours** are used for behavior support in these ways:
  - Conferences with Scholars to clarify learning or resolve problems
  - Making up missed time - when Scholars miss more than a few minutes of class, skip class or repeatedly miss class time due to lateness or misuse of the pass, etc., they make up the time in Office Hours
  - Making up missed work - if Scholars do not use class time well and are unable to complete work, or they miss class without an excuse, Office Hours are assigned to make up the missed or incomplete work

#### **Suspensions:**

### **In-School Suspension**

A Scholar can earn an In-School suspension for a variety of reasons. First, if a Scholar earns a referral and is sent to the reflection room and their behavior becomes a continued disruption to others, Scholars may earn a strike. If a Scholar earns three strikes, they are moved to the other side of the reflection room and placed in half-day or full-day in-school suspension. If a behavior in the classroom is egregious, the Director of Culture can determine a scholar be placed in In-school suspension for a half or full day.

During the duration of the in-school suspension, the Scholar will be given all class materials and basic instruction to help them complete work. If deemed necessary, a Scholar may be given an assignment or project to complete related to their offense such as writing an essay or cleaning up graffiti in the bathroom. Scholars who are in In-school suspension will earn credit for all work they complete in their time out of class.

In -School Suspension Procedures – When a Scholar is removed from their classroom or is otherwise placed into a full or half day of In-School Suspension, the following procedures will be followed:

- The Director of Culture shall 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 Director of Culture determines that the Scholar committed the disciplinary offense, the Director of Culture shall inform the Scholar of the length of the Scholar's In-School Suspension, which shall not exceed ten days, cumulatively or consecutively, in a school year.
- On the same day as the In-School Suspension decision, the Director of Culture shall make reasonable efforts to notify the parent/guardian orally as soon as possible of the disciplinary offense, the reasons for concluding that the Scholar committed the infraction, and the length of the In-School Suspension. If the Director of Culture is unable to reach the parent/guardian after making and documenting at least two attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent/guardian of the In-School Suspension.
- The Director of Culture shall send written notice to the parent/guardian about any full day In-School suspension, including the reason, length, and invite the parent/guardian to a meeting. The Director of Culture provides notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent/guardian for school communications, or other method of delivery agreed to by the Director of Culture and the parent/guardian.

If the suspension results in less than 10 cumulative days, then the decision is not eligible for appeal to the principal. If the In-School Suspension results in more than 10 cumulative days, an appeal may be filed with the principal following the directions in the “*Appeals*” section.

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

Scholars who earn Out-of-School suspension will be prohibited from attending school for a specific number of days as determined by a school administrator. Offenses that may warrant an Out-of-School Suspension include, but are not limited to:

- Serious or continued disrespect of a fellow Scholar including, but not limited to, hazing, bullying and harassment
- Serious disrespect of faculty, staff, or other members of the school community
- Assaulting another Scholar
- Using or possessing tobacco products
- Making verbal or physical threats, empty or otherwise, that threaten the safety of another individual within the school community.
- Misbehavior or disruption while assigned to In-School Suspension
- Setting off false alarms (i.e., fire, elevator)
- Gambling
- Cheating
- Leaving school grounds without permission
- Being charged with a felony (which could also warrant expulsion, see M.G.L. c. 71, §37H1/2 in *Appendix A-1*)
- Repeated offenses for which the Scholar has already earned consequences

Suspensions may be short term or long term. Short term suspension means the removal of a Scholar from the school premises and regular classroom activities for ten (10) cumulative school days or less. Long term suspension means the removal of a Scholar from the school premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year.

The principal may, in his/her discretion, allow a Scholar to serve a long-term suspension in school.

#### Out-of-School Suspension Procedures for Handbook Offenses

(For discipline related to violations of M.G.L. c. 71, sec. 37H and 37H1/2 see “Expulsion Procedure” below)

When a Scholar has engaged in behavior warranting an Out-of-School Suspension, the family of the Scholar will be notified via phone of the conduct and the pending suspension. The family of the Scholar will be offered the opportunity for a hearing before the Principal or the Principal’s designee. Additionally, a written notification will be sent by mail to the family. Except as otherwise provided herein, the suspension will commence subsequent to the opportunity to meet with the Principal or Director of Culture.

The written letter for a short term out-of-school suspension will include:

- A description of the offense
- The basis for the charge
- The potential disciplinary consequences including the potential length of suspension
- Notice of the opportunity for a hearing regarding the discipline, including the opportunity to dispute the charges, present the Scholar’s explanation, and for the parent/guardian to attend
- The date, time, and location of any opportunity to be heard
- A brief summary of any rights to an interpreter service if needed to participate

For a long-term Out-of-School Suspension, the notice shall include the components of the notice for short-term suspension and notice of the following rights:

- The opportunity to review the records or documents the principal may use in making the disciplinary decisions
- The right to be represented by counsel of his/her own choice at the family’s own expense.
- The right to call upon witnesses and to present an explanation in defense of the Scholar

- The right to cross-examine witnesses presented by the school
- The right to have the hearing audio recorded and to receive a copy of the recording.

In the case of danger or a risk of substantial disruption, the Scholar will be removed from class pursuant to the emergency removal provision below and provided notice and the opportunity to present his/her version of the relevant facts in accordance with the due process protections enumerated in Appendix A-1: Scholar and Parental Rights.

In the informal hearing, the Director of Culture will summarize and discuss the events leading to the discipline, the basis for the charge, and any other pertinent information. The Scholar and family shall have the opportunity to share information, present information, and present mitigating circumstances. After the conclusion of the informal hearing, the principal or designee will make a determination of the consequence to be imposed. The determination will be communicated verbally to the Scholar and family and in a written letter sent through the mail or email and shall include reasons for his/her determination, the duration of the suspension and notice of the opportunity to make up assignments.

In a long-term suspension hearing, the principal shall also provide written notice of the determination that includes the following:

- The disciplinary offense, the date of the hearing, and the individuals who participated
- The key facts and conclusions
- Length and effective date of suspension and date of return to school
- Notice of the opportunity to receive educational services and make academic progress while on suspension
- Notice of appeal rights, including the process for appealing and notice that the suspension will remain in place pending the outcome of the appeal.

A Scholar or family will have the right to appeal the decision if the suspension exceeds 10 days cumulatively for the academic year or if an appeal to the Executive Director is available pursuant to the Appeals provision below and/or processes enumerated in Appendix A-1: Scholar and Parental Rights. For instructions on filing an appeal, please see the “*Appeals*” section.

Scholars are responsible for completing academic work missed during the suspension. If possible, the Scholar will complete this work while at home. If not, the work will need to be completed once the scholar returns to school by deadlines in accordance with the school make-up policy. If a Scholar does not complete this work, the Scholar may face standard academic consequences (e.g., Homework Center, no academic credit).

***Alternative Education Environments for Suspended Scholars (>10 Days)*** – Any Scholar who has been removed from class for more than ten (10) consecutive days in a school year is entitled to alternative education services provided by the school. A manifestation determination review will be conducted for any Scholar who receives Special Education services under the IDEA before considering removing the Scholar from class for more than 10 cumulative days. If it is determined that the disciplinary offense was not a manifestation of the disability of a Scholar who receives Special Education services and the Scholar will be removed from class for more than ten 10 cumulative days in a school year, the Scholar is also entitled to alternative education services provided by the school. These services may include:

- Outside of school tutoring
- Distance learning via technology
- Saturday school/After School Tutoring

Additional information related to the continuation of education services is provided in Appendix A-1: Scholar and Parental Rights.

## **Expulsion**

Expulsion is defined as the exclusion from Veritas Preparatory Charter School on a permanent basis at the discretion of the principal with the potential for appeal to the Executive Director. MA law (M.G.L. c. 71, §37H, §37H1/2 and §37H3/4) provides for the expulsion of Scholars by the Principal for the following disciplinary offenses:

- Possessing a dangerous weapon including but not limited to a knife or a gun
- Possessing a controlled substance as defined in M.G.L. c. 94C including but not limited to illegal drugs (e.g., marijuana) and prescription medication that is not prescribed to the Scholar.
- Assaulting educational personnel (i.e., threatening assault, hitting, kicking, punching, slapping, pushing)
- Being convicted of a felony or being found guilty of committing a felony either by admission or by adjudication, where the Scholar's continued presence would have a substantial detrimental effect on the general welfare of the school.

In addition to any of these infractions, any breaches of Federal law, Massachusetts state law, or local laws of Springfield, may be handled in cooperation with the law enforcement officials and may constitute grounds for disciplinary action.

Expulsion Procedures – When a Scholar has engaged in an expellable behavior, the Scholar's family will receive a phone call as well as written notice of a disciplinary hearing. The written notice will include:

- A description of the offense
- The basis for the charge
- The potential consequence including the effective date and duration of any suspension
- An explanation of the opportunity for a hearing regarding the suspension
- The date, time, and location of the hearing
- A brief summary rights to an interpreter and/or representation
- Notice of the opportunity to present relevant facts
- A statement regarding whether or not the principal will schedule a formal hearing to consider further discipline, up to and including expulsion from school in accordance with M.G.L. c. 71, §37H

The procedures will be applicable when expulsion is attributable to conduct governed by M.G.L. c.71, §37H and 37H½:

When the exclusion of a Scholar from school is based on possession of a dangerous weapon, possession of a controlled substance, or assault, an administrator may place a Scholar on short-term suspension (ten days or less) based upon an informal hearing, to be followed by a formal hearing

before the principal within that period of suspension to determine whether to take additional disciplinary action, up to and including expulsion from school.

1. The informal hearing will be in the form of a conference between the Scholar and the Principal. At this conference, the Scholar (1) shall be informed of the reason for the conference, (2) shall be given the opportunity to present evidence and/or mitigating factors, and (3) the principal shall give a decision on the suspension. If the Principal deems delay of the hearing necessary to avoid danger or substantial disruption, this process may occur immediately after, rather than before, the suspension.

2. Prior to putting a suspension into effect, the principal or designee shall make a reasonable effort to telephone and inform the Scholar's parent/guardian of the impending suspension; this shall include attempts to contact the parents/guardians at home and at work. Parents/guardians may contact the school for additional information regarding the suspension.

When considering a suspension/expulsion of a Scholar charged with/convicted of felony, the principal will use the standards and procedures set forth in M.G.L. c.71, §37H1/2. In addition, prior to initiating such procedures, the principal may meet informally with the Scholar and/or his parents/guardians to review the charge and the applicable standards if the principal deems appropriate.

## **Appeals**

### **Suspension/Expulsion Appeal Process**

Except for long term suspensions imposed pursuant to M.G.L. c. 71, sec. 37H, any Scholar who has been in-school or out-of-school suspended for more than 10 cumulative days or expelled from Veritas Preparatory Charter School pursuant to these provisions, shall have the right to appeal to the Executive Director. The Scholar shall have five (5) days from the effective date of the suspension or expulsion in which to notify the Executive Director of his/her appeal, except for expulsions pursuant to 37H, which allows for an appeal within 10 days of the effective date of expulsion. The Scholar has the right to counsel at a hearing before the Executive Director. 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.

Whenever an appeal hearing is recommended, the above procedural safeguards will be in effect:

- The Scholar shall receive written notice of the following:
  - Charges and a statement of the evidence.
  - Date, time and place of a hearing.
  - Notice of the right at the hearing to:
    - Be represented by parents, guardian, or other representative (at the Scholar's / family's expense)
    - Present evidence
    - Confront and cross-examine witnesses
- The school will make an audio recording of 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/guardian's primary language if necessary for their understanding of the proceedings.

- A Scholar and/or parent/guardian, upon request, will have the right to review the Scholar's records in accordance with the Massachusetts Scholar Records Regulations or other applicable laws.
- All decisions by the Executive Director regarding expulsion of a Scholar will be issued to the Scholar in writing and not appealable to the Board of Trustees.

#### **F. Discipline of Scholars with Special Needs**

Federal and state law provide certain procedural rights and protections relating to discipline of Scholars who have been identified under such laws as having special needs based upon a disability. A copy of these rights is located in the Appendix C.

#### **G. Scholar Searches**

In order to maintain the security of all its Scholars, Veritas Preparatory Charter School staff reserves the right to conduct searches of its Scholars and their property when there is reasonable suspicion that the Scholar has violated the law or a school rule. If searches are conducted, the school will attempt to ensure that the privacy of the Scholars is respected to the extent practicable, and that Scholars and their families are informed of the circumstances surrounding the results of the search. School lockers, cubbies, and desks, which are assigned to Scholars for their use, remain the property of Veritas Preparatory Charter School, and Scholars, therefore, have no expectation of privacy in these areas.

#### **H. Bus Behavior**

The Veritas Preparatory Charter School Code of Conduct applies on school bus transportation. Scholars who take the school bus are expected to act responsibly and respectfully at all times. All school rules apply on the bus. Certain additional rules will apply to the bus. Scholars may be given assigned seats. A school administrator will meet the bus every day. No child will exit the bus before a school administrator checks with the driver as to behavior. Failing to be in the assigned seat, putting hands out of the bus, throwing things, using bad language, not obeying the bus driver, are all offenses, as well as those listed in part (C) of this Code of Conduct. More serious behavior (i.e., fighting) will be investigated and assigned consequences just as if it happened on school grounds.

One offense = loss of bus privileges for a week.

Two offenses = loss of bus privileges for a month.

Three offenses = loss of bus privileges for the year.

Disciplinary offenses, if serious enough, can warrant immediate loss of bus privileges for the year. Or further discipline in accordance with school policy. Other consequences (e.g., demotions, detentions, suspensions, expulsions) apply as well.

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

Scholars with an IEP or 504 accommodation plans will be dealt with on a case-by-case basis regarding disciplinary offense on a school bus.

#### **I. School 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 that allows Scholars to attend all school-sponsored field trips and events will be in the enrollment packet or sent home at the beginning of the year for returning Scholars and should be signed by a parent/guardian. The school will notify all parents/guardians before each school-sponsored trip.

A Scholar may be considered ineligible for a trip for reasons including but not limited to: low D.R.I.V.E. average, not returning the school-sponsored trip permission form, involvement in a disciplinary incident, poor school attendance, misbehavior or severe lack of academic effort prior to the trip, etc. Scholars who are ineligible for attending a trip will be still required to attend school that day.

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

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

Cheating on homework or exams, using resources inappropriately or without proper citation/attribution, and copying other people's work word for word or at the idea level, whether another Scholar's or other source, is not only unfair and considered academic dishonesty but in the case of plagiarism, is 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 continued throughout the year. The school will determine appropriate consequences but cheating, plagiarism, and copying others' work may result in a Referral, Suspension, loss of academic credit, and/or other consequences.

**Early College:** For Early College courses the consequences are immediate and damaging. Plagiarism or academic dishonesty of any kind can lead to immediate failure of and withdrawal from a course and even expulsion from the college. Colleges determine their own academic honesty policies and Veritas staff work with our Scholars to ensure they understand the rules and consequences. It is the ultimate responsibility of Veritas Scholars to follow all policies related to academic honesty and plagiarism.

#### **K. Tobacco or tobacco-related products**

The use of any tobacco products, including smoking or vaping, within the school buildings, the school facilities or on the school grounds or on school buses by any individual, including school personnel is strictly prohibited.

## **APPENDIX B: SCHOLAR AND PARENTAL RIGHTS**

### **PROVISIONS GOVERNING DUE PROCESS FOR DISCIPLINARY REMOVALS and SERVICES DURING REMOVALS**

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

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

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

#### **A. NOTICE OF SCHOLAR AND PARENTAL RIGHTS UNDER G.L. c. 71 §37H**

This Notice of Scholar and Parental Rights applies to Scholar misconduct that involves weapons, drugs, assault on school staff.

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

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

Any Scholar who has been expelled from Veritas Preparatory Charter School pursuant to GL c. 71 §37H shall have the right to appeal to the Executive Director. The expelled Scholar shall have five (5) days from the date of the expulsion in which to notify the Executive Director of his or her appeal. The Scholar has

the right to counsel, at his or her own (or family's) expense, at a hearing before the Executive Director. The subject matter of the appeal shall not be limited solely to a factual determination of whether the Scholar committed the alleged infraction.

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

#### **B. NOTICE OF RIGHTS UNDER G.L. c. 71 §37H½**

This Notice of Scholar and Parental Rights applies to Scholar misconduct that involves Scholar criminal or felony delinquency charges, findings, or admissions.

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

Upon the issuance of a criminal or felony delinquency complaint against a Scholar, the Principal may suspend such Scholar for a period of time determined appropriate by the principal if he or she determines that the Scholar's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The Scholar is entitled to 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 Executive Director.

The Scholar shall have the right to appeal the suspension to the Executive Director. The Scholar shall notify the Executive Director in writing of his or her request for an appeal no later than five (5) calendar days following the effective date of the suspension. The Executive Director shall hold a hearing with the Scholar and the Scholar's parental within three (3) 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 or her behalf and shall have the right to counsel. The Executive Director shall have the authority to overturn or alter the decision of the principal, including recommending an alternate educational program for the Scholar. The Executive Director shall render a decision on the appeal within five (5) calendar days of the hearing. The Executive Director's decision shall be the final decision of Veritas Prep with regard to the imposition of discipline.

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

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 may expel said Scholar if the principal determines that the Scholar's continued presence at Veritas Preparatory Charter 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 or her right to appeal and the process for appealing such expulsion, provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the Executive Director.

The Scholar shall have the right to appeal the expulsion to the Executive Director. The Scholar shall notify the Executive Director, in writing, of his request for an appeal no later than five (5) calendar days

following the effective date of the expulsion. The Executive Director shall hold a hearing with the Scholar and the Scholar's parent(s)/guardian(s) within three (3) calendar days of the expulsion. At the hearing, the Scholar shall have the right to present oral and written testimony on his or her behalf and shall have the right to counsel. The Executive Director shall have the authority to overturn or alter the decision of the principal, including recommending an alternate educational program for the Scholar. The Executive Director shall render a decision on the appeal within five (5) calendar days of the hearing. The Executive Director's decision shall be the final decision of Veritas Prep with regard to the expulsion.

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

### **C. NOTICE OF SCHOLAR AND PARENTAL RIGHTS UNDER G.L. c. 71 §37H¾**

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

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

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

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

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

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

the disciplinary offense.

the basis for the charge.

the potential consequences, including the potential length of the Scholar's suspension.

the opportunity for the Scholar to have a hearing with the principal concerning the proposed suspension, including the opportunity to dispute the charges and to present the Scholar's explanation of the alleged incident, and for the parent/guardian to attend the hearing.

the date, time, and location of the hearing.

the right of the Scholar and the Scholar's parent/guardian to interpreter services at the hearing if needed to participate.

if the Scholar may be placed on long-term suspension following the hearing with the Principal, the Scholar's short- and long-term suspension hearing rights and the right to appeal the principal's decision to the Executive Director (see Hearing Rights section below).

The principal is required to make and document reasonable efforts to notify the parent/guardian verbally of the opportunity to attend the hearing. The Principal is presumed to have made reasonable efforts, and therefore may conduct a hearing without the parent/guardian present, if the Principal has sent written notice (by hand delivery, first-class mail, certified mail, email, or any other method of delivery agreed to by the Principal and parent/guardian) and has documented at least two (2) attempts to contact the parent/guardian in the manner specified by the parent/guardian for emergency notification.

### ***Emergency Removal***

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

Make immediate and reasonable efforts to orally notify the Scholar and the Scholar's parent/guardian of the emergency removal, the reason for the need for emergency removal, and the Hearing Rights outlined below.

Provide written notice to the Scholar and parent/guardian.

Provide the Scholar an opportunity for a hearing with the principal that complies with the rights outlined below in the Hearing Rights section, as applicable, and the parent/guardian an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the Principal, Scholar, and parent/guardian.

Render a decision orally on the same day as the hearing, and in writing no later than the following school day.

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

## **Hearing Rights**

### ***Principal's Hearing under §37H-4: Short-term Suspension***

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

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

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

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

### ***Principal's Hearing under §37H-4: Long-term Suspension***

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

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

in advance of the hearing, the opportunity to review the Scholar's record and the documents upon which the principal may rely in making a determination to suspend the Scholar or not.

the right to be represented by counsel or a lay person of the Scholar's choice, at the Scholar's/parent's/guardian's expense.

the right to produce witnesses on his or her behalf and to present the Scholar's explanation of the alleged incident, but the Scholar may not be compelled to do so.

the right to cross-examine witnesses presented by the school district; and the right to request that the hearing be recorded by the principal, and to receive a copy of the audio recording upon request. If the Scholar or parent/guardian requests an audio recording, the principal shall inform all participants before the hearing that an audio record will be made, and a copy will be provided to the Scholar and parent/guardian upon request.

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

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

Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing.

Set out the key facts and conclusions reached by the principal.

Identify the length and effective date of the suspension, as well as a date of return to school.

Include notice of the Scholar's opportunity to receive education services to make academic progress during the period of removal from school.

Inform the Scholar of the right to appeal the principal's decision to the Executive Director or designee (only if the principal has imposed a long-term suspension). Notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate, and shall include the following information stated in plain language:

the process for appealing the decision, including that the Scholar or parent/guardian must file a written notice of appeal with the Executive Director within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the Scholar or parent/guardian may request and receive from the Executive Director an extension of time for filing the written notice for up to seven (7) additional calendar days; and that the long-term suspension will remain in effect unless and until the Executive Director decides to reverse the Principal's determination on appeal.

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

#### ***Executive Director's Hearing under §37H***

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

In order to appeal the Principal's decision to impose a long-term suspension, the Scholar or parent/guardian must file a notice of appeal with the Executive Director within five (5) calendar days of the effective date of the long-term suspension (in the alternative, within five calendar days of the effective date of the long-term suspension the parent/guardian may request and receive from the Executive Director an extension of time for filing the written notice for up to seven additional calendar days). If the appeal is not timely filed, the Executive Director may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

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

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

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

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

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

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

The principal or designee may use In-School suspension as an alternative to short-term suspension for disciplinary offenses.

The principal or designee is required to 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 Principal or designee determines that the Scholar committed the disciplinary offense, the principal or designee must inform the Scholar of the length of the Scholar's in-school suspension, which shall not exceed 10 days, cumulatively or consecutively, in a school year.

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

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

The principal or designee shall send written notice to the Scholar and parent/guardian about the In-School suspension, including the reason and the length of the in-school suspension (and inviting the parent/guardian to a meeting with the principal or designee, if such meeting has not already occurred).

The principal or designee shall deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent/guardian for school communications, or by other method of delivery agreed to by the principal and the parent/guardian.

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

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

***Education Services and Academic Progress under §37H%***

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

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

**D. SERVICES DURING REMOVALS AND SCHOOL-WIDE EDUCATION SERVICE PLAN**

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

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

Veritas Preparatory Charter School's Education Service Plan is subject to change and may include tutoring, alternative placement, Saturday school, and online or distance learning.

If Veritas Preparatory Charter School expels a Scholar or suspends a Scholar for more than 10 consecutive school days, Veritas Preparatory Charter School is required to provide the Scholar and the parent/guardian of the Scholar with a list of alternative educational services. Upon selection of an alternative educational service by the Scholar and the Scholar's parent/guardian, Veritas Preparatory Charter School shall facilitate and verify enrollment in the service.

## **APPENDIX C: DISCIPLINE OF SCHOLARS WITH DISABILITIES**

### **Suspension of Students with Disabilities**

Procedures for suspension(s) not exceeding 10 school days:

- Any student with a disability may be suspended for up to ten (10) days during a school year. Disciplinary decisions are the same as for students without disabilities.
- Special circumstances exist if your child possesses, uses, sells, or solicits illegal drugs on school grounds or at a school-sponsored event; carries a weapon to school or a school-sponsored event; or inflicts serious bodily harm upon another person at school or a school-sponsored event. Under these circumstances, the principal may place your child in an interim alternate educational setting (IAES) for up to 45 school days. Your child may remain in this IAES for a period of time not to exceed 45 school days. Thereafter, your child will return to the previously agreed-upon placement unless a hearing officer has ordered another placement, or you and the school agree to another placement.

### **Procedures for suspension of students with a disability when suspension exceeds 10 school days.**

- If your child is suspended for more than 10 school days in a school year, this removal may be considered a “change of placement”. A change of placement invokes certain procedural protections under federal special education law and Section 504.
- Prior to any removal that constitutes a change of placement, the school will convene a Team meeting to develop a plan for conducting a functional behavioral assessment (FBA) that will be used as the basis for developing specific strategies to address your child’s problematic behavior.
- Prior to any removal that constitutes a change in placement, the school must inform you that the law requires the school district consider whether or not the behavior that forms the basis of the disciplinary action is related to your child’s disability. This consideration is called a “manifestation determination”. Parents/Guardians have a right to participate in this process. All relevant information will be considered including the IEP or Section 504 Plan, teacher observations, and evaluations reports.
- At a manifestation determination meeting, the Team will consider:
  - Did the student’s disability *cause* or have a *direct and substantial relationship* to the conduct in question?
  - Was the conduct a *direct result* of the district’s failure to implement the IEP?
  - If the manifestation determination decision is that the disciplinary action *was* related to the disability, then your child may not be removed from the current educational placement (unless under the special circumstances). The Team will review the IEP or Section 504 Plan and any behavioral intervention plans.
  - If the manifestation determination decision is that the disciplinary action *was not* related to the disability, then the school may suspend or otherwise discipline your child according to the school’s code of conduct. For students with IEPs, during the period of time of removal from school that exceeds 10 school days, the school district must provide educational services that allow your child to continue to make educational progress. For students with Section 504 Plans, there is no automatic right to receive educational services beyond the 10th school day of suspension.

### **Special circumstances for exclusion**

Special circumstances exist if your child possesses, uses, sells, or solicits illegal drugs on school grounds or at a school-sponsored event; carries a weapon to school or a school-sponsored event; or inflicts serious bodily harm upon another person at school or a school-sponsored event. Under these circumstances, the principal may place your child in an interim alternate educational setting (IAES) for up to 45 school days. Your child may remain in this IAES for a period of time not to exceed 45 school days. Thereafter, your child will return to the previously agreed-upon placement unless a hearing officer has ordered another placement, or you and the school agree to another placement. For students with Section 504 Plans, there is no automatic right to receive educational services beyond the 10<sup>th</sup> school day of suspension.

School personnel will provide Parent's Notice of Procedural Safeguards (Special Education) or Notice of Parent and Student Rights Under Section 504 for students with disabilities prior to any suspension exceeding 10 school days in one school year. These notices will provide an explanation of the process should there be disagreement regarding the manifestation determination or any placement decision. Parent/Guardian and/or student may petition Bureau of Special Education Appeals for a hearing or the Office of Civil Rights (Section 504). Until issues are resolved, the student remains in his or her current placement.

### **What is the discipline process for a 504 disabled Scholar?**

Section 504 disabled Scholars are subject to the same disciplinary action as non-disabled Scholars, provided that the Scholar's behavior is not a manifestation of his or her qualifying disability. A 504 Team must conduct a manifestation determination whenever a disabled Scholar is subject to out-of-school suspension for 10 consecutive school days or more.

If the 504 Team concludes that the violation is a manifestation of the Scholar's qualifying disability, the discipline process must end and the 504 Team should review the 504 Plan to determine if changes are appropriate. If the violation is not a manifestation, the Scholar is subject to the same disciplinary action that any non-disabled Scholar would receive for the same violation.

### **Must a school make a manifestation determination when considering the long-term suspension or expulsion of a Scholar with a Section 504 Plan?**

Yes. Similar to suspension or expulsion of a Scholar having a disability under IDEA, it is necessary to conduct a manifestation determination for a Section 504 disabled Scholar when:

The suspension or expulsion will be for more than 10 consecutive school days. Like IDEA, a suspension/expulsion of more than 10 consecutive days constitutes a significant change in placement and requires schools to determine if the cause of the behavior is the disability identified in the Scholar's 504 Plan.

A series of suspensions that total more than 10 days may also trigger the manifestation determination requirement of Section 504. If cumulative suspensions/expulsions for a Scholar on a 504 Plan total more than 10 days, it must be determined if a significant placement change has occurred. This is done on a case-by-case basis. If a group of short suspensions creates a pattern of exclusion, then this constitutes a

change in placement and the school must conduct a manifestation determination meeting before further suspensions or expulsions occur. The Office of Civil Rights has identified some of the key factors in determining patterns of exclusion: the length of each suspension, the proximity of one suspension to another, the nature of the behavior, and the total amount of time the Scholar is excluded from school.

**Who makes the manifestation determination for a Scholar on a 504 Plan and what information is included in this process?**

The manifestation determination should be made by a 504 Team that consists of persons who have knowledge of the Scholar and the meaning of the information that will be reviewed. When possible, the members of the 504 Team should be the same members who designed the Scholar's 504 Plan. School officials responsible for school disciplinary procedures, such as the school Principal, Director of Culture, or Executive Director, cannot make the determination. However, such administrators may present pertinent Scholar information to the 504 Team.

The 504 Team must have available information that competent professionals would require when making a manifestation determination. Such information might include attendance and academic records, psychological evaluation data, behavior plans, discipline records and staff observations. The information should be current enough to afford an understanding of the behavior that is the subject of the manifestation determination.

The manifestation determination should begin with the 504 Team deciding whether the Scholar's 504 Plan is appropriate and was being properly implemented. If the 504 Team concludes the 504 Plan is not appropriate or that the accommodations were not provided, the school should not take any further disciplinary action. The 504 Team should review and update the 504 Plan, if necessary.

If the Scholar's educational placement is correct, the 504 Team will next consider if the behavior is the result of the Scholar's disability. This inquiry is resolved by considering the relationship between the Scholar's disability and his or her ability to control and understand the consequences of his or her behavior:

- Does the disability impair the Scholar's ability to control his or her behavior?
- Does the disability impair the Scholar's ability to understand the consequences of his or her behavior?

If the 504 Team answers either question in the affirmative, then the behavior is a manifestation of the Scholar's disability, and no disciplinary action can be taken past the 10 days.

If the 504 Team determines that the behavior is not a manifestation of the disability, the district may impose whatever long-term suspension or expulsion it would impose under the same circumstances as if a non-disabled Scholar were the offender. The district has no obligation to continue to provide educational services to a 504 Scholar during the period of a long-term suspension or expulsion.

The 504 Team must conclude its work by completing a Section 504 Manifestation Determination form.

**How does a school proceed with drug/alcohol violations by a Scholar on a Section 504 Plan?**

A Scholar who is currently engaged in the illegal use of drugs/alcohol is not considered a Scholar with a disability. A Scholar with a history of drug/alcohol abuse who has been successfully rehabilitated or is participating in a drug rehabilitation program and is not currently engaging in the illegal use of drugs, is

covered by Section 504. Section 504 allows school districts to take disciplinary action pertaining to the use or possession of illegal drugs/alcohol against a 504 Scholar who is currently engaging in the illegal use of drugs/alcohol to the same extent such discipline is taken against non-disabled Scholars.

## APPENDIX D: RESTRAINT POLICY

### Veritas Preparatory Charter School Restraint Prevention and Behavior Support Policy and Procedures

#### I. Overview

Veritas Preparatory Charter School (“Veritas”) believes that all students have the right to a safe and secure environment when they attend school. Accordingly, Veritas has adopted the following policy (the “Policy”), pursuant to the Massachusetts Department of Elementary and Secondary Education (the “Department”) physical restraint regulations, 603 CMR 46.00 et seq. (the “Regulations”), which provide that physical restraint shall be used only as a last resort in emergency situations and with extreme caution. This policy shall not limit the protection afforded to students under other state or federal laws, nor should it preclude any teacher, employee, or agent of Veritas from using reasonable force to protect students, other persons, or themselves from assault or imminent, serious, physical harm, as permitted by this Policy and Massachusetts law.

The principal will serve as the “Principal” for the purposes of effectuating the Regulations and this Policy. The principal may appoint a designee to carry out the responsibilities assigned to him or her as permitted by this Policy and the Regulations.

#### II. Training

- A. *Nonviolent Crisis Intervention Training.* In addition to the systems and procedures that are in place around student culture and discipline, which are regularly communicated to students, families, and staff, Veritas staff participate in Nonviolent Crisis Intervention and de-escalation training.
- B. *Who May Administer Physical Restraint.* Only school personnel who have received “in-depth” or “basic” training in accordance with this Policy may administer physical restraint on students, provided they administer such restraint in a manner consistent with this Policy.
- C. *In-Depth Training.* At the beginning of each school year, the principal shall identify staff members who will act as a school-wide resource, in order to assist with the proper administration of physical restraint. Those persons identified by the principal must participate in an in-depth training regarding the use of physical restraint, in accordance with Massachusetts law. The in-depth training will be competency-based and will be at least sixteen (16) hours in duration. Those persons who participate in the in-depth training should participate in one refresher training course annually. The contents of this training program are described in Appendix 1.
- D. *Basic Training.* All staff members will receive basic training on the use of physical restraint in accordance with Massachusetts law. All staff members must receive this training within the first month of each school year, except staff members hired after

the school year begins, who will receive training within one month of their employment start date. The contents of this training program are described in Appendix 1.

### III. Methods for Preventing Student Violence, Self-injurious Behavior and Suicide

- A. *Whole School.* The school has whole-school systems for student culture and behavior as well as a bullying intervention plan. These plans are meant to support a positive student culture where incidents of student violence are discouraged. Additionally, the school has at least one full-time school counselor who may be called in to manage any situation in which a student threatens violence, self-injurious behavior, or suicide. The counselor has access to community resources, including emergency medical teams, that may also be notified in these situations (upon parental approval).
- B. *Individual Students.* In a situation where a student demonstrates a safety concern to his/herself or others the student will be provided with regular counseling inside of school and crisis intervention plans are developed when necessary. For students with ongoing behavior concerns, the team can also initiate a functional behavioral analysis (FBA) in order to find root causes for the behavior and develop intervention plans to curb the behaviors.
- C. *Crisis Management.* In a situation where the safety of students or staff is in jeopardy the school leadership team will make every effort to secure the safety of the students. In most cases, this means either removing the individual(s) who are deemed at risk from harm and quick notification of parents and authorities when required.

### IV. Alternatives to Physical Restraint

- A. *Interventions and Methods Less Intrusive than Physical Restraint.* In addition to the methods described above for preventing student violence, self-injurious behavior, and suicide, staff members may impose other interventions and methods less intrusive than physical restraint, which may ultimately preclude the need for the use of physical restraint. These alternative interventions and methods include:
  - (i) Active listening.
  - (ii) Using a low, non-threatening voice.
  - (iii) Limiting the number of adults providing direction to the student(s).
  - (iv) Offering the student(s) a choice.
  - (v) Keeping the student's access to an escape route clear.
  - (vi) Suggesting possible resolutions to the student(s).
  - (vii) Avoiding dramatic gestures (e.g., waiving arms, pointing, blocking motions, etc.);
  - (viii) Issuing a verbal prompt, such as communicating to the student the behavioral expectations of that student and offering instructions as to how to meet the expectations.
  - (ix) Engaging in a full or partial physical cue by temporarily placing one or both hand(s) on a student in order to redirect the student.

- (x) Physically escorting an agitated student to a safe location by temporarily touching or holding, without the use of force, the student's hand, wrist, arm, shoulder, or back.
- (xi) Physically redirecting the student by temporarily placing one hand on each of the student's shoulders, without force, to redirect the student to the learning activity, a classroom, or another safe location; and
- (xii) Issuing a time-out, which is a behavioral support strategy in which a student is temporarily separated from the learning activity or classroom for the purpose of calming, in accordance with this Policy.

B. *General De-Escalation Guidelines.* General guidelines for de-escalating potentially dangerous behavior occurring among groups of students, or with an individual student, involve the following:

- (i) Remaining calm – using a neutral and level tone of voice, controlling facial expressions, and using supportive, non-threatening body language may prevent a student experiencing distress from escalating his/her behavior.
- (ii) Obtaining assistance – if a situation may become dangerous, staff members should take immediate steps to notify other school personnel.
- (iii) Limiting the number of persons speaking – having one person provide overall direction to a distressed student will minimize the likelihood of confusion and minimize the likelihood of behavior escalation.
- (iv) Removing student from area – removing a student who is experiencing distress, if feasible, to another more private and safe area should be considered; and
- (v) Removing other students from area – if it is not feasible to remove the distressed student from the area, staff members should consider the feasibility of having other staff assist and monitor the removal of the other students to another area until the distressed student de-escalates.

C. *Time-Out.* Time-out is a behavioral support strategy in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. Time-out must cease as soon as the student has calmed.

During time-out:

- a. A student must be continuously observed by a staff member.
- b. Staff must be with the student or immediately available to the student at all times; and
- c. Space used for time-out must be clean, safe, sanitary, and appropriate for the purpose of calming.

#### V. Methods for Parental Engagement

A copy of this policy will be available (with translations) on the Veritas website. Parents/guardians also have regular access to the student handbook and can schedule meetings with members of the school leadership team at any time.

VI. Crisis Response Process

- A. *Attempt Alternatives.* Generally, when there is an incident where a student or group of students demonstrates behaviors that could result in injury or self-harm, the school-based crisis response team will be called in. Crisis response team members are trained in Nonviolent Crisis Intervention and de-escalation training and make attempts to de-escalate incidents prior to the use of physical restraints.
- B. *Use of Physical Restraint.*
- i. *Prohibition on Mechanical and Medication Restraint and Seclusion.* Mechanical restraint, medication restraint, and seclusion are never used Veritas.
  - ii. *Prone Restraint.* Prone restraint shall be prohibited at Veritas except on an individual student basis, and only under the following circumstances:
    - a. The student has a documented history of repeatedly causing serious self-injuries and/or injuries to other students or staff.
    - b. All other forms of physical restraints have failed to ensure the safety of the student and/or the safety of others.
    - c. There are no medical contraindications as documented by a licensed physician.
    - d. There is psychological or behavioral justification for the use of prone restraint and there are no psychological or behavioral contraindications, as documented by a licensed mental health professional.
    - e. The program has obtained consent to use prone restraint in an emergency as set out in the Regulations, and such use has been approved in writing by the principal; and
    - f. The program has documents that these requirements are satisfied in advance of the use of prone restraint and maintains the documentation.
  - iii. *Last Resort.* Physical restraint, including prone restraint where permitted, shall be considered an emergency procedure of last resort, and shall be prohibited at Veritas except 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, or such interventions are deemed to be inappropriate under the circumstances.
  - iv. *Compliance with Law and Policy.* All physical restraints, including prone restraint where permitted, shall be administered in compliance with this Policy and the Regulations.
  - v. *When Physical Restraint Is Prohibited.* Physical restraint at Veritas shall not be used:

- a. As a means of discipline or punishment.
- b. When the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting.
- c. As a response to property destruction, disruption of school order, a student's refusal to comply with a public education program rule or staff directive, or verbal threats when those actions do not constitute a threat of assault, or imminent, serious, physical harm; or
- d. As a standard response for any individual student. No written individual behavior plan or individualized education program (IEP) may include use of physical restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort.

VII. Proper Administration of Physical Restraint.

- A. *Trained personnel.* Only Veritas personnel who have received training pursuant to this Policy and the Regulations shall administer physical restraint on students. The training requirements contained in 603 CMR 46.00 shall not preclude a teacher, employee, or agent of a public education program from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.
- B. *Witness.* Whenever possible, the administration of a restraint shall be witnessed by at least one adult who does not participate in the restraint. This or another staff member should be available as an auxiliary support to secure the space and ensure that the student is not suffering harm while in the restraint.
- C. *Use of Force.* Physical restraint at Veritas shall be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm.
- D. *Safest Method.* A person administering physical restraint shall use the safest method available and appropriate to the situation, subject to the following safety requirements:
  - (i) No restraint shall be administered in such a way that the student is prevented from breathing or speaking. During the administration of a restraint, a staff member shall continuously monitor the physical status of the student, including skin temperature and color, and respiration.
  - (ii) Restraint shall be administered in such a way so 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.

- (iii) If a student is restrained for a period longer than 20 minutes, Veritas staff shall obtain the approval of the principal. Any such approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint.
- (iv) Veritas staff 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.
- (v) After the release of a student from a restraint, Veritas shall implement follow-up procedures. These procedures shall include reviewing the incident with the student to address the behavior that precipitated the restraint, reviewing the incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures were followed, and consideration of whether any follow-up is appropriate for students who witnessed the incident.

E. *Floor Restraints.* Floor restraints, including prone restraints otherwise permitted by this Policy and the Regulations, shall be prohibited unless the staff member(s) administering the restraint have received "in-depth training" according to this Policy and the Regulations and, in the judgment of the trained staff members, such method is required to provide safety for the student or others present.

F. *Ending the Restraint.* During the restraint, team members should make every effort to de-escalate and remove the student from the restraint. Should an incident of injury occur, the team lead would consider removal of the restraint. In any event, the restraint must be discontinued upon the earliest of:

- (i) A determination that the student is no longer an immediate danger to himself or herself or others.
- (ii) An indication by the student that he or she is having difficulty breathing; or
- (iii) An observation that the student is in significant physical distress.

VIII. Referral to Law Enforcement and/or Other State Agencies. Nothing in this Policy prohibits:

- A. The right of any individual to report to appropriate authorities a crime committed by a student or other individual.
- B. Law enforcement, judicial authorities, or school security personnel from exercising their responsibilities, including the physical detainment of a student or other person alleged to have committed a crime or posing a security risk; or
- C. The exercise of an individual's responsibilities as a mandated reporter pursuant to G.L. c. 119, § 51A. The Regulations and this Policy shall not be used to deter any individual from reporting neglect or abuse to the appropriate state agency.

IX. Reporting Requirements

- A. When to Report. Veritas staff shall report the use of any physical restraint as specified in this Policy or the Regulations.
- B. Informing the Principal. The Veritas member who administered the restraint shall verbally inform the Principal and the Veritas Executive Director of the restraint as soon as possible, and by written report no later than the next school working day (24 hours). The written report shall be provided to the principal for review of the use of the restraint. If the Principal administered the restraint, the principal shall prepare the report and submit it to the Veritas Executive Director. The principal shall maintain an on-going record of all reported instances of physical restraint which will be shared with the Executive Director, which shall be made available for review by the parent or the Department upon request.
- C. Informing Parents. The principal shall make reasonable efforts to verbally inform the student's parent of the restraint within 24 hours of the event, and shall notify the parent by written report sent either within three school working days of the restraint to an email address provided by the parent for communications about the student, or by regular mail postmarked no later than three school working days of the restraint. If the school or program customarily provides a parent of a student with report cards and other necessary school-related information in a language other than English, the written restraint report shall be provided to the parent in that language. The principal shall provide the student and the parent an opportunity to comment orally and in writing on the use of the restraint and on information in the written report.
- D. Contents of Report. The written reports shall include:
- (i) 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; and 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 to 603 CMR 46.05(5)(c).
  - (ii) A description of the activity in which the restrained student and other students 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.
  - (iii) 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.
  - (iv) Information regarding any further action(s) that the school has taken or may

take, including any consequences that may be imposed on the student.

- (v) 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.

X. Review Procedures.

A. *Individual Student Review.* The principal shall conduct a weekly review of restraint data to identify students who have been restrained multiple times during the week. If such students are identified, the principal shall convene one or more review teams as the principal deems appropriate to assess each student's progress and needs. The assessment shall include at least the following:

- (i) 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 the restraints.
- (ii) 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.
- (iii) 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; and
- (iv) agreement on a written plan of action by the school.

If the Principal directly participated in the restraint, a duly qualified individual designated by the Executive Director shall lead the review team's discussion. The principal 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.

B. *Administrative Review.* The principal shall conduct a monthly review of school-wide restraint data. This review shall 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 students; the duration of restraints; and the number and type of injuries, if any, resulting from the use of restraint. The principal shall determine whether it is necessary or appropriate to modify the school's restraint prevention and management policy, conduct additional staff training on restraint reduction/prevention strategies, such as training on positive behavioral interventions and supports, or take such other action as necessary or appropriate to reduce or eliminate restraints.

C. *Injury Reports to Department.* When a physical restraint has resulted in an injury to a student or staff member, the principal (or his or her designee) shall send a copy of the written report to the Department postmarked no later than three school working

days of the administration of the restraint. The principal (or his or her designee) shall 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 program is warranted and, if so, shall notify the principal (or his or her designee) of any required actions within 30 calendar days of receipt of the required written report(s).

- D. *Annual Reports to Department.* The principal (or his or her designee) shall collect and annually report data to the Department regarding the use of physical restraints. Such data shall be reported in a manner and form directed by the Department.

XI. Complaint Process.

- A. *Informal Resolution.* If a student, or his/her parent/guardian has concerns (the "Complainant") regarding a specific use of physical restraint, then before initiating a formal complaint procedure, the Complainant may seek to resolve his/her concerns by raising the issue with the principal. The Complainant should direct his/her concerns regarding a specific use of physical restraint to the principal within ten (10) days of the parent/guardian's receipt of the written report. The principal (or his or her designee) shall attempt, within his/her authority, to work with the Complainant and achieve resolution fairly and expeditiously. If the Complainant is not satisfied with the resolution, or if the Complainant does not seek such informal resolution of the issue, then the Complainant may proceed with the formal complaint process detailed below.
- B. *Formal Resolution.* In accordance with Massachusetts law, a Complainant may file a complaint with the Board of Trustees of Veritas Preparatory Charter School. The Board of Trustees shall respond, in writing, to the Complainant within 45 days of receiving the complaint. Upon receipt of a complaint, the Board of Trustees shall conduct a review to ensure compliance with Massachusetts law. Veritas, and all involved individuals, shall cooperate to the fullest extent with such review.

- XII. Review and Availability of Policy. This policy shall be reviewed annually, provided to school staff, and made available to parents of enrolled students.

## Contents of Physical Restraint Training Programs

### I. IN-DEPTH TRAINING

According to Massachusetts law, the in-depth training must include, but is not limited to:

- (a) 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.
- (b) A description and identification of specific dangerous behaviors on the part of students 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.
- (c) The simulated experience of administering and receiving physical restraint.
- (d) Instructions regarding the effect(s) of physical restraint on the person restrained, including instruction on monitoring physical signs of distress, and obtaining medical assistance.
- (e) Instruction regarding the reporting requirements, documentation, and investigation of injuries and complaints.
- (f) Demonstration by participants of proficiency in administering physical restraint; and
- (g) Instructions regarding the impact of physical restraint on the student and family, recognizing that the act of restraint has an impact, including, but not limited to, psychological, physiological, and social-emotional effects.

### II. BASIC TRAINING

According to Massachusetts law, the basic training for all employees who do not receive the in-depth training must include, but is not limited to:

- (a) The role of the student, family, and staff in preventing restraint.
- (b) Instruction on Veritas' physical restraint policy, including the use of time-out as a behavior support strategy distinct from seclusion, as discussed in Veritas' physical restraint policy.
- (c) Interventions that may preclude the need for restraint, including de-escalation of problematic behaviors and other alternatives to restraint in emergency circumstances, as discussed in Veritas' physical restraint policy.
- (d) 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.
- (e) 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
- (f) Identification of program staff who have received in-depth training in the use of physical restraint.

## APPENDIX E: BULLYING PREVENTION AND INTERVENTION PLAN

### Contents:

1. Priority statement
2. Definitions
3. Prohibition against bullying and retaliation
4. Training and professional development
5. Prevention measures, targeted services, and other resources
6. Reporting and responding to bullying and retaliation
7. Collaboration with families
8. Resolving problems and disputes
9. Plan assessment and accountability
10. Relationship to other laws

### 1. Priority statement

At Veritas Preparatory Charter School, we expect that all members of our school community will treat each other with kindness and respect. Veritas Preparatory Charter School will provide and maintain a learning environment that is free of bullying and any other verbal or physical misconduct, including cyber-bullying, that disrupts the learning environment or makes it unsafe. Veritas Preparatory Charter School's Bullying Prevention and Intervention Plan ("The Plan") is published in response to Massachusetts laws against bullying and is an integral part of our efforts to promote learning and to prevent behavior that can impede the learning process. The Plan spells out Veritas Preparatory Charter School's comprehensive approach to addressing bullying, cyber-bullying, and retaliation. The Plan is consistent with school policies against discrimination, harassment, bullying, and retaliation that appear in Veritas Preparatory Charter School's Scholar and Family Handbook and Scholar Code of Conduct. The Director of Culture is responsible for the implementation and administration of The Plan. Questions and concerns related to this Plan may be referred to the Director of Culture.

### 2. Definitions

**Bullying**, as defined in M.G.L. c. 71, § 370, is the repeated use by one or more Scholars or by a member of a school staff of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that:

- (i) causes physical or emotional harm to the target or damage to the victim's property.*
- (ii) places the victim in reasonable fear of harm to himself/herself or of damage to his/her 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.*

**Cyberbullying** is bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, social media, and Internet communications.

Cyberbullying also includes the creation of a web page or blog in which the creator assumes the identity of another person or knowingly impersonates another person as author of posted content or messages if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons if the distribution or posting creates any of the conditions enumerated in the definition of 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 Scholar's education.

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

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

**Aggressor** is a Scholar or a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional who engages in bullying, cyberbullying, or retaliation.

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

### **3. Prohibition against bullying and retaliation**

Veritas Preparatory Charter School will not tolerate any form of bullying or cyberbullying, nor will we tolerate retaliation against any person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying. Bullying and cyber-bullying are prohibited on school grounds and at school-sponsored events, activities, functions, and programs. Bullying and cyber-bullying also are prohibited at School bus stops, on School buses, other vehicles owned, leased, or used by the school, and through use of technology or an electronic device owned, leased, or used by the school. In addition, bullying and cyber-bullying are prohibited at a location, activity, function, or program that is not school-related or through the use of technology or an electronic device that is not owned, leased, or used by the school, if the bullying creates a hostile environment at school for a targeted Scholar at school; infringes on the rights of a targeted Scholar at school; or materially and substantially disrupts the educational process or the orderly operation of the school.

Pursuant to 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.

## **4. Training and professional development**

The first 3 weeks of Veritas Preparatory Charter School's annual staff training includes introduction to Veritas Preparatory Charter School policies, procedures, school-wide discipline program, and specifically, this Bullying Prevention and Intervention Plan. This annual training will include staff duties under the Plan, an overview of the steps that the Director of Culture or designee will follow upon receipt of a report of bullying or retaliation, and the range of prevention and social-emotional learning programming that will be offered to all Scholars. Staff members hired after the start of the school year are required to participate in a school-based training regarding bullying prevention within the school year they are hired unless they can demonstrate participation in an acceptable and comparable program within the last two years.

Veritas Preparatory Charter School is committed to ongoing professional development in regard to bullying prevention and understanding of tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. We have committed to build the skills of staff members to prevent, identify, and respond to bullying. All staff training content, which is outlined below, has been informed by research and will include information on:

- developmentally (or age-) appropriate strategies to prevent bullying.
- developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents.
- information regarding the complex interaction and power differential that can take place between and among a perpetrator, target, and witnesses to the bullying.
- 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.
- information on the incidence and nature of cyberbullying; and
- internet safety issues as they relate to cyberbullying.

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.

All staff will be provided with written notice of the Plan, including sections related to staff duties, in the employee handbook.

## **5. Prevention measures, targeted services, and other resources**

The principal is primarily responsible for the implementation and oversight of the Plan except in such instances in which the reported bullying incident involves the principal. In such cases as detailed herein and otherwise, the Executive Director will assume primary responsibility for implementation and oversight of the Plan. In instances in which the reported bullying involves the Principal, the Executive Director or designee will assume primary responsibility for implementation and oversight of the Plan, unless the reported bullying involves the Executive Director, in which case the report should be communicated to the Board of Trustees.

### **a. School-wide bullying prevention and prosocial climate programs**

Veritas Preparatory Charter School is committed to a rigorous academic environment in which all Scholars feel safe to grow and challenge themselves. As such, our foremost efforts to prevent bullying in the school will be aimed at creating a supportive community with high expectations for staff and Scholars. Specific measures we will employ include:

- setting clear expectations for Scholars and establishing school and class routines.
- creating safe school and classroom environments for all Scholars, with special consideration for Scholars with actual or perceived differentiating characteristics including race, color religion, ancestry, national origin, sex, socioeconomic status, academic status, gender, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability, homeless students, students with limited English proficiency, or who by association with a person who has or is perceived to have one or more of these characteristics, and other students who may be at increased risk to be targets of bullying;
- 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; and using the Internet safely.

The school will follow steps 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. Veritas Preparatory Charter School shall provide additional support to vulnerable Scholars, as necessary, to provide them with the skills, knowledge and strategies needed to prevent or respond to bullying or harassment.

#### **b. Social-emotional learning curriculum and bullying prevention programming**

Social-emotional learning curricula informed by current research and bullying prevention programs will be utilized to develop Scholar skills and capacities for prosocial behavior and effective response to bullying or harassment. Lessons may include the following topics and themes:

- developing and enhancing Scholar skills in the areas of self-awareness, self-management, social awareness, healthy relationships, respectful communication, and responsible decision-making.
- 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 cyberbullying, including the underlying power imbalance.
- safe and appropriate use of electronic communication technologies with emphasis on privacy and considerate participation in social media.
- engaging Scholars in a safe, supportive school environment that is respectful of diversity and differences.

The approaches outlined above will be integrated into the academic curricula and used in advisory, enrichment, and community meetings in order to deliver the Bullying Prevention and Intervention Plan as

part of the school's social-emotional learning curriculum. Veritas Preparatory Charter School will focus on teaching our behavior expectations and core values through skill-focused character education. By focusing on teaching Scholars specific skills, Veritas Preparatory Charter School hopes to provide Scholars with the tools and skills to positively interact with everyone they meet.

### **c. Targeted services and resources**

Any Scholars identified by members of the school community as participants in a bullying situation (whether as aggressors, targets, or witnesses) will be offered brief supportive counseling services provided by the school counselors. The counselors will consult with teachers and families to determine options for additional support which may include referral to community-based behavioral health services, extended school counseling, continued case management and monitoring, or the termination of services for the time being.

When appropriate and congruent with the family's preferences, Veritas Prep will draw upon the range of community-based providers in Hampden County to make referrals for more intensive treatment and services. This may include agencies such as Behavioral Health Network (the local Children's Behavioral Health Initiative Community Service Agency), the Gandara Center (the local Spanish Language Community Service Agency), the Center for Human Development, and Big Brothers Big Sisters of Hampden County. When appropriate, other informal supports may be offered to Scholars and families involved in a bullying situation, including but not limited to check-ins with staff, educational materials, and suggested readings.

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 Scholar has a disability that affects social skills development or the Scholar 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 Scholar's skills and proficiencies to avoid and respond to bullying, harassment, or teasing.

## **6. Reporting and responding to bullying and retaliation**

### **a. Direct and anonymous methods for reporting bullying or retaliation**

Reports of bullying or retaliation may be made by staff, Scholars, parents/guardians, or others, and may be oral or written. Reports made by Scholars, parents/guardians, or other individuals who are not school or district staff members, may be made anonymously. Veritas Preparatory Charter School will make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form, periodic Scholar concern surveys, and an anonymous report collection box.

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

At the beginning of each school year, Veritas Preparatory Charter School will provide the school community, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, paraprofessionals, Scholars,

and parents/guardians, with written notice of its policies for reporting acts of bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the principal or designee, and the Executive Director or designee if the principal or another administrator is the alleged aggressor, will be incorporated in Scholar and staff handbooks, published on the school website, and conveyed in information about the Plan that is made available to parents/guardians.

### **i. Reporting by staff**

A staff member will report immediately to the principal or designee, or to the Executive Director if the principal or another administrator is the alleged aggressor, or to Board of Directors or designee if the Executive Director is the alleged aggressor when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report as provided does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline. Staff members are encouraged to apply their bullying intervention and prevention training as applicable in the situation.

### **ii. Reporting by Scholars, parents, guardians, and other community members**

Scholars who are victims of bullying, who witness bullying activity, or who are retaliated against for reporting bullying, should promptly report the incident to the principal or designee. Scholars may also report to a teacher, counselor, or other trusted adult in the building, who will in turn report the incident to the Director of Culture, designee, or another appropriate party (see above guidelines for reporting by staff).

Reports of bullying or retaliation may be made anonymously. However, no disciplinary action shall be taken against a Scholar solely on the basis of an anonymous report. Therefore, an investigation into the anonymous report must typically uncover further evidence to warrant disciplinary action.

Scholars, family members, and others may also request assistance from a staff member to report a bullying situation. In consultation with administrators, counselors, and other staff as appropriate, Scholars will be provided developmentally appropriate guidance about reporting bullying and discussing incidents with others. A target shall not be subject to discipline for failing to report bullying.

## **b. Responding to reports of bullying or retaliation – allegations of bullying by a Scholar**

### **i. Maintaining safety**

The first response to any report of potential bullying involving a Scholar is to assess and restore the Scholar's safety and take reasonable steps to limit targeted Scholars from additional harm. The principal or designee will interview involved Scholars and determine the measures needed to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. Actions taken to promote safety may include, but not be limited to:

- creating a personal safety plan for Scholars who may be at risk for further bullying or retaliation.
- altering seating arrangements in class, mealtimes, the bus, and other shared spaces.
- identifying a "safe staff member" who is available to offer additional support; or
- altering the aggressor's schedule and access to targeted Scholars.

The principal or designee will take additional steps to promote safety during the course of, and after, the investigation, as necessary.

The principal or designee will implement appropriate strategies for protecting scholars who have made reports, witnesses to bullying situations, Scholars who provide information during investigations, or Scholars who are thought to have reliable information about bullying or retaliation.

## **ii. Obligation to notify others (parents/guardians, other schools, law enforcement)**

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

*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 designee first informed of the incident will promptly notify by telephone the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.

*Notice to law enforcement:* At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or designee has a reasonable basis to believe that the incident involves criminal conduct, the principal or designee will notify the local law enforcement agency and the Executive Director. Notice will be consistent with the requirements of 603 CMR 49.00 and established agreements with law enforcement agencies. The principal shall document the reasons for his or her decision to notify law enforcement. Nothing in 603 CMR 49.06 shall be interpreted to require reporting to a law enforcement agency in situations in which bullying, and retaliation can be handled appropriately within the school district or school. In making the determination whether notification to law enforcement is appropriate, the principal may consult with the school resource officer and any other individuals the principal deems appropriate. Nothing shall prevent the principal from taking appropriate disciplinary or other action pursuant to school district or school policy and state law, provided that disciplinary actions balance the need for accountability with the need to teach appropriate behavior.

Also, if an incident occurs on school grounds and involves a former Scholar under the age of 21 who is no longer enrolled in school, the principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe the incident involves criminal conduct.

## **c. Investigation**

The principal or designee will be responsible for promptly conducting an investigation regarding any allegations of bullying or retaliation. The investigation will consider all available relevant information known including, but not limited to, the nature of the allegations, the history of the conflict, and roles and ages of Scholars involved. During the investigation, the principal or designee may, among other things, interview Scholars, staff, witnesses, family members, and others as needed. Whoever is conducting the investigation will remind any participants of its importance to the school's positive climate, their

obligation to be truthful and forthcoming, and that retaliation against anyone who reports or provides information about bullying is prohibited and will result in disciplinary action.

Interviews may be conducted by the principal or designee, other staff members, and in consultation with the school counselors as needed. Any staff members investigating a bullying or retaliation report should maintain confidentiality to the extent practicable. The principal or designee will maintain written record of the investigation and its findings, except if the principal is the alleged aggressor in which case Executive Director will conduct the investigation and maintain the written record.

The investigation should be completed within fourteen school days from the date of the report, however, in certain cases additional time may be necessary to conduct a full and thorough investigation. The principal or designee shall contact the parents/guardians as to the status of the investigation.

#### **d. Determination**

The principal or designee will make a determination based upon all of the facts and circumstances about the extent to which the allegations of bullying or retaliation are substantiated. The determination will be based on the definition of bullying provided above (see Section 2, “Definitions”).

Following the investigation, the principal or designee will also determine what responsive actions or disciplinary measures are needed. If bullying or retaliation are found to have occurred, the principal or designee will take steps reasonably calculated to 1) prevent recurrence and ensure that targeted Scholars do not experience any restriction or barrier to participating in school activities. The principal or designee will (1) determine what remedial action is required, if any; and (2) determine what responsive action and/or disciplinary action is necessary.

Depending on circumstances, the principal or designee may choose to consult with the students’ teachers, school counselors, family members, and other community members to identify any underlying social or emotional issues that may have contributed to the aggressor’s bullying or retaliation behavior and to assess the level of need for additional social skills development.

The principal or designee will promptly notify the parents/guardians of the target and the aggressor about the results of the investigation and any consequential actions being taken. All notice to parents/guardians will comply with state and federal educational privacy regulations. As a result, parents/guardians of targeted Scholars may not be informed of specific disciplinary actions taken against Scholar aggressors unless there is a “stay away” order or other directive that a targeted Scholar must be aware of in order to report violations.

#### **e. Responses to bullying**

##### **i. Skill-building, support, and additional resources for involved Scholars**

Veritas Preparatory Charter School is dedicated to matching comprehensive supports and skill-building to Scholars who are struggling to meet our community expectations for social interaction and respectful behavior. When it is determined that bullying or retaliation has occurred, the school will use one or more of the following strategies to support both targeted Scholars and aggressor Scholars:

- offering individualized skill-building sessions with a school counselor or another staff member based on Veritas Prep’s social-emotional learning program and character education curriculum.
- providing relevant educational activities for individual Scholars or groups of Scholars, in consultation with counselors, teachers, and other appropriate school personnel.
- implementing targeted positive behavior supports for Scholars involved in the bullying situation to teach community values and expectations about respectful social interaction and incentivize prosocial behaviors and constructive conflict management.
- adopting behavioral plans to include a focus on developing specific social skills and reinforcing their use in a variety of settings at school.
- making a referral to a relevant community-based service provider for additional targeted support.
- meeting with parents/guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home; and
- coaching teachers and other staff members to recognize warning signs of potential recurrences of the bullying situation and use supportive strategies to intervene.

## **ii. Disciplinary action**

If the Principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal or designee, including the nature of the conduct, the age of the Scholar(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with this Plan and with the Code of Conduct. The federal Individuals with Disabilities Education Act (IDEA) and state laws regarding Scholar discipline, govern discipline procedures for Scholars with disabilities. The principal or designee will consult with the Director of Scholar Services regarding all cases involving Scholars with disabilities.

If the Director of Culture or designee determines that a Scholar knowingly made a false allegation of bullying or retaliation, that Scholar will be subject to disciplinary action.

In accordance with M.G.L. c. 71, Section 370, law enforcement may be contacted by the school in some bullying cases as described in Section 6.b.ii above.

## **iii. Promoting safety for targets and others**

The principal or designee will consider what adjustments, if any, are needed in the school environment to enhance the sense of safety for targeted Scholars and others who may have been secondarily impacted by the bullying situation. This may include increased staff supervision at times and locations where bullying is likely to occur (e.g., hallways, transition times, etc.), altering bus seating arrangements, and clarifying school expectations with an entire class. The principal or designee will consult with the Director of Scholar Services regarding all cases involving English Language Learners.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal or designee will contact the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the principal or designee will work with appropriate school staff to implement them immediately. All Scholars will receive the same protections regardless of their legal status, including but not limited to involvement with the criminal justice system, child protection services, and immigration status.

## **f. Responding to allegations of bullying or retaliation perpetrated by school staff**

The procedures for reporting and investigating allegations of bullying by a staff member are the same as previously described for Scholars identified as the aggressor, except in these cases special attention will be paid to maintaining safety for the target if the alleged aggressor is his or her teacher or a school staff member whom he or she sees or interacts with in the course of the school day. The Director of Culture or designee may work in collaboration with the Director of Scholar Services, the Vice Principal, the Principal, the Executive Director, and counselors to investigate the allegations, provide safety planning and supports such as scheduling or staffing alternatives for the Scholar(s) during these investigations in a way that does not impede the quality of the educational experience, and set up a plan of action once a determination is made. The Director of Culture or designee will emphasize the importance of the investigation to the identified aggressor, target, and witnesses, the need to be truthful, and that retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action.

Procedures for notifying parents/guardians and law enforcement personnel of these incidents will also follow the previously outlined protocol.

1. If the Director of Culture or designee determines that bullying or retaliation has occurred, the Director of Culture or designee will:
  - a. immediately notify the local law enforcement agency if s/he believes that criminal charges may be pursued against the perpetrator.
  - b. take appropriate disciplinary action consistent with district policy; and take whatever other appropriate action to end the bullying.
  - c. notify the victim and the parents/guardians of the victim, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation (the victim, parent/guardian is not precluded from seeking redress under any other available law, either civil or criminal); and
  - d. if suitable, provide information concerning counseling or referral to appropriate services for victims and for appropriate family members of said Scholars.
2. A Scholar who knowingly makes a false accusation of bullying shall be subject to disciplinary action consistent with the Code of Conduct.
3. Nothing contained herein should not be interpreted as to prevent a victim or accused from seeking redress under any other available law, either civil or criminal.

## **7. Collaborating with Families**

Each year the school will inform parents/guardians of enrolled Scholars about the anti-bullying curricula that are being used. This notice will include information about the dynamics of bullying, including cyberbullying and online safety. The school or district will send parents/guardians written notice each year about the Scholar-related sections of the plan and the school's Internet safety policy. All notices and information made available to parents/guardians will be in hard copy and electronic formats and will be available in the language(s) most prevalent among parents/guardians.

## **8. Resolving problems and disputes**

Any parent/guardian wishing to file a claim/concern or seek assistance outside of the school's process 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 school.

Families will be informed about using the Department's PRS through the school website as well as yearly written communications at the beginning of the school year.

An alleged target who is allegedly targeted based as a result of a protected classification (e.g., disability, race, sex, religion, national origin, homelessness) 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: Please consult the Veritas Prep's policies on non-discrimination for further information.

## **9. Plan assessment and accountability**

In accordance with the Massachusetts Department of Elementary and Secondary Education and Veritas Prep's standards of continued program assessment and accountability, the plan will also include certain steps to ensure that Veritas maintains a data-driven plan that meets Scholar's needs.

The principal or designee shall document any incident of bullying that is reported per this policy and a file shall be maintained by the principal or designee. A completed Incident and Investigation Report Form shall be forwarded to the Executive Director's office at the conclusion of an investigation. Incidents shall be logged in [STUDENT MANAGEMENT SYSTEM] so that required reports can be furnished to the Massachusetts Department of Elementary and Secondary Education.

Specifically, The principal or designee will keep records of and report the following to the Department:

- the number of alleged situations of bullying or retaliation each year.
- the number and nature of substantiated incidents of bullying and retaliation.
- the number of Scholars disciplined for engaging in bullying or retaliation; and
- other information required by the Department.

The principal or designee will administer the DESE-developed Scholar survey at least once every four years to assess school climate and the prevalence, nature, and severity of bullying in schools. The survey shall be designed to protect student privacy and allow for anonymous participation by students.

This plan will be reviewed at least once every two years to evaluate the school's effectiveness in implementing its provisions and their effect on incidences of bullying, harassment, and retaliation behaviors. The Director of Culture will, in collaboration with the Director of Scholar Services and other staff, be responsible for regular revisions to the plan, as necessary.

## **10. RELATIONSHIP TO OTHER LAWS**

Consistent with state and federal laws, and the policies of Veritas Preparatory Charter School, no person shall be discriminated against in admission to Veritas Preparatory Charter School or in obtaining the advantages, privilege and courses of study at Veritas Preparatory Charter School on account of race, color, creed, sex, gender, gender identity or expression, mental, physical, developmental or sensory disability,

age, religion, ancestry, special need, national origin, socioeconomic status, homelessness, proficiency in the English language or a foreign language, academic status, physical appearance, pregnant or parenting status, or sexual orientation or by association with a person who has or is perceived to have one or more of these characteristics. Nothing in the Plan prevents Veritas Preparatory Charter School from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or school policies.

In addition, nothing in the Plan is designed or intended to limit the authority of Veritas Preparatory Charter School to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, other applicable laws, or school policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

## **APPENDIX F: PROHIBITION AGAINST HAZING**

*Massachusetts Anti-Hazing Law: M.G.L. c. 269, Section 17. Hazing; organizing or participating; hazing defined.*

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

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

*M.G.L. c. 269, Section 18. Failure to report hazing.*

*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. Copy of secs. 17--19; issuance to students and student groups, teams, and organizations; report.*

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

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

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

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

## **APPENDIX G: HARASSMENT POLICY**

### **CIVIL RIGHTS HARASSMENT AND DISCRIMINATION OF STUDENTS**

Harassment of students by other students, employees, vendors and other third parties will not be tolerated Veritas Preparatory Charter School (“School”). The school will promptly investigate and respond to alleged harassment that occurred within the school’s own program or activity, such as at a location or under circumstances where the school owned, or substantially controlled the premises, exercised oversight, supervision or discipline over the location or participants, or funded, sponsored, promoted or endorsed the event where the alleged harassment occurred, against a person in the United States. This policy is in effect while students are on School grounds, School property or property within the jurisdiction of the School, School buses, or attending or engaging in School-sponsored activities.

Harassment prohibited by the School includes, but is not limited to, unwelcome conduct on the basis race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law that is sufficiently severe, persistent or pervasive to create a hostile environment for the individual at school. Harassment creates a hostile environment when the conduct is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student’s ability to participate in or benefit from the services, activities, or opportunities offered by the school. Harassment may include insults, name-calling, off color jokes, threats, comments, innuendoes, notes, display of pictures or symbols, gestures, or other conduct which rises to the level of a hostile environment.

Students whose behavior is found to be in violation of this policy will be subject to disciplinary action up to and including suspension pursuant to disciplinary codes. Employees who have been found to violate this policy will be subject to discipline up to and including, termination of employment.

By law, what constitutes harassment is determined from the perspective of a reasonable person with the characteristic on which the harassment is based. Individuals should consider how their words and actions might reasonably be viewed by others.

The school will promptly and reasonably investigate allegations of harassment (other than Title IX sexual harassment) through designation of Civil Rights Coordinator or other administrators, who may include the principal or their designee. The Executive Director will recommend, in consultation with the principal, opportunities to the designated recipients for appropriate training. Where it is determined that discrimination or harassment has occurred, the school will act promptly to eliminate the conduct and will impose developmentally appropriate disciplinary, restorative and/or corrective action to prevent its recurrence.

The school will respond promptly and reasonably investigate allegations of sexual harassment through designation of a Title IX Coordinator and will respond to any reports or complaints of discrimination, including sexual harassment and retaliation pursuant to the School’s Grievance Procedures for Complaints of Sexual Harassment under Title IX of the Education Amendments of 1972.

## **APPENDIX H: HARASSMENT GRIEVANCE PROCEDURE**

### **CIVIL RIGHTS DISCRIMINATION AND HARASSMENT OF STUDENTS GRIEVANCE PROCEDURE FOR NON-TITLE IX COMPLAINTS**

Veritas Preparatory Charter School (“School”) does not discriminate against students, parents, employees, or the general public based on race, color, national origin, creed, sex, gender identity, religion, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language, academic achievement, pregnancy or pregnancy-related condition, homelessness, or any classification protected by law. Discrimination or harassment by administrators, teachers, certified and support personnel, students, vendors, and other individuals at School or at School-sponsored events is unlawful and is strictly prohibited. The school requires all employees and students to conduct themselves in an appropriate manner with respect to their fellow employees, students and all members of the school community.

This Civil Rights Discrimination and Harassment Grievance Procedure is adopted to assist School staff in responding to claims of discrimination and/or harassment based on race, color, national origin, creed, sex, gender identity, religion, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language, academic achievement, pregnancy or pregnancy-related condition, homelessness, or any classification protected by law, including those claims brought under Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, M.G.L c. 76, § 5; M.G.L. c. 151C; and 603 C.M.R. § 26.00, provided that claims of sexual harassment that fall within the parameters of Title IX will be processed under the Grievance Procedure for Claims of Sexual Harassment under Title IX of the Education Amendments of 1972. This policy applies to all students, and staff, as well as members of the general public.

#### Definitions

For the purposes of this procedure:

- A. A “Complaint” is defined as an allegation that a student has been discriminated against or harassed on the basis of race, color, national origin, creed, sex, gender identity, religion, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language, academic achievement, pregnancy or pregnancy-related condition, or homelessness.
- B. “Discrimination” means discrimination or harassment on the basis of race, color, national origin, creed, sex, gender identity, religion, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language, academic achievement, pregnancy or pregnancy-related condition, homelessness by which an individual is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any program or activity of the school.
- C. “Harassment” means unwelcome conduct on the basis of race, color, national origin, creed, sex, gender identity, religion, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language, academic achievement, pregnancy or pregnancy-related condition, or homelessness that is sufficiently severe, persistent or pervasive to create a hostile environment for the individual at school. Harassment may include

insults, name-calling, off-color jokes, threats, comments, innuendoes, notes, display of pictures or symbols, gestures, or other conduct which rises to the level of a hostile environment.

- D. "Sexual Harassment" means unwelcome, sexually offensive or gender-based conduct, which is sufficiently severe, pervasive, or objectively offensive to create a hostile environment for the individual at school. Specifically, under regulations promulgated under Title IX, sexual harassment includes three types of misconduct:
1. Any instance of "quid pro quo" conduct (conditioning an educational benefit or service upon a person's participation in unwelcome sexual conduct.) by an employee;
  2. Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; or
  3. Any instance of sexual assault, dating violence, domestic violence or stalking (all as defined by federal laws).

Additionally, under M.G.L. c. 151C, § 1, the term "sexual harassment" may also include any sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:— (i) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of the provision of the benefits, privileges or placement services or as a basis for the evaluation of academic achievement; or (ii) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's education by creating an intimidating, hostile, humiliating or sexually offensive educational environment.

This Civil Rights Discrimination and Harassment Grievance Procedure shall not apply to complaints of sexual harassment under Title IX and of the Education Amendments of 1972 and its implementing regulations effective August 14, 2020. Sexual harassment complaints shall be subject to the School's Sexual Harassment Policy and Grievance Procedure for Complaints of Sexual Harassment under Title IX of the Education Amendments of 1972.

#### Harassment and Retaliation Prohibited

Harassment in any form or for any reason is absolutely forbidden. This includes harassment by administrators, teachers and support personnel, students, vendors, and other individuals in the school: (1) on School grounds, (2) at School-related events and (3) at all locations and events where the school exercises substantial control of the context of the harassment and the person accused of it. The school will also address circumstances in which conduct took place in other locations but may nevertheless have a material impact on the school environment. Retaliation against any individual who has brought harassment or other inappropriate behavior to the attention of School officials or who has cooperated in an investigation of a complaint under this policy is prohibited and will not be tolerated by the school.

Persons who engage in harassment or retaliation may be subject to disciplinary action, including, but not limited to reprimand, suspension, termination, or other sanctions as determined by the school administration and/or Veritas Preparatory Charter School's Board of Trustees, subject to applicable laws and School policies.

#### How to Make a Complaint

- A. Any student, employee or other individual who believes that he/she has been discriminated against or harassed should report their concern promptly to the principal, or to the School's Civil Rights Coordinator. If the Principal receives the report, he or she will notify the Civil Rights Coordinator of the Complaint. Students, employees, or other individuals who are unsure whether discrimination or harassment has occurred are encouraged to discuss the situation with the principal.

The School's Civil Rights Coordinator is: Jonathan Swan, Director of School Supports.  
jswan@vpcs.org, 413-271-7237.

- B. All employees of the school including, but not limited to, the Principal, Executive Director, teachers, school counselors, coaches, paraprofessionals, school bus drivers, administrative assistants, custodians, food service staff who observe harassment or who receive a report of harassment relating to a student are required to immediately report such conduct. Parents and other adults are also encouraged to report any concerns about possible discrimination or harassment of students which have allegedly occurred on School grounds, at School-related events, or actions which occurred outside of School but possibly create a hostile environment for a student while he/she is at School.
- C. Students are encouraged to utilize the School's Complaint Procedure. However, individuals are hereby notified that they also have the right to report complaints to:
1. The United States Department of Education, Office for Civil Rights, 5 Post Office Square, 8<sup>th</sup> Floor, Boston, Massachusetts 02110-1491, Telephone: (617) 289-0111, Fax: (617) 289-0150, TDD: (877) 521-2172, Email: [OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov); and/or,
  2. Problem Resolution System, Massachusetts Department of Elementary and Secondary Education, 75 Pleasant Street, Malden, MA 02148-4906, Telephone: (781) 338-3700, TTY: N.E.T. Relay: 1- 800-439-2370, Fax: (781) 338-3710; Email: [compliance@doe.ma.edu](mailto:compliance@doe.ma.edu).

#### Complaint Handling and Investigation

- A. The principal or designee shall promptly inform the Civil Rights Coordinator and the person(s) who is the subject of the Complaint that a Complaint has been received.
- B. After notifying the appropriate Civil Rights Coordinator, the Principal or designee may pursue an informal resolution of the Complaint with the agreement of the parties involved.
- C. Under the formal resolution procedure, the Complaint will be investigated by the principal or other individual designated by the Principal or Civil Rights Coordinator, which may include the school's counsel. Any Complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any Complaint about the Executive Director should be submitted to the Chair of the School's Board of Trustees, which may consult with legal counsel concerning handling the investigation of the Complaint.
1. The privacy rights of all parties to the Complaint shall be maintained in accordance with applicable state and federal laws.

2. In addition to the specific allegations concerning the Complainant, the investigator will investigate and consider whether there is a discriminatory climate and/or culture at the school.
  3. The investigator will keep a written record of the investigation process.
  4. The investigator will take any appropriate interim remedial or supportive measures to reduce the risk of further discrimination or harassment while the investigation is pending.
- D. If the investigator determines that discrimination or harassment has occurred, the principal or designee shall take steps to eliminate the discriminatory hostile environment and prevent its recurrence, which may include, but are not limited to:
1. Determining what disciplinary action should be taken against the person(s) who engaged in discrimination or harassment, if any;
  2. Determining what steps are necessary to prevent recurrence of any discriminatory behavior, including, but not limited to, harassment, and to correct its discriminatory effects if appropriate;
  3. Informing the Complainant and the person(s) who was the subject of the Complaint of the results of the investigation (in accordance with applicable state and federal privacy laws);
  4. Notifying Human Resources if the individual who engaged in discriminatory conduct is a School employee;
  5. Notifying the Special Education Director if the individual who engaged in discriminatory conduct is a student on an IEP or 504 Plan; and/or
  6. Determining whether there is a discriminatory School climate and/or culture and implementing corrective measures to address any discriminatory climate and/or culture.
- E. If the Complainant or, in the case of a student, the student's parents/legal guardians, are dissatisfied with the results of the investigation, an appeal may be made to the Civil Rights Coordinator within ten (10) school days after receiving notice of the outcome of the investigation. In the appeal, the appellant should identify any specific alleged factual or legal errors and explain why the errors should result in a different conclusion. The Civil Rights Coordinator shall review the investigation, may conduct further investigation if deemed appropriate, and shall decide whether or not to reopen the investigation, uphold the principal or designee's determination, or reverse the principal or designee's determination. The Civil Rights Coordinator shall provide written notification of that determination to both the Complainant and the accused. The Civil Rights Coordinator's decision shall be final, subject to further appeal to the Executive Director.
- F. If the Complainant or, in the case of a student, the student's parents/legal guardians, are dissatisfied with the decision of the Civil Rights Coordinator, an appeal may be submitted to the Executive Director within seven (7) calendar days after receiving notice of the Civil Rights Coordinator's decision. The Executive Director will consider the appeal. The Executive Director's decision shall be final and not subject to further appeal.

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## APPENDIX I: TITLE IX POLICY

### SEXUAL HARASSMENT

The Veritas Preparatory Charter School (“School”) is committed to maintaining an education and work environment for all school community members that is free from all forms of harassment, including sexual harassment. The members of the school community include the Veritas Preparatory Charter School Trustees, employees, administration, faculty, staff, students, volunteers in the schools, and parties contracted to perform work for the school.

**Sexual harassment** is unwelcome conduct of a sexual nature. The definition includes unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school’s education program or activity. Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment includes conduct by an employee conditioning an educational benefit or service upon a person’s participation in unwelcome sexual conduct, often called quid pro quo harassment and, sexual assault as the Federal Clery Act defines that crime. Sexual violence is a form of sexual harassment. Sexual violence, as the Office of Civil Rights (OCR) uses the term, refers to physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent (e.g., due to the student’s age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse and sexual coercion. Massachusetts General Laws Ch. 119, Section 51A, requires that public schools report cases of suspected child abuse, immediately orally and file a report within 48 hours detailing the suspected abuse to the Department of Children and Families. For the category of sexual violence, in addition to Section 51A referrals these offences and any other serious matters shall be referred to local law enforcement. Schools must treat seriously all reports of sexual harassment that meet the definition of sexual harassment and the conditions of actual notice and jurisdiction as noted above. Schools must promptly respond to allegations of sexual harassment that are alleged to have occurred in the school’s program or activities in a manner that is not deliberately indifferent (clearly unreasonable in light of the known circumstances).

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment, depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances—whether they involve physical touching or not.
- Implied or explicit threats concerning one’s grades, achievements, or other school matter.
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one’s sex life, comment on an individual’s body, comment about an individual’s sexual activity, deficiencies, or prowess.
- Displaying sexually suggestive objects, pictures, cartoons.
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments.
- Inquiries into one’s sexual experiences; and,
- Discussion of one’s sexual activities.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating, to male, female, or gender non-conforming students or employees may also constitute sexual harassment.

Because the School takes allegations of harassment, including sexual harassment, seriously, we will respond promptly to complaints of harassment and following an investigation where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose corrective action as is necessary, including disciplinary action where appropriate. In accordance with Title IX, a complainant's wishes with respect to whether the school investigates an allegation of sexual harassment will be respected unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances.

Please note that while this policy sets forth our goals of promoting an environment that is free of harassment including sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of harassment or sexual harassment.

Retaliation against a complainant, because they have filed a harassment or sexual harassment complaint or assisted or participated in a harassment or sexual harassment investigation or proceeding, is prohibited. A student or employee who is found to have retaliated against another in violation of this policy will be subject to disciplinary action up to and including student suspension and expulsion or employee termination.

The complainant does not have to be the person at whom the unwelcome sexual conduct is directed. The complainant, regardless of gender, may be a witness to and personally offended by such conduct.

### **NOTICE OF SEXUAL HARASSMENT**

The regulations require a school to respond promptly when the district has actual notice of sexual harassment in a manner that is not deliberately indifferent. A School has actual notice when an allegation is made known to any school employee. Schools must treat seriously all reports of sexual harassment that meet the definition of harassment and the conditions of actual notice and jurisdiction as noted whether or not the complainant files a formal complaint. Schools are required to investigate every formal Title IX complaint and respond meaningfully to every known report of sexual harassment in order to stop any harassment; to remedy the effects of any harassment and to prevent future harassment.

Title IX requires supportive measures which are designed to preserve or restore access to the school's education program or activity, with or without a formal complaint. Where there has been a finding of responsibility, the regulation would require remedies designed to restore or preserve access to the school's education program or activity.

### **DUE PROCESS PROTECTIONS**

Due process protections include the following which are described in additional detail in the School's Grievance Procedure for Title IX complaints:

- 1) A presumption that respondent is not responsible throughout the grievance process, with the burden of proof on the school.
- 2) A prohibition of the single investigator model, instead requiring a decision-maker separate from the Title IX Coordinator or investigator.
- 3) The clear and convincing evidence or preponderance of the evidence, subject to limitations.
- 4) The opportunity to test the credibility of parties and witnesses through questions submitted to decision-maker subject to “rape shield” protections.
- 5) Written notice of allegations and an equal opportunity to review the evidence along with the opportunity to select an advisor of the party’s choice who may be, but need not be, an attorney.
- 6) Title IX Coordinators, investigators, and decision-makers must be free from bias or conflict of interest.
- 7) Parties must be provided notice of appeal rights.
- 8) Upon filing a formal complaint, the school must give written notice to the parties containing sufficient details to permit a party to prepare for any initial interview and proceed with a factual investigation. For K-12 schools a hearing is optional, but the parties must be allowed to submit written questions to challenge each other’s credibility before the decision-maker makes a determination. After the investigation, a written determination must be sent to both parties explaining (a) each allegation, (b) whether the respondent is responsible or not responsible, (c) all of the facts and evidence on which the conclusion was based, and (d) whether the preponderance of the evidence or the clear and convincing standard was used in making the determination.

Title IX Coordinator must be informed, as soon as possible, of the filing of the complaint. Detailed information about the grievance process for Title IX complaints is contained in the School’s Grievance Procedure for Complaints of Sexual Harassment under Title IX of the Education Amendments of 1972.

### **RECORD KEEPING REQUIREMENTS**

Schools must create and maintain records documenting every formal Title IX sexual harassment complaint including the formal complaint, investigation, relevant evidence: decision-makers determination and any appeal. This could also include mediation, restorative justice, or other models of alternative dispute resolution. The school will maintain records regarding the school’s response to every formal sexual harassment complaint, including documentation of supportive matters offered and implemented for the complainant.

This policy, or a summary thereof that contain the essential policy elements shall be distributed by **Veritas Preparatory Charter School** to its students and employees and each parent or guardian shall sign that they have received and understand the policy.

Title IX Coordinator: Jonathan Swan, Director of School Supports - [jswan@vpcs.org](mailto:jswan@vpcs.org), 413-271-7237

Please note that the following entities have specified time limits for filing a claim.

The Complainant may also file a complaint with:

- The Mass. Commission Against Discrimination, 1 Ashburton Place, Room 601  
Boston, MA 02108.  
Phone: 617-994-6000.
- Office for Civil Rights (U.S. Department of Education)

5 Post Office Square, 8<sup>th</sup> Floor  
Boston, MA 02109.  
Phone: 617-289-0111.

- The United States Equal Employment Opportunity Commission,  
John F. Kennedy Bldg.  
475 Government Center  
Boston, MA 02203.

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## **APPENDIX J: TITLE IX GRIEVANCE PROCEDURE**

### **Grievance Procedure for Complaints of Sexual Harassment under Title IX of the Education Amendments of 1972**

The following grievance procedures apply to all complaints made by students or staff of sexual harassment, sexual assault, or sexual violence under Title IX of the Education Amendments of 1972 and in accordance with Veritas Preparatory Charter School's Sexual Harassment Policy.

#### **I. Reporting of Sexual Harassment Complaints**

##### **A. How to Report a Complaint of Sexual Harassment**

Students and employees who believe they have experienced or witnessed sexual harassment should notify the school's designated Title IX Coordinator, Jonathan Swan, Director of School Supports, [jswan@vpcs.org](mailto:jswan@vpcs.org), 413-271-7237

If the complaint concerns allegations against the Title IX Coordinator, then the complaint should be filed with the Executive Director or designee.

Employees who witness sexual harassment or have a reasonable belief that it is occurring, are required to report it immediately to the Title IX Coordinator.

Reports of sexual harassment may also be made by employees to their direct supervisor and by students to a teacher, counselor, school nurse or building administrator, who shall immediately bring such report to the attention of the Title IX Coordinator.

The complaint may be filed by the alleged by the victim or any other party. Any person filing a complaint is encouraged to do so within a short time after the occurrence giving rise to the complaint, to assure a prompt investigation and fair resolution.

##### **B. Handling of Sexual Harassment Complaints**

All complaints shall be processed in a fair, expeditious and confidential manner. The Title IX Coordinator is responsible for overseeing the complaint response, including implementation of supportive measures and the grievance/appeal process. In doing so, the Title IX Coordinator may delegate certain duties to a designee. Complaints can be investigated by a building administrator, staff member, or the Title IX Coordinator. The decision-maker must be a separate individual from the investigator. The Title IX Coordinator (or designee), investigator and decisionmaker shall not have a conflict of interest or bias. All Title IX personnel shall receive appropriate training in accordance with Section VIII below.

#### **II. Supportive Measures and Filing of a Formal Complaint**

### **A. Supportive Measures**

Once a report of sexual harassment has been received, the Title IX Coordinator or designee will promptly contact the alleged victim (the “Complainant”) to discuss the availability of supportive measures and consider the Complainant’s wishes with respect to supportive measures. The School must investigate sexual harassment allegations in any formal complaint. The school must inform the Complainant of the availability of supportive measures with or without filing a formal complaint and explain to the Complainant the process for filing a formal complaint. Supportive measures shall also be offered to the Respondent as necessary to ensure continued and equal access to the education program and/or activity during any investigation.

“Supportive measures” are individualized services reasonably available that are nonpunitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, and deter sexual harassment. Supportive measures must be offered to both the Complainant and the Respondent, and may include, but not be limited to” no contact orders, change of class schedules, modifications of assignments/work, leaves of absence, increased security, and monitoring of certain areas of the campus, and other appropriate measures.

In addition to the above supportive measures, the school, in its discretion, may consider the emergency removal of a student in accordance with applicable student discipline regulations. The school may place an employee on paid administrative leave during an investigation of sexual harassment allegations against said employee as determined appropriate and consistent with any applicable collective bargaining agreement.

### **B. Filing a Formal Complaint**

A formal complaint may be filed in writing by the Complainant or presented verbally and put into writing and signed by the Title IX Coordinator or designee. The school will respect the wishes of the Complainant with respect to whether the school investigates a report of sexual harassment, unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the wishes of the Complainant is not clearly unreasonable in light of the known circumstances.

### **C. Contents of a Formal Complaint**

A formal complaint is signed by a Complainant or the Title IX Coordinator or designee alleging sexual harassment against a Respondent and requesting that the school investigate the allegation of sexual harassment. At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education

program or activity of the school. A formal complaint may be filed with the Title IX Coordinator or designee in person, by mail, or by electronic mail, by using the contact information set forth herein.

The school must investigate sexual harassment allegations in any formal complaint. If the allegations in the formal complaint do not meet the definition of sexual harassment as set forth under Title IX, or did not occur in the School's education program or activity, the School must dismiss such allegations for the purposes of Title IX, but may still address the allegations in any manner that the School deems appropriate consistent with its policies, procedures, and code of conduct, including but not limited to its anti-bullying policies and plan

### **III. Informal or Formal Resolution of Complaint**

The school must offer the Complainant a formal resolution process and may offer an informal resolution process. If the School does not provide the option of informal resolution, the formal resolution process shall be followed.

#### **A. Informal Resolution Process**

If the School elects to offer an informal resolution process, such process shall be offered and implemented at the election of the Complainant and only after receipt of voluntary, informed, written consent of both the Complainant and the Respondent. The Complainant may elect informal resolution of a complaint at any time prior to a final determination by the decisionmaker. This may include conciliation and/or mediation by an individual trained to conduct such processes. At any time prior to agreeing to a resolution, either party has the right to withdraw from the informal resolution process and resume the formal complaint grievance process.

The school shall not offer an informal resolution process when a student alleges sexual harassment by staff.

#### **B. Formal Resolution Process**

The formal complaint process will comply with the grievance procedures outlined below.

### **IV. Grievance Procedure**

In accordance with Title IX and its supporting regulations, the school shall implement the following process when investigating formal complaints of sexual harassment:

- A.** The Complainant and Respondent will be treated equally throughout the investigation process and be provided with written notice of the allegation (including sufficient details known at the time and with sufficient time to prepare a response before any initial

interview), the grievance process, the range of possible remedies the school may provide a Complainant and disciplinary sanctions the school might impose on a respondent, following determinations of responsibility. Both parties have the right to have a representative/advisor participate in the process on their behalf.

- B.** Any interim supportive measures, as appropriate, will be offered to both parties.
- C.** The investigator will conduct an objective evaluation of all available evidence. This shall include an interview of both the Complainant and the Respondent, during which each party shall have a full opportunity to state their case through the presentation of witnesses and other evidence. Witnesses and other persons relevant to the complaint, if any, may also be interviewed. Please note that, during the investigation, rape shield protections apply to the Complainant and Complainants may generally not be asked about their prior sexual behavior.
- D.** During the investigation process, the parties shall not be prohibited from discussing the complaint or collecting evidence.
- E.** The investigation shall be completed in a reasonable time frame within thirty (30) school days except for good cause. Good cause may include, but not limited to, unavailability of a party, concurrent pending law enforcement investigation, or need for interpreter or accommodation of any party or witnesses' disability.
- F.** During the investigation, there is a presumption that the Respondent is not responsible for the alleged conduct until a determination is made at the conclusion of the grievance process.
- G.** The investigator will make findings based on a preponderance of the evidence standard.
- H.** The investigator will not request or solicit information from any party or witness that constitutes disclosure of information that is protected under a legally recognized privilege, unless the holder of the privilege voluntarily waives the privilege.
- I.** The school will send the parties, and their advisors, evidence directly related to the allegations, in electronic format or hard copy, with at least ten (10) days for the parties to inspect, review, and respond to the evidence.
- J.** Prior to the conclusion of the investigation, and at least ten (10) calendar days prior to completion of the investigation, the Complainant and Respondent will both be provided a copy of the investigation report and an opportunity to submit any additional information they would like considered by the investigator before their report is finalized. Both parties shall be provided the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

- K. Once the investigation has been completed, the investigator will submit their investigation report, with recommendations with regard to responsive measures, to the decisionmaker. The Complainant and Respondent shall also be advised, in writing, of the investigator's findings and recommendations.
- L. The decisionmaker will review the investigation report and hold a disciplinary hearing with the Respondent, in accordance with applicable procedures (for student or employee).
- M. The decisionmaker will advise both parties of the final determination and any related remedial/responsive measures in a manner that complies with applicable laws regarding student confidentiality and appeal rights. The Respondent will be notified of any disciplinary action and other remedial measures if the complaint is substantiated. Notice of such final determination will be made in writing and sent simultaneously to the parties along with information about how to file an appeal.

**V. Disciplinary Action**

If a complaint is substantiated, the school will act promptly to eliminate the behavior and will refer the matter to the proper supervisor or administrator for appropriate responsive measures, including but not limited to disciplinary action and restoring a sense of safety for the Complainant. For students, discipline will be imposed consistent with the Code of Conduct and Massachusetts Student Discipline Law.

Discipline of employees will be consistent with collective bargaining procedures, if applicable, and may include disciplinary action up to and including dismissal.

Responsive measures will also include any steps necessary to prevent the recurrence of any discrimination and/or harassment and will include corrective action aimed at eliminating any discriminatory effects on the complainant and others, as appropriate.

**VI. Retaliation Prohibited**

Retaliation in any form against any person because of or related to a sexual harassment or retaliation complaint, or because of or related to cooperation with an investigation of a sexual harassment or retaliation complaint, is unlawful and prohibited. Retaliation is also prohibited against any individual that participates or chooses not to participate in the grievance process.

If retaliation occurs, it could be considered grounds discipline, up to and including suspension and/or discharge for employee(s), and appropriate disciplinary action for students.

**VII. Appeal Procedure**

Both parties have the right to appeal the decisionmaker's determination to the Executive Director or designee. Any appeal should be submitted in writing to the Executive Director within ten (10) calendar days of receipt of the final determination.

The Executive Director or designee in reviewing the appeal may consider the following factors:

- A. Was there any procedural irregularity with the investigation process?
- B. Is there any new evidence not reasonably available at the time of the investigation?
- C. Did the Title IX investigator have a conflict of interest?

The decision of the appeal process is final and is not subject to further review by the Executive Director or Veritas Preparatory Charter School Board of Trustees.

#### **VIII. Training Requirements**

All Title IX personnel including Title IX Coordinators, investigators, decision-makers, people who facilitate any informal resolution process shall receive training as required by Title IX and its supporting regulations. All training materials shall be made available to the public for inspection upon request.

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## **APPENDIX K: 504 GRIEVANCE PROCEDURE**

### **SECTION 504 GRIEVANCE PROCEDURES**

Veritas Preparatory Charter School (Veritas) will make every attempt to resolve disputes internally with respect to Section 504 compliance for students. When disputes emerge, these grievance procedures will incorporate due process standards to resolve complaints of discrimination. To comply with Section 504, Veritas:

1. Provides written assurance of nondiscrimination.
2. Designates a Section 504 Coordinator.
3. Provides grievance procedures to resolve complaints.
4. Provides notice of nondiscrimination in admission or access to its programs or activities. Notice is included in student/parent handbook.
5. Identifies and locates all qualified children with disabilities who are not receiving a public education.
6. Notifies annually persons with disabilities and their parents or guardians of Veritas' responsibilities under Section 504.
7. Provides parents or guardians with notice of procedural safeguards.
8. Conducts a self-evaluation of school district policies, programs, and practices to make sure discrimination is not occurring.

### **GRIEVANCE PROCEDURES**

The Section 504 Coordinator, on request, will provide a copy of these grievance procedures and investigate all complaints in accordance with these procedures. The person who believes he/she has been discriminated against based on disability shall discuss the grievance with, and give a written grievance to, the Section 504 Coordinator who shall, in turn, investigate and reply to the complainant. An individual may also file a Section 504 complaint on behalf of someone else. Veritas will assist individuals who need assistance putting a grievance into writing.

Veritas will make appropriate arrangements to ensure that individuals with disabilities are provided any necessary accommodations to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing taped cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The Section 504 Coordinator will be responsible for such arrangements.

The Executive Director will designate an individual to investigate grievances against the Section 504 Coordinator. The Section 504 Coordinator will designate an individual to hear any appeals concerning Section 504 complaints against the Executive Director.

### **PROCESS/TIMELINE**

#### *Step 1:*

A complaint must be submitted in writing to the Section 504 Coordinator. Complaints about the Section 504 Coordinator may be brought directly to the Executive Director. The complaint must contain the name and address of the person filing it and be signed by the complainant. The Section 504 Coordinator shall further investigate the complaint and make best efforts to communicate the outcome in writing to the complainant within 20 (twenty) school days. In cases in which the investigation extends beyond twenty

days, the Section 504 Coordinator will inform the complainant about the status of the investigation within twenty (20) school days.

Veritas will address any violations of Section 504, take steps to prevent the recurrence of any discrimination, and correct any discriminatory effect on the person filing the grievance and others.

*Step 2:*

If the complainant wishes to appeal the decision of the Section 504 Coordinator, he/she may submit a signed statement of appeal to the Executive Director of Schools (or designee) within ten (10) school days after receipt of the Section 504 Coordinator's response. The Section 504 Coordinator and Executive Director cannot be the same individual. The Executive Director shall meet with all parties involved, formulate a conclusion, and use reasonable efforts to respond in writing to the complainant within thirty (30) school days.

*Step 3:*

If the complainant remains unsatisfied, he/she may appeal to the Bureau of Special Education Appeals or other appropriate state agency or court. The availability and use of this grievance procedure do not prevent a person from filing complaint of discrimination on the basis of disability directly with U.S. Department of Education, Office for Civil Rights, or any other state or federal agency.

**FEDERAL COMPLAINT PROCEDURES**

The complainant may file a complaint with the Office for Civil Rights (OCR) at any time before, during, or after the local grievance procedures. The contact information for the regional office is as follows:

Office for Civil Rights  
U.S. Department of Education  
8<sup>th</sup> Floor  
5 Post Office Square  
Boston, MA 02109-3921  
Telephone: (617) 289-0111  
Facsimile: (617) 289-0150  
[Email: OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov)

**Office for Civil Rights Complaint Process**

An individual or an organization may file a complaint with the regional Office for Civil Rights (OCR). An OCR complaint must be filed, in writing, within 180 days after the alleged discriminatory act or from the time the person becomes aware of the alleged discriminatory act. In certain cases, OCR will consider complaints where more than 180 days have elapsed. Anyone wishing to file a formal complaint with OCR should submit in writing the following information in a letter or on the Discrimination Complaint Form available from OCR regional offices:

- € Name, address, and phone (a daytime telephone number is helpful)
- € A general description of the person(s) or class of persons injured by the alleged discriminatory act(s) (names of the injured person(s) are not required)
- € The name and location of the agency that committed the alleged discriminatory act(s), as well as the name of the —injured person
- € A description of the alleged discriminatory act(s) in sufficient detail to enable OCR to understand what occurred, when it occurred, and the basis for the alleged discrimination (race, sex, color, national origin, age, or disability)

**A school or individual may not retaliate against or harass any person who has made a complaint, testified, assisted, or participated in any manner in a discrimination investigation.**

### **DUE PROCESS HEARING**

Due process is defined as an opportunity to resolve a dispute between parents and schools over the decisions made and/or procedures used by the school under Section 504. A Section 504 due process hearing may be made ***at the request of the school or a parent, guardian, or surrogate parent of the student.*** It is required that parents or guardians be notified of their right to request a hearing regarding a dispute over the identification, evaluation, or educational placement of a student with disabilities being served or considered for Section 504. See Notification of Section 504 Parent/Student Rights. A request for a due process hearing may be submitted directly to:

Division of Administrative Law Appeals

Bureau of Special Education Appeals

14 Summer Street, 4<sup>th</sup> Floor

Malden, MA 02148

### **MEDIATION**

Mediation is not required under Section 504. Most of the time, parents and school staff agree upon issues regarding evaluation, eligibility, program, and placement of students with disabilities. However, there are times when disagreement occurs. If the parent and school are unable to resolve a conflict concerning a student with a disability, then mediation is an available alternative to a due process hearing which can be lengthy and expensive. A trained mediator works with both parties to guide them toward a mutually satisfactory solution in the best interest of the student and in compliance with Section 504 regulations. This occurs at a non-adversarial meeting that is more structured than a parent-school conference, but less formal than a due process hearing. Parents and schools are encouraged to try mediation before relying on more formal procedures such as the grievance procedures, complaints to OCR, or due process hearings.

**Mediation is completely voluntary.** It should not interfere with any procedural safeguards, including filing a grievance with Veritas, requesting a due process hearing with the Bureau of Special Education Appeals or filing a complaint with OCR.