



**Springfield Prep**  
CHARTER SCHOOL

# **Student and Family Handbook**

**2023-24**

Revised 10/30/23

Springfield Preparatory Charter School  
2071 Roosevelt Ave.  
Springfield, MA 01104



Dear Springfield Prep Families,

We are honored to welcome you to Springfield Prep Charter School and we are excited to work with you and your children!

We know that our success as a school depends in part on the support of our parents, and we look forward to forming positive partnerships with each of you. We expect a lot from members of the Springfield Prep community, and in turn, you can expect a lot from us.

The following pages will help you become familiar with school procedures, policies, and practices and should serve as a resource for students and parents from the first day of school through the last. While we cannot say this handbook will answer all of your questions, we do know there is a lot of valuable information in here, so please take the time to read it carefully. We encourage you to keep this handbook in a place where you can easily refer to it from time to time during the school year as questions arise. In this handbook, you will learn about the structure of the school, the policies that we have in place, and our expectations of members of our school community.

If you ever have any questions, please feel free to ask any teacher or staff member.

Sincerely,

The Faculty and Staff  
Springfield Prep Charter School

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## Section I: Our Mission

### 1. Mission

Springfield Preparatory Charter School is an inclusive K-8 public charter school that prepares all students for success in high school, college, and life through a focus on rigorous academics and character development.

### 2. History and Vision

Springfield Preparatory Charter School (Springfield Prep) received a charter in February 2014, and opened its doors to its first classes of kindergarten and first grade students in August 2015. Our charter was renewed for another five-year term in February 2020. We serve 486 students in grades K-8.

Springfield Prep is a charter school. Charter schools were introduced in Massachusetts via the 1993 Education Reform Act passed by the Legislature. Charter schools are independently managed public schools that operate under a five-year charter granted by the Massachusetts Board of Education.

Charter schools have the freedom to organize around a core mission, curriculum, theme, or teaching method, and are allowed to control their own budgets and manage the hiring of teachers and staff. In return for this freedom, a charter school must demonstrate strong academic results and organizational viability or the charter will be revoked. Families choose to send their children to charter schools; students are selected by random public lottery when demand exceeds the number of seats available.

Our vision is to develop an exemplary institution of learning that provides generations of Springfield children with access to the highest quality instruction. We aim to instill in our students the academic skills necessary for success in college and life and the strong character that will support this success. Our classrooms are places where rigorous academics take place each day, and the ethos of intellectual curiosity and hard work predominates amid a positive and supportive learning environment. We believe in having high expectations, both academic and behavioral, of our students, and we will work our hardest to ensure that students meet these standards.

### 3. Core Values

Dr. Martin Luther King, Jr., said, "Intelligence plus character, that is the goal of true education" and we firmly believe in this sentiment. Our success as a school will be determined not just by our academic success, but also by our ability to develop in our students the character they need to be successful students, citizens, and leaders.

In order to develop these important character skills and maintain a culture of respect, safety, and high expectations at Springfield Prep, we are committed to adhering to our core values in all that we do. It is our intention that these values serve as the foundation on which every member of the school community operates.

Springfield Prep’s Core Values are listed below:

- **Focus** - We work hard and do our best, every day.
- **Integrity** – We do what’s right, just because it’s right.
- **Respect** – We are kind and supportive to others and ourselves.
- **Self-Determination** – We know that hard work makes anything possible.
- **Teamwork** – We work with fellow scholars to achieve excellence.

## Section II: Who We Are

### 1. Board of Trustees

The school is governed by a Board of Trustees that brings community, educational, and professional perspectives to maintaining a viable and thriving school. The board is responsible for overseeing the governance of the school and ensuring that the school is fulfilling its mission. Members of the Board of Trustees are:

- Sherriff Balogun [Chair]**, Head of Product and Platform Technology, Large Financial Services Company  
**Anne Zummo Malone [Vice Chair]**, Chief of Growth and Impact, AppleTree Institute for Education Innovation  
**Amy Piela [Treasurer]**, Head of Investment Operations, Large Financial Services Company  
**Sarah Monson [Secretary]**, Senior Director of Philanthropy, Women’s Fund of Western  
**Sally Fuller, Retired**  
**Robert Leonard**, Attorney, Doherty, Wallace, Pillsbury & Murphy, P.C.  
**Ron Molina-Brantley**, Vice President, Relationship Manager, Berkshire Bank  
**Doug Morrin**, Attorney  
**Amneris Narvaez**, Senior Director of Central and Western MA Programs, Generation Teach  
**Bill Spirer, [Ex Officio]**, Founder & Executive Director, Springfield Prep Charter School

### 2. School Leadership

Role	Name	Email
Founder & Executive Director	Bill Spirer	<a href="mailto:bspirer@springfieldprep.org">bspirer@springfieldprep.org</a>
Chief Operating Officer	Meghan Wagner	<a href="mailto:mwagner@springfieldprep.org">mwagner@springfieldprep.org</a>
Chief Academic Officer	Jessica Yiannos	<a href="mailto:jiannos@springfieldprep.org">jiannos@springfieldprep.org</a>
Director of Student Supports	Pamela Haywood	<a href="mailto:phaywood@springfieldprep.org">phaywood@springfieldprep.org</a>
Director of Talent	Wendy Soref	<a href="mailto:wsoref@springfieldprep.org">wsoref@springfieldprep.org</a>
Elementary School Principal	Shawna Mitchell	<a href="mailto:smitchell@springfieldprep.org">smitchell@springfieldprep.org</a>
Elementary School Assistant Principal	Kate Parsons	<a href="mailto:kparson@springfieldprep.org">kparson@springfieldprep.org</a>
Middle School Principal	Christine Torres	<a href="mailto:ctorres@springfieldprep.org">ctorres@springfieldprep.org</a>
Middle School Dean of Culture	Dionna Boyd	<a href="mailto:dboyd@springfieldprep.org">dboyd@springfieldprep.org</a>
Director of Academic Operations	Ashley (Marshall) Major	<a href="mailto:amajor@springfieldprep.org">amajor@springfieldprep.org</a>

Director of School Service Operations	Will Palmer	<a href="mailto:wpalmer@springfieldprep.org">wpalmer@springfieldprep.org</a>
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### 3. Whom to Contact With Questions

Concern	Staff Member
I have questions about my student's academic progress	Your student's teachers
I have questions about homework	Your student's teachers
I have questions about school activities (field trips, etc.)	Your student's teachers
My student has an allergy; my student needs medication during the day	School Nurse
I don't know whether to send my child to school because he/she may be sick	School Nurse
My student has been diagnosed with a contagious illness	School Nurse
I have concerns about discipline issues	Assistant Principal or Dean
I have questions about standardized testing	Principal
I have a question about my child's school experience	Classroom Teachers
I have questions about instruction, academics, or teaching	Principal or Classroom Teachers
My student will be absent or late	Main Office
I will be picking my student up on a given day	Main Office
I would like to enter my student's siblings into the lottery for next year	Main Office
I need a copy of the calendar or other materials	Main Office
I need to get an emergency message to my student during the day	Main Office
I need help ordering uniforms	Main Office
I need help ordering lunch; my student is eligible for free/reduced lunch	Main Office
I have questions about transportation	Main Office
My student has an IEP/504 plan; I think my student may have special needs	Director of Student Supports
I would like to volunteer; I would like to join one of the Parent Action Committees or Councils	Main Office
I need help with housing, food, clothing, or community resources	School Counselor or Director of School Service Operations
I would like to make a donation of goods, services, or money to the school	Executive Director
I have a Title IX complaint to file	HR & Finance Manager (Title IX)



	Coordinator)
I have a complaint to file	Executive Director or Chief Operating Officer

All members of the Springfield Prep staff will make every effort to respond to phone calls and e-mails during the school week within 24 hours or one business day. Please never hesitate to be in touch with questions, concerns, or suggestions.

## Section III: School Schedule and Calendar

### 1. School Year

As part of its mission to provide the highest quality education possible, Springfield Prep has an extended school year that runs from late August through the end of June. Please see Appendix A for the current school year calendar. The school reserves the right to modify this calendar due to weather or other unanticipated events; if it does so, it will communicate these changes to families as far in advance as possible.

Please note that we do not directly follow the Springfield Public School (SPS) calendar. However, we do delay or close school due to weather if SPS does so.

### 2. Daily Schedule

The Springfield Prep school day runs from 7:55 AM through 3:30 PM Monday through Thursday. School is dismissed at 12:30 PM on Fridays so that teachers have time to meet, plan, and receive professional development training. This weekly staff development time is incredibly important and helps us to improve our skills as teachers and improve the school program as a whole.

School doors open at 7:40 each morning, and students are required to arrive at school by 7:55 AM in order to be considered “on time.” Students must remain in school until dismissal at 3:30 PM (12:30 PM on Fridays).

## Section IV: Academic Program

### 3. Academic Subjects

#### Literacy

Springfield Prep uses a standards-based, balanced literacy approach to reading and writing instruction, which means that students learn phonics and writing conventions systematically and explicitly, while also engaging in meaningful, authentic work with texts and tasks in order to develop reading comprehension and effective oral and written expression. Our goal is that all students become proficient and critical readers and writers who are motivated to read and write throughout their lives. Students will have the following reading and writing classes as part of the elementary literacy program: Read Aloud, Phonics, Shared Reading, Reading Workshop, Handwriting, Interactive Writing, and Writing Workshop (phonics and handwriting are only taught in the kindergarten and first grade). In the middle school, our ELA curriculum is based on students reading, analyzing, and writing about great novels and using those texts as a springboard for further inquiry and research. Our Social Studies program is designed to ensure that students develop an understanding of ancient world civilizations, U.S. history, and civics while making connections that allow them to trace the challenges of modern society back in time through reading, writing, and critical discussion.

## **Mathematics**

Springfield Prep uses a standards-based, problem-solving oriented approach to teaching mathematics. In all grades, we use a variety of strategies so that students develop conceptual understanding and procedural skills and fluency, and have authentic opportunities to apply these skills and understandings to solve challenging problems. In the elementary school, students will receive two separate but interrelated forms of math instruction each day: Eureka Math (focused on concept development and skill development through discovery, practice, and fluency activities) and Story Problem (focused on problem solving). In addition, there will be a weekly “math workshop” for targeted intervention and math practice activities. In the middle school, our math program consists of longer math blocks that incorporate problem-based instruction from Eureka (grade 5) or Illustrative Mathematics (grade 6-8), ample opportunities for fluency practice, and an emphasis on mathematics discourse and vocabulary development. During the math lesson, the science teacher is present to provide support and small group intervention for students who need additional support.

## **Science & Social Studies**

In the early grades, our science and social studies classes have two primary goals: (1) build the background knowledge and vocabulary that is critical to listening and reading comprehension and (2) provide students with experiences that facilitate connection to the world around them. In grades K-2, we use the Core Knowledge curriculum as a foundation and incorporate hands-on projects, labs, and field trips to make the content come to life. In grades 3 and up students engage in daily science lessons using a curriculum developed by Brooke Charter Schools that is based in inquiry, content literacy, and hands-on learning experiences. Social Studies content and standards are incorporated into our literacy curriculum as students spend increasing amounts of time engaged with informational texts “reading to learn”.

## **Health and Sex Education**

Students in grades 6, 7 and 8 take a Health and Wellness class. These classes are jointly taught by our Nurse and Physical Education Teacher. The curriculum has been developed using a variety of resources, including national health education standards, best-practices, and current research. The health and wellness portion of the class covers topics such as diet and physical activity, emotional and mental health, and healthy relationship building. The sex education portion of this class covers topics that include human anatomy, sexual health, personal identity, and pregnancy and sexually-transmitted infection (STI) prevention. Parents/guardians have the right to opt out of any portion of the curriculum that primarily involves human sexual education or human sexuality issues and/or to review curriculum materials. See [Section XIV, Section 4 \(Policy Regarding Parent/Guardian Notification Relative To Sex Education\)](#) for more information.)

## **Co-Curriculars**

Students will participate in Physical Education (PE), Music, and Art classes every week. All lessons are planned in accordance with the Massachusetts Curriculum Frameworks for Visual Arts, Physical Education and Music, and designed in accordance with students’ developmental needs. Additionally, our co-curricular teachers will ensure that these standards are integrated, when appropriate, into classroom studies of other disciplines.

## **4. School Supplies**

Springfield Prep will purchase all of the school supplies needed for the classroom. Families are asked to provide an appropriate backpack.

Students do not need to buy binders. The school will provide each student with a binder for core academic classes. Students will also be provided with a folder for homework, as well as a pencil/pen case. The school will provide a Chromebook computer to students in all grade levels where a computer is required for classwork and homework.

We recommend that students have access to the following supplies at home in order to successfully complete their homework:

- Lots of pencils
- Erasers
- Pencil sharpener
- Crayons and markers
- Lined paper

## 5. Homework

### Philosophy of Homework

Homework is an essential part of Springfield Prep’s educational program. It is designed to reinforce skills taught in the classroom, to build good student study habits, and to teach students responsibility and accountability. Written work should be something that the majority of students can complete independently with minimal adult support. If you find that this is not the case, please speak to your child’s teacher.

### Amount of Homework

Homework is assigned every night and each weekend and is provided in a homework packet that will be sent home each week in the Homework Folder. Homework is reviewed for completion and quality by teachers each morning (Friday homework is reviewed on Monday).

Homework consists of the following amounts of time, listed below in minutes:

#### Elementary:

	Kindergarten	1st Grade	Grades 2-5
<b>Total time</b>	25	30	35
<b>Reading</b>	15	20	20-25
<b>Written Work</b>	10	10	10-15
<b>Reading Notes:</b>	Students should read independently each night, but families should still read to their children!	Reading should be a combination of independent reading and families reading to children.	Students should read independently, but families and children can and should still read together!

#### Middle School:

	Grade 6	Grades 7-8
<b>Total Time</b>	~45 minutes	~ 1 hour

<b>ELA/Social Studies</b>	20-25 minutes	25-30 minutes
<b>Math/Science</b>	20-25 minutes	25-30 minutes
<b>Notes:</b>	There will no longer be a nightly reading log for students to complete. Reading practice will be incorporated into ELA/Social Studies homework.	

All students are provided with their own Homework Folders, which include the nightly Reading Log in Elementary grades. Homework Folders are designed to teach students essential organizational skills. In Middle School grades, students are provided with a planner.

### **Homework Expectations**

Assigned homework needs to be completed by the student by the due date. Failure to complete homework may result in a consequence at school (such as the loss of time during recess) so that the student can complete his or her work. Homework is considered complete only when it is done, shows effort, and meets the teacher’s requirements. Written pieces may have requirements regarding the number of sentences.

We ask that families of elementary and middle school students support their children with their homework in the following ways: read with younger students (elementary school), create routines at home for students to follow each day, provide a quiet, organized place to work, and sign your child’s Homework Log every night (elementary school). In middle school, students are responsible for completing work on a daily basis independently. Please do not do your children’s homework for them! As tempting as it is to want to help, it is important that students try for themselves. If work is a consistent struggle or is taking far longer than the suggested times to complete, please contact your child’s teacher and they will help to develop a plan with you.

## **6. Grading Policies**

### Elementary School

Springfield Prep uses a standards-based grading system, which means that students are evaluated in all subject areas according to how well they have mastered grade level standards. Grades are based on a four-point scale, with 4 showing the highest level of mastery and 0 indicating no mastery (see below).

**4 – Above grade-level mastery:** Student has above grade-level mastery, and can apply the standard in new situations.

**3 – Grade-level mastery:** Student has grade-level mastery and is able to perform the standard independently.

**2 – Partial mastery:** Student has partial mastery and needs some additional support.

**1 – Minimal mastery:** Student has minimal mastery and needs significant additional support.

**0 – No mastery:** Student has no mastery of the standard.

## Middle School

In the middle school grade levels, grades help a student to understand their academic status and prepare them for high school. In the Middle School, we retain standards-based grading as the primary driver of student grades because we believe that grades should primarily reflect proficiency towards grade-level standards. However, we combine this with other important measures related to work habits and embed these standards-based grades within a more traditional grading system.

Below is the grading scale used in the middle school. Report cards and official student records will include a percentage and a letter grade.

- **90%-100%: A**
- **80%-89%: B**
- **70%-79%: C**
- **60-69%: D**
- **Below 60%:**

### **7. Promotion and Retention Policies**

Springfield Prep's promotion and retention policy reflects our commitment to accountability and quality—we take the responsibility of putting our students on the path to college seriously and will promote them only when they are truly ready to begin the next level of work. Promotion to the next grade is earned by demonstrating proficiency towards the rigorous academic standards, good attendance, and demonstration of behaviors that are grade-appropriate.

Students may be retained in their current grade level or recommended for summer work for the following reasons:

- Failure to demonstrate proficiency (level 3 or 4) in 75% of the standards for each subject. In Middle School, failure to earn at least a C in all core classes (ELA, math, social studies, and science).
- Sustained difficulty completing class work
- Reading significantly below grade level, as indicated by the STEP Assessment (grades K-3) or STAR assessment (grades 4+)
- More than 10 unexcused absences during the school year, more than 25 unexcused tardies or early pick-ups (or a combination of both), or extensive time spent out of class due to behavior problems

Springfield Prep recognizes that retention can be difficult for students and parents; we will work diligently and proactively both to notify families of concerns and to support students at risk for retention.

### **8. Assessments**

Springfield Prep employs multiple assessments to monitor student progress, inform instruction, and ensure that all students succeed. Teachers and staff work to ensure that assessments are not stressful times for students; rather they are presented as opportunities to show off all that students have learned. Teachers analyze the results to inform their instruction, identify students in need of extra help, and to assess the overall effectiveness of the school's curriculum. Results are shared with families through the report cards that are distributed three times each year.

### **mCLASS DIBELS**

Springfield Prep uses mCLASS DIBELS assessment which is a DESE-approved universal literacy screener for all students in K-3. The DIBELS assessment is a set of brief, standardized, individually administered

assessments to measure the development of early literacy skills. These assessments are administered to students 3 times per year.

### **STEP (Strategic Testing and Evaluation of Progress)**

The STEP Assessment is the primary tool we use to assess reading ability in grades K-2. It is a developmental literacy assessment that uses a series of texts and comprehension questions to identify a student's current reading level and progress according to developmental reading benchmarks. The STEP assessment helps teachers to determine a student's independent and instructional reading level, identify students who need literacy intervention, and establish reading instruction groups. STEP assessments are given one-on-one and will occur every six to eight weeks during the course of the year.

### **Interim Assessments**

Several times during the year students will take comprehensive assessments in math and literacy. These assessments will include both standards from the current trimester and from earlier trimesters. A student's performance on these is one factor in determining his or her grades, as measured by standards mastery.

### **NWEA – MAP Test (Northwest Evaluation Association – Measures of Academic Progress)**

This computer-based adaptive test (it adjusts the difficulty of the questions to the level of the student) is taken three times during the year (beginning, middle, and end) in grades K-2. The results provide teachers and parents with detailed information about how much a student has grown in math and reading, what instructional needs they may have, and how they are performing in relation to state and national norms.

### **Renaissance STAR Reading Assessment (STAR)**

The STAR reading test is a computer-based adaptive test taken at least three times during the year in grades 4 and up. This assessment provides teachers with a Lexile level to determine if students are on track for growth and grade-level mastery goals. Reports provide information about overall student performance, as well as specific areas to focus on to improve reading skills.

### **ANet**

Beginning in the second grade, students will take four interim assessments annually in Math and English Language Arts developed by the Achievement Network, or "ANet." ANet provides standards-aligned assessments that provide teachers with insights about what content and skills students have mastered, and where they need additional help for future instruction. These assessments are not used for grading purposes – they are used to inform and improve instruction and ensure that students are well prepared for state standardized tests, such as MCAS.

### **MCAS**

In grades 3-8, Springfield Prep administers the "Next Generation" Massachusetts Comprehensive Assessment System (MCAS) Test, as required by law. This is a new state assessment that builds on the MCAS assessments of the past and is given on a computer. MCAS is an important way for schools to demonstrate that they are helping all students to achieve in core content areas. Springfield Prep will provide information to parents about the MCAS Assessment prior to the test administration and parents will receive MCAS results following each test administration.

### **Teacher-Created Tests and Quizzes**

Springfield Prep teachers provide students with many opportunities to “show what they know.” Teacher-created assessments may be used at the beginning of a unit of study to guide planning or at the middle or end of a unit to check progress of students’ learning.

## **Section V: Family Engagement**

Springfield Prep encourages and expects families to be partners in the education of their children. The important task of educating a child calls for the school, student, and family to all work together to ensure success. We reflect that commitment by choosing to sign the Springfield Prep School-Family-Student Contract of Commitment (which is available with this Handbook on our website and provided to families as part of the enrollment process). We encourage families to participate actively in their student’s education and we strive to cultivate positive and productive relationships with all of our families.

### **1. Phone, E-Mail and Class Dojo Communication**

All parents will be provided with a phone number and e-mail address for their child’s teacher and for other staff members. In addition, all families will be encouraged to sign up for an online program called Class Dojo each year. Students and parents should feel free to call, e-mail or message via Dojo any time that they have a question, concern, or suggestion. All staff members will make every effort to respond during the school week within 24 hours or one business day.

**Please leave a voicemail if you call the Main Office and there is no answer. We will return your call promptly.**

Teachers and other staff members will contact parents to share both positive and negative developments in areas including academic performance and behavior. Springfield Prep asks families to make every effort to respond to phone calls, Class Dojo messages, and e-mails regarding their student promptly.

Springfield Prep utilizes Class Dojo, an automated communication system, to communicate with families, and will also use DeansList text messages regarding major events or updates. Parents will receive automated calls, text messages, and e-mails regarding upcoming events, professional days, and other matters. In addition, all families will receive automated phone calls and text messages in the case of school closure due to weather, early dismissal due to weather, or another emergency. If parents are not receiving these communications, please contact the Main Office. Phone calls and emails will be delivered to the numbers and addresses the school has on file. It is the parent or guardian’s responsibility to keep the school up to date when his or her phone number or contact information changes.

### **2. Parent-Teacher Conferences**

Parent-teacher conferences are a crucial component of our educational program. We ask parents to attend conferences after each of the first two report cards are sent home and at other times as requested by the classroom teacher, Assistant Principal, or Principal. Parents should plan to attend a 30-minute conference during that school day or at a pre-arranged time before or after school during that week. During parent conferences, teachers will use examples of student work to show parents and guardians evidence of their children’s progress. Our goal is for 100% of our parents and guardians to attend these conferences.

### **3. Open House**

During the week prior to the start of the school year, we will hold our open house. All parents are encouraged to attend the open house and are asked to bring their children to this event. At the open house, teachers will explain vital information about class rules, discipline systems and policies, give an overview of the general daily schedule, and answer any general questions that parents have about the classroom. It is also an opportunity for children to give parents a tour of their new classroom and gives parents a chance to meet parents of other students in the school.

### **4. Parent Organizations**

#### **Springfield Prep Parent Action Committee**

The school-wide Parent Action Committee will be responsible for developing programming and services for families, giving input on school policy, recruiting new students, and conducting other activities as determined by members. More information about the schedule for these meetings will be provided during the fall. Parents can participate in any/all meetings and can also run to serve as elected Officers. All parents are encouraged to participate.

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

The Special Education Parent Advisory Council (SPED-PAC) will promote parent engagement in the development and modification of programs serving students with special needs.

In accordance with Massachusetts General Law, duties of the SPED-PAC will include, but not be limited to, advising the school on matters pertaining to the education and safety of students with special needs and meeting regularly with school officials to participate in the planning, development, and evaluation of the school's special education programs. The SPED-PAC will also offer workshops and educational programming of interest to parents of children with special needs and will play an active role in recruiting students with special needs to enter the lottery.

#### **English Learner Parent Advisory Parent Advisory Council (EL-PAC)**

The English Learner Parent Advisory Council (EL-PAC) will promote parent and guardian engagement in the development of programs serving English learners in language acquisition programs.

In accordance with the Language Opportunity for Our Kids Act (LOOK Act) that was signed into law in November 2017, duties of the EL-PAC will include, but not be limited to, advising the school on matters pertaining to the education of students who are learning English and meeting regularly with school officials to participate in the planning, development, and evaluation of the EL programs. The EL-PAC will also offer workshops and educational programming of interest to parents of children who are learning English. Additionally, the school personnel facilitating the EL-PAC meetings will actively seek out parent feedback related to the needs of the families of EL students and ways to make the school a more welcoming environment to families of all language backgrounds.

More information about the schedule for these meetings will be provided during the fall. All parents are encouraged to participate.

### **5. Volunteer Opportunities**

Springfield Prep encourages all parents to volunteer and will take reasonable steps to ensure that every parent has the opportunity to do so in a way that accommodates his or her schedule. Volunteer



opportunities include planning for and hosting special events, chaperoning field trips, and helping to promote the school to prospective families and other groups.

In accordance with school policy and state law, parent volunteers will be required to complete a background check prior to engaging in any volunteer activities that could involve direct and unsupervised contact with students.

Prior to volunteering for the first time, parents will meet with a member of the Operations Team to review protocols for volunteer activities. Volunteers will log all of their hours to allow for recognition of their service.

## **6. School Visits**

Springfield Prep maintains an open policy in regard to authorized visitors, unless there are health or safety concerns about doing so. Parents and other individuals involved in a student's life are encouraged to visit classrooms, preferably with prior notice. In order to support the learning of all students, visitors are asked to abide by the following policies:

- Please turn all cell phone ringers off prior to entering a classroom.
- Please check in at the Main Office as soon as you arrive. At that time, you will receive a nametag. You are required to display this nametag throughout your visit.
- Unless otherwise instructed by the teacher, please remain in the back of the classroom to avoid distracting our students.
- Please do not disrupt classroom activities. Parents wishing to speak with teachers may schedule a meeting when the teacher is available.

Springfield Prep reserves the right to request that a visitor leave at any time if that visitor is disrupting school activities or making any member of the school community feel unsafe.

## **7. Birthday Celebrations**

We love celebrating our students at Springfield Prep. On a student's birthday, his or her class will celebrate his/her birthday in an age-appropriate way. Due to student food allergies, families cannot bring in goodies for the whole class, but they may send their student with an individual treat. We ask that families notify the school if they would not like their children to participate in birthday celebrations for any reason.

# **Section VI: Behavior and Engagement Expectations and Discipline**

## **1. Philosophy of Student Expectations and School Discipline**

We have high expectations for how students engage in their learning and how they behave in school. We devote time at the beginning of the year and throughout the year to teach these expectations, and explain their rationale, including how they support learning and positive peer interactions. Our approach to discipline is rooted in a belief that students are capable of making choices regarding their conduct, even at an early age. When students make good choices, they will experience rewards, both intrinsic and extrinsic. When they make poor choices, they will experience consequences, which will be fair, logical, and consistent. However, we normalize these choices as part of learning and growing.

Our Student Expectations Frameworks exist to ensure students and their families know exactly what is expected of children in our school, and what the rewards and consequences are for living up to or failing

to meet those expectations. Moreover, and most importantly, our systems are designed and implemented to ensure we maintain a safe and enriching learning environment for all children.

## **2. Student Expectations Framework**

**Color Stick (Kindergarten):** Kindergarteners use a “Color Stick” system. Each kindergartener will have their name on a clip, which will move up and down the color stick to correspond with their behaviors. The colors mean the same thing as they do in grades 1 through 4, but a visual “stick” provides younger students with more immediate feedback for both positive and disruptive behaviors.

### **Check and Colors System (Grades 1-4)**

The most important factor in having positive, engaging classrooms where students feel safe to learn and develop is strong teacher-student relationships. Before using corrections, rewards, or consequences from any kind of system, teachers devote time to teaching classroom and schoolwide expectations and in getting to know our students. Throughout the year, we always ask ourselves “how well do we know this student and how strong is our relationship with them?” as we are troubleshooting issues of school engagement. To provide a consistent, predictable, and equitable system for all students, we use a Student Expectations Framework that provides clarity to students about how to engage positively in class and with their peers. This system differs by grade level to be age-appropriate.

In the elementary grades we use a check/color system. The ultimate goal of the check/color system is to teach children from a young age that they can own their behaviors and that their choices determine their success. There are four colors in our system, BLUE, GREEN, YELLOW and RED, and each represents a category to illustrate how a student is meeting the school’s behavioral expectations.

Each teacher has a clipboard with a roster of their class. If a student makes a choice that negatively impacts their learning or the learning of their peers, the student receives a “check.” Students are taught early on that a check is a just reminder to fix their behavior or level of engagement. When a teacher gives a check, the teacher will also explain what the student needs to fix so that the student clearly understands how to make better choices moving forward. When a student receives three checks, the student receives a “color change”, and moves to the color below on the color chart. (I.e., since all students start each and every day on GREEN, a student would move down to YELLOW after getting three checks.) Colors changes are recorded and displayed on a pocket chart in the classroom so that students and teachers know how a student is performing at any given time.

Students are also able to move up the color chart. For example, if a student receives three checks and is on YELLOW, the student can fix the behaviors or level of engagement that earned them a move down and get themselves back up to GREEN. Ending the day on specific colors equates to in-school privileges and/or consequences. As an example, if a student ends the day on GREEN or BLUE each day for an entire week, they earn “treasure chest” on Friday afternoon, a prize for their excellent behavior and engagement. Alternatively, if a student ends a day on RED, the student will lose the privilege of attending recess that day, or may lose the privilege of participating in a school or class event.

In grades 3 and 4, staff use the system as described above but with slightly different language to support students with making connections between their choices in school and the impact it is having on their school community. Instead of using the colors of the color system, teachers describe these levels as impressions, such as Good Impression or Negative Impression (see Middle School for more detail).

In the spirit of a school-family partnership, we strongly encourage parents to consider aligning rewards and consequences at home to the color system. For example, a family may create a rule that when a

student comes home on RED, they lose the right to watch TV. A strong alignment between home and school will send a clear message to students that the adults in their life are all working together to support their growth, and that their behavior and school engagement has implications at home and at school.

### **Impression System in Middle School Grades (6 and Up)**

Instead of a color system, students will be on an impression system on a scale of 1-4. Instead of a corresponding color, there will be a corresponding number and label is more developmentally appropriate for our older scholars.

4 - Excellent Impression

3 - Good Impression

2 - Neutral Impression

1 - Negative Impression

Students will move up and down on the impression scale throughout the day by earning checks for negative behaviors or disengagement and points for positive behaviors and strong engagement. Students will keep track of the impression they are on, and teachers will narrate when there has been a change.

Changes on the impression chart will work the same way they do with the color chart, except students can move to 4 during the school day for making an excellent impression. In middle school, there is no classroom visual and students take more responsibility of keeping track of where they are during the day. Students consistently making good and excellent impressions have the opportunity to earn certain privileges at school.

### **Prep Points**

Starting in grade 6, Springfield Prep utilizes Prep Points to support high school ready habits. Students can earn points for school attendance, being on time, earning an excellent impression, and more. Students can lose points for negative impressions, Community Violations, and more. Students must reach a minimum threshold of points to attend special events each trimester, such as school dances or school auctions. Students receive regular reports of their points and have opportunities to work with staff to improve their standing.

### **Individualized Systems**

For students who find the color/check system too challenging to work within, we often try to use individual systems to support positive classroom engagement like a sticker chart or “Check-in, Check-out” system. For example, with a sticker system, instead of receiving checks and/or color changes, a student may have a visual schedule of their day on a piece of paper broken up into each separate learning block. If they are successful during each learning block, they receive a sticker in that portion of the table, illustrating that they were engaged in learning and met the behavioral and engagement expectations of the class. If they struggled with positive classroom or peer engagement during that period of time, they simply get to focus on the next learning block and the fact that they have a fresh start to earn their next sticker. For some children, we often find these individualized approaches are helpful in ensuring they continue to be motivated and focused on learning and making good choices in class

### **Community Violations**

Students earn a Community Violation (CV) if their behaviors are significantly disruptive to the class, reflect academic dishonesty, or represent conduct that is far outside the bounds of class or schoolwide

expectations. CVs are for serious one-time violations of our core values or for persistent, disruptive behaviors. A student who receives a CV will automatically move to red. Although a student who has received a CV can return to yellow, he or she cannot return to green that day.

**Community Violations are primarily a teaching tool.** We believe that having a student reflect on his or her actions, in writing and with the assistance of a staff member, will help that student to make more productive choices in the future. We ask that families support our efforts to teach students appropriate behaviors by reviewing and signing the CV form every time one is sent home, and by having a discussion with their child about what different choices he or she can make in the future.

When students are earning frequent Community Violations, a member of the Springfield Prep staff will reach out to schedule time to meet with the guardian and student to problem-solve around the misbehaviors and find a way to more effectively support the student.

### **Academic Violations**

Starting in grade 6, students may earn Academic Violations for:

- Refusal to complete work or opting out after teacher intervention
- Intentionally completing work poorly/without effort (for example, writing a single word as an act of defiance)
- Cheating, plagiarism, or academic dishonesty (i.e., copying someone else's work)

These violations are intended to prepare students for consequences in high school and college for academic misconduct, such as loss of credit or removal from an academic institution. Students may lose credit or earn an in-school consequence. Families will be notified of Academic Violations.

### **3. Disruptive/Dangerous Behaviors**

If a student at our school is causing a significant distraction to the learning of others, the student will be referred to the School Culture Team or a member of administration, who will provide the support necessary for the student to calm himself or herself, reflect on his or her choices in class, and prepare to reengage in learning.

Our goal is to de-escalate the situation, help the child remain calm, facilitate a conversation about why they are making the choice to act in a certain way, and ultimately help them re-engage in learning.

In very rare instances that result in either a staff member having to restrain a child and/or bodily injury of either a child or adult, families are provided with details of the situation either on the phone or, if necessary, at the school building in accordance with the procedures required under 603 CMR 46.00 and the school's restraint policy.

### **4. Suspension and Expulsion**

In the event that a child commits certain violations of the school Code of Conduct, he or she may face disciplinary action. In the case of all suspensions, students and families are provided with a written document that articulates the reason for the possible disciplinary action and in the case of out-of-school suspensions, students and families have the right to a hearing. In all instances resulting in a suspension, when the child returns to Springfield Prep, the school will welcome the child back with open arms and a completely optimistic, "assume the best" attitude. In exceedingly rare circumstances, as outlined in the Code of Conduct, a student may be expelled from Springfield Prep. Please see the Code of Conduct in Appendix B for more information regarding suspensions and expulsions.

## **5. Application of Policies to Students with Special Needs**

The discipline of a student who has been identified as having special needs, pursuant to M.G.L. c. 69, § 1B, M.G.L. c. 71B, § 3, 603 CMR 28.00 and the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973, is subject to the requirements of the student's Individualized Education Plan (IEP) or 504 Accommodation Plan. The IEP or 504 Accommodation Plan should indicate whether the student is expected to meet the requirements of the regular discipline code or if a modification is deemed necessary. The specific modification must be described in the student's IEP or 504 Accommodation Plan.

In the event that a student with disabilities has been excluded from school for ten or more days in any school year (either through in-school or out-of-school suspension), the student's special education team must be convened for a determination as to whether the student's conduct was a manifestation of his or her disability or was a direct result of Springfield Prep's failure to implement the student's IEP.

## **6. Gum, Candy, and Caffeine**

Students may not, at any time, be in possession of chewing gum, candy, or caffeinated beverages while at school or at school-sponsored events. Students found in possession of these items may receive a consequence. Students who continue to disregard this policy will face additional consequences including possible loss of privileges.

## **7. Tobacco Products**

Pursuant to M.G.L. c. 71, § 37H, the use of tobacco products is prohibited within school buildings or school facilities, on school grounds, and on school buses.

# **Section VII: Attendance**

Attendance is the first step in ensuring academic achievement. In order for our students to reach their personal best, they must show up and make their strongest effort at school each and every day. Massachusetts law requires compulsory attendance for all students. Chapter 76, section 1 of the Massachusetts General Laws requires all children between the ages of six and sixteen to attend school. The school must uphold state laws relative to student attendance.

At Springfield Prep, regular attendance is required. Our curriculum is ambitious, and every day is essential for students to keep pace. Parents/guardians/families are expected to ensure that their children are in school. PLEASE do not allow your child to miss a day of school except for serious illnesses.

## **1. Absences**

The only excusable absences from school are those that result from illness or other serious medical events, required court attendance, death in the immediate family, or observation of religious holidays. In order for these school absences to be considered excused, appropriate documentation (e.g., doctor's notes) must be provided to the office. For an absence to be considered excused for medical reasons, a doctor's note must state that the child should be excused from school and the time frame for which the child should be excused. Days missed due to out of school suspension will be considered unexcused if the student is not engaging in completion or academic assignments or the educational service plan during the suspension period.

Students are accountable for work missed due to absences. It is the responsibility of families to contact teachers to request missed work. For unexcused absences, missed work will not be provided in advance.

## **2. Notifying the School of an Absence**

Parents and guardians are expected to call the school as early as possible but no later than 7:30 AM if their child will be absent that day. Calls should be made as far in advance as possible and left on the school's main voicemail if necessary. Earlier, written notice is both welcome and appreciated. Parents and guardians are also required to furnish the school with a home, work, or other emergency telephone number where they can be contacted during the school day. If a student is absent and the school does not receive a message from the parent/guardian by the designated time, then the school will call the parent/guardian at the number provided to inquire about the student's absence. Parents will be contacted within three (3) days of the student's absence if the Parent(s) or Guardian has not contacted the school regarding the absence.

Parents/guardians are encouraged to contact school staff and work collaboratively with them to correct the reasons that the student is missing school.

## **3. Tardiness**

Our doors open at 7:40 AM each morning. Students arriving after 7:55 AM are considered tardy. In cases when a school bus arrives late, those students riding the bus are not considered tardy.

Late students who arrive at school after 7:55 AM should go to the Main Office with their parent/guardian or a signed parent/guardian note. Students will be provided breakfast if needed and then join their class.

## **4. Definitions of Excused and Unexcused Absences and Tardies**

An **Excused Absence/Tardy** includes:

- Documented illness or injury
- Bereavement/family funeral
- Major religious observations
- Extraordinary family circumstances (excused at the discretion of the Principal)

We strongly encourage parents to schedule all non-emergency dentist, doctor, and other appointments such that they require students to miss the least amount of school possible. When a child must miss school for an appointment, the child should be brought before and/or after the appointment and have an accompanying note from a medical professional.

An **Unexcused Absence/Tardy** is any absence or tardy that is not covered by the above definition of "Excused Absence/Tardy". Examples of an unexcused absence may include, but may not be limited to:

- Illness or injury not documented by a doctor or other medical professional.
- Truancy
- Family vacations
- Undocumented absences
- Non-emergency family situations

## **5. Consequences for Absences and Tardies**

### **Attendance Policy for Absent Students**

- If a student has five (5) or more consecutive days of being absent for medical reasons, families must obtain a doctor's note and submit it to the school.

- If a student has five (5) or more unexcused absences in the school year, a meeting will be scheduled with an administrator, the parent or guardian, and the student to develop an action plan to improve the student's attendance.
- If a student is absent for eight (8) or more days in a trimester or for ten (10) or more days total, a meeting will be scheduled with the family and an administrator to develop an attendance plan to support regular school attendance, and the school will consider possible retention in the current grade.
- When a student reaches fifteen (15) or more unexcused absences, school officials may file a 51A report with the Department of Children and Families (DCF) and/or a CRA (Child Requiring Assistance legal filing) petition with the juvenile court.

### **Attendance Policy for Tardy Students**

#### **If a student has:**

- Five (5) tardies (excused or unexcused), the school will contact families by phone to discuss ways to prevent this from continuing.
- Ten (10) tardies (excused or unexcused), a letter of warning will be issued to families reminding them of the school's attendance policy and that an administrator will contact them to schedule a meeting should the tardies approach fifteen (15) days.
- Fifteen (15) tardies (excused or unexcused), a family conference will be scheduled to discuss the school's attendance policy and to develop a proactive attendance plan.
- Twenty-five (25) tardies (excused or unexcused), a 51A report and/or CRA (Child Requiring Assistance legal filing) may be filed in Juvenile Court.

If a student is absent for the first ten (10) days of school, or at least five (5) consecutive days during the school year, and there has been no successful contact between the family and the school to explain the student's absences, the school may take action to un-enroll the student.

### **6. Early Pickups**

Students are expected to stay in school until the very end of the day (3:30 PM for regular dismissal; 12:30 PM every Friday). Because early pickups are disruptive to the learning environment for all students, we ask that you do not attempt to pick up your children early. If you must do so, please notify the Main Office. Please note the school strongly discourages any early pickups after 3:00 on full school days and after 12:00 on early dismissal days. The student will be in the Main Office at the requested time in order to minimize disruption to class time. Please note that early pick-ups are tracked by the school. To address frequent early pick-ups, the school will follow the same protocol as the tardy policy, above.

## **Section VIII: Dress Code**

### **1. Why Uniforms**


All students must come to school in the Springfield Prep uniform every day. If a student arrives at school out of uniform, parents or guardians will be called and asked to bring in a uniform before the student is sent to class. We require a school uniform for several reasons:

- **Uniforms unite us as a community and team.** When you look at a group of students in the Springfield Prep uniform, it is a powerful visual statement of our community and our team. Students make a commitment that when they put on the Springfield Prep uniform, they are agreeing to live up to the school's high expectations.

- **Uniforms reduce feelings of inequity in our school community.** Whether families have high incomes or low incomes, the students come to school dressed in uniform. No one will feel bad about the clothes they have or do not have.

If students do not come to school in uniform, we will work with family members to either have missing uniform clothes brought in or to provide those clothes to students temporarily.




The following images show and describe the school's uniform requirements and options.

ALL GRADES - Uniform Basics		
	 <p>(All grades - black, white, navy)</p> <p>(Middle School only - gray)</p>	 <p>(All grades - black, white, navy)</p> <p>(Middle School only - gray)</p>
<p>Black, white, or navy socks</p> <p>Black, white, or navy undershirts</p> <p>Gray allowed in Middle School (6-8) ONLY</p>	<p>SOLID black, navy, or white <b>full zip-up</b> sweaters OVER a uniform top (no pullovers). <b>These cannot have hoods. Logos cannot be larger than a quarter.</b></p> <p>SOLID Gray allowed in Middle School (6-8) ONLY. <b>These cannot have hoods. Logos cannot be larger than a quarter.</b></p>	<p>SOLID black, navy, or white button-up sweater OVER a uniform top (no pullovers). <b>These cannot have hoods. Logos cannot be larger than a quarter.</b></p> <p>SOLID Gray allowed in Middle School (6-8) ONLY. <b>These cannot have hoods. Logos cannot be larger than a quarter.</b></p>

ALL GRADES - Uniform Shoes	
<p>Students must have closed-toe, flat bottom shoes, but <u>these can be in any color</u> (note this change from previous years). <u>Sneakers and PE uniforms (uniforms for grades 6-8, only) are required on PE Days.</u> Families will receive a PE schedule at Open House.</p> <p>Boots may be worn to school but students must bring uniform shoes to change into after arrival.</p>	
<p>YES!</p> 	<p>NO!</p> 



Grades K-5:

Uniform Tops		
		
Navy blue short-sleeve polo shirt with Springfield Prep logo <b>(purchased at Blake's)</b>	Navy blue long-sleeve polo shirt with Springfield Prep logo <b>(purchased at Blake's)</b>	Navy Fleece with Springfield Prep logo <b>(purchased at Blake's)</b>

Uniform Bottoms			
			
Khaki pants	(permitted in warm weather only) Khaki shorts (knee length, not cargo style)	Khaki jumper with Springfield Prep logo (K-5 only) <b>(purchased at Blake's)</b>	Khaki skort

Grades 6-8:

Uniform Tops			
			
Light Gray short-sleeve polo shirt with Springfield Prep logo <b>(purchased at Blake's)</b>	Light Gray long-sleeve polo shirt with Springfield Prep logo <b>(purchased at Blake's)</b>	Navy Fleece with Springfield Prep logo <b>(purchased at Blake's)</b>	Solid gray, non-hooded (crew neck) sweatshirt with SPCS logo

Uniform Bottoms		
		
Navy uniform pants (no leggings, sweatpants, or dark jeans)	Navy shorts (knee length, no cargo style) Permitted in warm weather only.	Navy skort

**\*Please note:** Starting in 2023-2024, students are no longer permitted to wear a gym uniform, sweatpants, or t-shirts unless it is a Dress Down day.

**1. Obtaining Dress Code Items**

**Ordering Information**

All shirts, jumpers, skorts, fleeces, and gym uniforms must be ordered through Blake's School Uniform in Springfield. All other uniform items may be purchased elsewhere provided that they meet the specifications described above. Please purchase your uniforms early because they often sell out in the weeks before school starts. **Please note that we have an online school store where you can purchase clothes with Springfield Prep logos. These items of clothing are not a substitute for the school uniform and may only be worn on dress-down days.**

**Items may be ordered from Blake's in one of four ways:**

By phone: 413-728-4123

Online: [www.blakesschooluniform.com](http://www.blakesschooluniform.com)  
In person: 1205 Parker St., Springfield, MA 01129  
By mail-in form: Available at the Springfield Prep Office

## 2. Dress Code Enforcement

All students are expected to be in dress code at all times during the school day. We will always provide temporary uniform clothing when possible, but the school may request that parents come in and provide the necessary appropriate clothing to ensure their child is in full uniform compliance. Repeated dress code violations may lead to consequences for students.

## 3. Additional Specifications

- Shirts:** The only shirts within the uniform policy are shown above. Other Springfield Prep gear (t-shirts with the logo, MCAS shirts, etc.) can only be worn on Dress Down days. Shirts must be tucked in at all times.
- Undershirts:** If your child wears an undershirt (long-sleeved or short-sleeved), it needs to be all white, all black, all gray, or all navy with no pictures or designs.
- Tights/socks:** Socks or tights must be worn at all times. All socks and tights must be solid white, navy blue, gray, or black, with no pattern.
- Shoes:** Shoes must be closed-toed and have a rubber sole. Boots may be worn to school but are not allowed in school. No wheels or lights are permitted.
- Jewelry:** A staff member may ask a student to remove jewelry or watches that distract students from learning or disrupt class (such as a smart watch). If held by a staff member for safe-keeping, these items will be returned at the end of the school day.
- Headwear:** No hats or caps are permitted indoors. Religious items are permitted.
- Makeup:** Students may not apply makeup during instructional periods, or share makeup with peers.
- Jackets:** Students may wear a navy blue fleece with the school logo or solid navy blue cardigan in the building. Dark gray sweaters or fleece with the school logo, or solid gray cardigans, are permitted in middle school. All other jackets must be removed when students are indoors.

## 4. Dress Down Days

At the school's discretion, students may earn Dress Down privileges. Dress Down can be earned in a variety of ways depending on grade and event. To preserve a safe and professional educational environment, there are still dress code requirements on Dress Down days, specifically:

- No spaghetti straps/strapless shirts/tank tops/off-the-shoulder or crop tops (no midriff showing)
- No flip flops or heels
- No hats
- No clothing with inappropriate messaging
- The length of skirts, skorts, and shorts must extend below the student's fingertips when the student's arms are extended at his/her sides

## **5. Financial Assistance**

Springfield Prep is committed to ensuring that the cost of uniforms is not a barrier for any student. If families feel that the cost of uniforms would pose a significant financial hardship, they may contact the Director of Operations to request a “starter kit” containing all uniform items that a student needs to begin school.

# **Section IX: Student Support Services**

## **1. Overview**

Springfield Prep is committed to ensuring that all students have the resources that they need to be on the pathway to college and success in life. Thus, Springfield Prep will evaluate students who are suspected of requiring support via special education or requiring accommodations in order to access the curriculum.

## **2. Evaluations for Special Education**

At any time, a parent may request that a student be evaluated to determine eligibility for special education services or accommodations under Section 504. All parental requests must be made in writing to the Director of Student Supports. All requests will be responded to within five (5) days. Within thirty (30) days after a parent signs a “consent to test” form, all required evaluations will be completed and within forty-five (45) days the Team will meet to determine eligibility.

Following the completion of an evaluation, a team meeting will be convened to discuss the student’s eligibility for special education services. If the student is found to be eligible, an Individualized Education Plan (IEP) will be developed to address the area of need.

Parent participation is critical in the determination of eligibility for special education and in the development of an IEP. Every reasonable effort will be made to schedule meetings such that parents have the opportunity to participate. Parents may also participate by phone if unable to attend the meeting. Parents are welcome to invite others to attend the meeting.

## **3. Eligibility for Special Education**

Under applicable law, in order to be eligible for special education services, a student must meet all of the following criteria:

1. The student has a disability
2. Due to the disability, the student is not making effective progress in the general education program
3. The student requires specifically-designed instruction or related services (examples include occupational therapy, speech therapy, or physical therapy)

## **4. Individualized Education Plans**

The IEP is a legal document that identifies the services and accommodations that are necessary for students to make effective process.

An IEP is reviewed every year by a team that includes the student’s teachers, any specialists involved in the student’s education, the parent, anyone the parent invites, and the student if the student is of an appropriate age to participate.

## **5. 504 Accommodation Plans**

Upon completion of an evaluation, a 504 Accommodation Plan may be developed for a qualified student with a disability which “substantially limits one or more major life activities,” such as learning and who requires accommodations in order to access the general education curriculum. A 504 Plan is a legal document, which is primarily a classroom accommodation plan. It is not an IEP.

## **6. English Language Learners**

Springfield Prep will work with families to ensure that all students, regardless of their home language, develop English proficiency, content knowledge, and academic language skills to prepare them for success in mainstream classes. Students who speak languages other than English at home will be evaluated when they begin at Springfield Prep to determine their level of English fluency. Massachusetts State Law requires that all English Language Learners receive Sheltered English Immersion unless the parent signs a waiver. Sheltered English Immersion involves English language development taught by an ESL-certified teacher and sheltered content courses taught by a teacher with background endorsement in Sheltered English Immersion.

Students whose primary language is not English have equal rights of access to all academic and non-academic components of the Springfield Prep experience.

Springfield Prep will ensure that all parents receive written and oral communication from the school in their home language if they are not comfortable with communication in English.

## **7. Counseling**

As part of its district-wide accommodation plan, Springfield Prep offers counseling to students who may require additional support. Parents and teachers may refer students to this service.

## **8. Homeless Education Act**

The McKinney-Vento Homeless Education Act is the federal law that entitles children who are homeless to a free, public education and requires schools to remove barriers to their enrollment, attendance, and success in school. All homeless students have a right to receive an equitable level of services provided to other children, including transportation, educational services, and nutritional and health services. Springfield Prep is committed to ensuring that homeless students receive a wide array of services to support their education and their success in life. Please contact the School Counselor or Director of Operations if you have any questions.

# **Section X: School Breakfast, Lunch and Snack**

## **1. Nutrition Provider**

In order to maximize academic success, all students must have a nutritious breakfast and lunch. Springfield Prep works with a qualified vendor to provide healthy, well-balanced meals for students.

## **2. Free and Reduced Breakfast, Lunch, and Snack**

Springfield Prep participates in the National School Breakfast and Lunch Program, which provides free or reduced price meals to eligible students, as well as an afternoon snack.

## Eligibility

All students attending Springfield Prep are currently eligible for the Community Eligibility Provision (CEP) from the Healthy, Hunger-Free Kids Act of 2010 for free breakfast and lunch. CEP is a provision from the Healthy, Hunger-Free Kids Act of 2010 that allows schools and local educational agencies (LEAs) with high poverty rates to provide free breakfast and lunch to all students. CEP eliminates the burden of collecting household applications to determine eligibility for school meals, relying instead on information from other means-tested programs such as the Supplemental Nutrition Assistance Program and Temporary Assistance for Needy Families.

### 3. Meals from Home/Healthy Food Policy

Families may send breakfast, lunch, and snack to school with their child provided that it is contained in one bag or lunch box which is labeled with the student's name. **Students will not have access to a refrigerator or microwave.** If you are sending lunch to school with your child, we ask that you send in nutritious foods that do not interfere with student learning. Please pack colorful fruits and vegetables (carrots and celery sticks), whole grains (such as those found in wheat bread or brown rice), lean protein (such as chicken), and 100% fruit juices.

Note: A small, sweet treat (e.g., a cookie or brownie) is allowed if accompanying a lunch.

The items listed below are prohibited at Springfield Prep:

- Candy or sweets (except for a small, sweet treat to accompany lunch)
- Sodas (including diet sodas)
- Beverages containing caffeine, excluding low-fat or fat-free chocolate milk (which contain trivial amounts of caffeine)

If any of the above listed items is brought to school, students will be required to refrain from eating or drinking them in school. Students will have access to water at all times.

Students are not allowed to share foods or beverages brought from home due to allergy concerns. Springfield Prep reserves the right to prohibit additional food items as allergy needs necessitate.

### 4. Food Allergies or Restrictions

The school will make all reasonable efforts to accommodate students with food allergies. Parents are required to inform the school of all food allergies and their severity. Parents should also notify the school of any other food restrictions due to religion or custom (e.g., vegetarian). Once parents have informed the school, school officials will meet with the family in order to develop a 504 Plan when appropriate or an Individual Healthcare Plan. A parent of a child with food allergies is responsible for providing food for his or her own child given that our food vendor has limited alternatives available. Sharing or trading of food is prohibited for all students.

### 5. Life-Threatening Allergies

Springfield Prep recognizes that some students have life-threatening allergies to food or other triggers such as insect stings. It is imperative that parents/guardians notify school administration regarding allergies and health issues with their children. Upon notification and identification of a student with life-threatening allergies by a parent/guardian, and with complete documentation from a physician, the school will follow the plan of care as identified below.

Springfield Prep Charter School is an allergen-aware school. Nuts and nut-containing products are allowed on school premises, but will not be distributed by the School and are not permitted to be

distributed by families, students, or staff. Staff will be made aware of students with life-threatening allergies and will be trained to intervene in allergic reactions or allergy-unsafe situations.

While we do our best to protect our students with allergies, please be aware that children with severe food allergies should continue to be vigilant about their safety.

## Section XI: Health

Springfield Prep is committed to supporting the health and well-being of all students. The school staff includes a registered nurse. The Nurse is able to provide basic first aid, care for ill students, administer medication to students who require it during the school day, and provide counseling on health-related issues to students and their families. In addition, the school has a relationship with a local pediatrician who advises the school with regard to health-related matters.

### 1. Screenings

Students in all grades will undergo annual vision and hearing screenings. In addition, students in first grade will undergo body mass index, or BMI, screenings. Posture screenings will occur beginning in grade 5, as required by regulation. The school nurse will contact the family if screenings results indicate a need for follow-up. It is the parent or guardian's responsibility to ensure that identified needs are addressed. The school will provide referrals for appropriate services at the request of a family. Families may "opt out" of any screenings by submitting a request in writing to the school nurse.

### 2. Administration of Medication in School

If a student requires medication while in school, the parent/guardian must submit to the school a Medication Order Form, filled out by the student's physician, and a Parent/Guardian Consent Form, completed by the parent/guardian. In addition, students being followed by a doctor for asthma and students with prescribed EpiPens must have on file an action plan, completed by the child's medical provider. 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. Only a thirty-day supply of a medication will be accepted at any time. No student is allowed to possess medication while at school, with the exception of asthma inhalers and EpiPens in some instances (see below).

#### Over the Counter Medications

Certain over-the-counter medications, including Tylenol and Advil, are available in the school health office. For students to receive these medications, signed consent is required from the parent/guardian each school year. These medications will be administered by the school nurse only and according to the recommended dose by weight. The school nurse reserves the right to refuse to dispense medication at any time based on the assessment of the situation.

If a student requires an over-the-counter medication that is not stocked in the school health office, all guidelines regarding prescription medications apply. The student must have on file the Medication Order and Parent/Guardian Consent forms, and the medication must be delivered by the parent/guardian and in its original packaging.

#### Asthma Inhalers

If a student needs to have an asthma inhaler with him or her at school, the parent must provide the school nurse with the order from a doctor stating that the student needs to carry the inhaler. The order

must also be signed by a parent or guardian, and the parent or guardian must provide the nurse with a second inhaler that will be kept in the nurse's office.

### **EpiPens**

If a student has a serious allergy, Springfield Prep strongly encourages parents or guardians to bring an EpiPen to school on the first day of school. The EpiPen must be accompanied by an Allergy Action Plan and a Medication Order Form, both completed by the prescribing physician, as well as a Parent/Guardian Consent Form. The school nurse will work with the parent/guardian to develop an Individual Healthcare Plan for the student.

EpiPens may also be administered in case of a possible allergic reaction in accordance with best medical practices. If an EpiPen is administered, the parent will be contacted as soon as possible, and the student will be transported to a medical treatment facility via ambulance.

### **3. First Aid and Medical Emergencies**

Minor accidents, cuts, scrapes, and bruises will generally be treated at the school by the school nurse or by selected teachers and administrators. The school is not equipped to provide medical services beyond basic first aid. In the event that a child requires emergency medical care, a parent or guardian will be notified as soon as possible. If a parent, guardian, or other emergency contact cannot be reached, the school may need to arrange for the student to be transported via ambulance to the nearest hospital.

It is essential that we have on file each student's Health History Form, which provides up-to-date contact information for parents and guardians, and which gives the school authorization to begin medical treatment.

### **4. Student Concussion Policy**

To reduce risks related to concussions, the School has adopted a Student Concussion Policy. The purpose of this policy is to provide information and standardized procedures for those involved in the prevention, training, management and return to activity decisions regarding students who incur head injuries while involved in extracurricular athletic activities and co-curricular activities in order to protect their health and safety as required by Massachusetts law and regulations (G.L. c. 111, § 222; 105 CMR 201.000). At Springfield Prep, this Policy applies to all students in grades K-8. You may access the full Student Concussion Policy on our website or by requesting it from a School Nurse.

### **5. Naloxone Administration**

The School has a stock supply of nasal naloxone to use in the event an individual on the school's campus is at risk of experiencing an opiate related overdose. Naloxone is administered according to all Massachusetts laws and regulations and the school's Naloxone Administration Policy and Protocol.

### **6. Medical Exclusion**

In the interest of protecting the health of all students, please DO NOT send a student to school in the case of any one or more of the following:

- Vomiting two or more times in the past 24 hours
- Two or more instances of diarrhea or any stool accidents in the past 24 hours
- Fever over 100 degrees, chills, or shaking chills
- Rash with fever or behavioral changes
- Certain diagnosed contagious illnesses such as strep throat or chicken pox
- Child is too sick to participate in activities
- New cough or cough that gets worse



- Difficulty breathing (when not due to known condition such as asthma)
- Sudden loss of taste or smell

If a student is diagnosed with a contagious illness (e.g., flu, coronavirus, “pink eye”), please contact the school nurse immediately so that the nurse may monitor the spread of disease.

If a student has one minor medical concern, such as routine aches and pains, sore throat, runny nose, or headache, they may attend school to limit interruptions to their education. Absences for these reasons may be considered unexcused. If a student has 2 or more of these minor concerns, or a minor concern combined with any of the medical exclusion symptoms listed above, students should remain home from school and families should contact the school nurse to discuss a return-to-school plan.

As always, if you are uncertain if your student should stay home, please contact the school nurse right away for guidance.

## **7. Medical Records**

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

### **Massachusetts School Health Record**

This form contains records showing that the student has had a physical exam within the past year prior to the start of the school year, has up-to-date immunizations, and has had all required screenings.

### **Immunizations**

Springfield Prep enforces the School Immunization Law. According to Massachusetts General Laws, students will not be permitted to attend school without a physician’s certification of immunization against diphtheria, pertussis, tetanus, measles, and other such diseases as specified by the Department of Public Health unless a doctor provides written documentation that immunization would endanger the health of a student or a parent or guardian provides written documentation that immunization conflicts with his or her sincere religious beliefs. Documentation will be required at the start of each school year. Students lacking immunizations may be excluded from school during disease outbreaks in order to protect their health and that of the school community at large.

### **Health History Form**

This form contains information about a student’s allergies, health conditions, physician, dentist, and health insurance. The form also authorizes Springfield Prep to act in case of a medical emergency. No student will be allowed to enter school without having this form on file.

Springfield Prep expects families to update medical records throughout the school year. Parents should provide the school with a copy of each physical that the student has. In addition, parents should provide the school with documentation anytime a student visits the emergency room, undergoes surgery, or is diagnosed with a health condition.

Updated physical exam forms are required in kindergarten, 3<sup>rd</sup> grade and 7<sup>th</sup> grade. Updated immunization records are required in kindergarten and 7<sup>th</sup> grade.

## **8. Health-Related Recess Exclusion**

Our students go outside for recess only when temperatures are deemed safe by our school administrators and the Department of Public Health. When the weather is found to be appropriate for outdoor recess, all students are required to be outside with their classmates. A student may stay inside for health related reasons with parent/guardian request for three days. If health needs require a student to stay inside for more than three days, a parent/guardian must provide a doctor's note indicating a medically necessary exemption.

## **Section XII: Safety and Security**

### **1. Weather Closures**

Springfield Prep will close school in cases of extreme weather conditions. In such situations, we will follow the Springfield Public Schools (SPS) closings. Please listen to local radio and television stations and look for ClassDojo or DeansList notifications from the school. If SPS announces a delayed opening or a closing, Springfield Prep will also be delayed or closed. At the discretion of the Executive Director, instructional days lost due to inclement weather in excess of the reserved weather days already scheduled at the end of the year may be made up by adding an equal number of days during or at the end of the school year.

### **2. Visitor Protocols**

All visitors are required to report to the Main Office upon entering the building and obtain a visitor badge to indicate that they have done so. Visitors must wear visitor badges at all times to indicate that they have checked-in at the Main Office. We welcome visits from family members but ask that families schedule these visits with their child's teacher in advance (parent involvement is discussed in more detail in Section V). We ask that visitors limit talking to students and teachers during class time to avoid disrupting learning.

### **3. Student Property**

Students should not bring anything to school other than a backpack, seasonal outerwear, lunch (optional), and academic materials. Springfield Prep is not able to guarantee the safety or security of any items brought to school.

#### **Students' Storage Space**

Each student will be provided a coat hook and a designated storage area for personal belongings. Lunchboxes, backpacks, and clothing may be stored in these spaces. These areas remain the property of Springfield Prep.

#### **Prohibited Items**

If a student is found in possession of a cell phone, electronic, toy, or other prohibited item in the classroom, the item will be confiscated by a teacher or an administrator. Examples of these objects include, but are not limited to, cell phones, tablets, e-readers, cameras, game systems, and toys. If a staff member sees or hears one of these objects, he or she will confiscate it and bring it to the Main Office for safekeeping. The parent or guardian may have to come to the Main Office to retrieve the item between 7:00 AM and 4:00 PM.

#### **Students Searches**

In order to maintain the security of all its students, Springfield Prep reserves the right to conduct searches of its students and their property based on a reasonable suspicion of wrongdoing. If searches are conducted, the school will ensure that the privacy of the students is respected to the extent possible.

School cubbies and desks, which are assigned to students for their use, remain the property of Springfield Prep and students should, therefore, have no expectation of privacy in these areas. Such areas are subject to searches by school officials at any time.

#### **Lost and Found**

The school will keep a small lost and found box in the Main Office. Parents and guardians may come in any day between 7:00 AM and 4:00 PM to search the lost and found. At the end of every trimester, items left in the box may be donated to a local charity.

#### **4. Restraining Orders**

If there is a restraining order involving any student, parents or guardians must inform the Director of Operations immediately and must provide a copy of the Restraining Order as well as a physical description of the individual against whom the order exists. It is the responsibility of the parent or guardian to ensure that the school has a current copy of all court documents.

If an individual against whom there is a restraining order enters the building, the student will be held in a secure location, and the parent or guardian will be contacted immediately.

#### **5. Evacuation Procedures**

In case of a fire emergency (if a student or staff member sees fire or smells smoke) the student or staff member should close the door and pull the fire alarm located at either end of the corridor. Upon hearing the alarm, school staff will assemble students in their rooms and proceed out of the building according to the fire evacuation plan posted in each room. Students should follow the direction of the staff, who will verify the safety of the stairwells and lead students outside the building to the designated locations, where school staff will line up students by class and take attendance.

During the first week of school, and then throughout the school year, students and staff will participate in fire drills to ensure that the entire school community is familiar with the appropriate responses in the event of an emergency.

In case of a more serious emergency, school staff and students will assemble at a nearby business or school (to be determined and will be communicated to families in advance and during the emergency).

In the event that the school day will end early due to an emergency, all parents and guardians will be contacted and provided the option to pick up their student. No student will be dismissed without permission from an administrator. Parents will be required to sign the student out. Students will also have the option to remain at a safe location until normal dismissal time and to take the bus home from the holding location.

The school will conduct at least two evacuation drills per year. Drills entail staff and students following the procedures outlined in our Evacuation Plan. After staff takes attendance, all staff and students will promptly return to school.

A copy of the complete Evacuation Plan is available from the Director of Operations upon request.

## Section XIII: Transportation

### 1. School Buses

Springfield Prep provides school bus transportation to and from school. This service is provided through the Springfield Public School (SPS) Transportation Department. The morning bus will ensure that students arrive at Springfield Prep by 7:40 AM. The afternoon bus will leave Springfield Prep at 3:30 PM on Mondays through Thursdays and at 12:30 PM on Fridays. **If you are having an issue with bus service (e.g., where is the bus, is this bus running late, the bus skipped my stop), please contact the bus company, First Student, directly at 413-736-6781. For bus stop information, please contact Springfield Public Schools Transportation Department at 413-787-7150.**

An adult must be at the bus stop when the afternoon bus arrives. Students in Kindergarten and 1<sup>st</sup> grade will not be released unless there is an adult present. **Students will be brought to the Holding Center at the Rebecca Johnson School (Monday through Thursday) or to Springfield Prep (Friday) if there is no adult present.** Students who need to be brought back to the school more than twice during a given trimester may lose the privilege of riding the bus for the remainder of the trimester.

#### Eligibility for Bus Transportation

Springfield Prep will work with the SPS Transportation Department to provide free transportation to all students who live more than 1.5 miles from the school. The school and SPS Transportation Department will consider travel and safety hazards (i.e., no safe walking route or lack of sidewalks) in making its determination for students who live within the 1.5 mile range.

#### Location of Bus Pickup and Drop-off

For most students, bus stops will be at a corner near their home. If a student's IEP requires a different arrangement, the Transportation Department will provide this. All families will receive notification of the time and location of bus stops prior to the start of school.

Families wishing for their student to be picked up or dropped off near an address other than their home must complete a Transportation Change Request Form, which is located in the Main Office and on the school's website. Springfield Prep requests that students be picked up at the same location each day and be dropped off at the same location each day within the city of Springfield. Exceptions to this policy will be considered on an individual basis, however, no student will be transported to any location outside of the city of Springfield.

#### Behavior on the Bus

Springfield Prep considers the school bus to be an extension of the classroom, and the Code of Conduct applies to behavior on the bus. While riding the bus, all students are expected to adhere to the following behavioral standards:

- Ride ONLY their assigned bus and get on/off at their assigned stops
- Remain in the seat
- Keep hands, feet, and head, and all belongings within the bus
- Treat bus equipment with respect
- Keep the bus safe and clean
- Be courteous to other students and to the bus driver
- Not engage in harassing behavior, hazing, or disorderly conduct
- Not eat or drink

Safety is our primary focus. To support safe transportation, scholars may be given assigned seats. Students who fail to adhere to these standards will face consequences at school, including possible loss of bus privileges. A staff member will meet the bus every day and speak with the bus driver regarding bus behavior.

Number of Infractions	Consequence
1 Infraction	Written bus warning sent home to family
2 Infractions, or 1 significant infraction (such as moving seats, etc.)	Bus suspension for 1 day. Family will be notified by letter and phone call.
3 Infractions, or unsafe behavior (such as physical contact with other students, etc.)	Bus suspension for 3 days. Family will be notified by letter and phone call.
More than 3 infractions or significantly unsafe behavior (such as fighting, bullying, etc.)	Loss of bus privileges for 6+ days. Family will be notified by letter and phone call.

Repeated infractions or unsafe behavior (such as fighting, bullying, etc.), may result in suspension of bus privileges. Other consequences (e.g., Community Violations, loss of school privileges, suspensions) may apply as well. *Families are strongly encouraged to reinforce the importance of proper bus behavior and the potential consequences for bad behavior.*

## 2. Student Drop-Off

Students who are being brought to school must be dropped off between 7:40 AM and 7:55 AM. Due to the lack of supervision, students will not be permitted to enter the building prior to 7:40 AM, and students will be marked tardy if they arrive after 7:55 AM.

Those dropping off students should follow our arrival route. **See map on next page.** Due to the heavy traffic at drop-off time, parents should not leave their cars. Drop-off time is not an appropriate time to meet with teachers or other school staff. If a student arrives after 7:55 am their parent/guardian will need to park and walk with them into the Main Office to sign them in.

## 3. Student Pickup

Students should be picked up between 3:30 and 3:45 PM Mondays through Thursdays and between 12:30 and 12:45 PM on Fridays. We ask that you do not pick up students early, as this is very disruptive to the other students at the school. In the event that a student must leave early, the authorized adult picking up the student must come to the Main Office, where the student will be, and must sign him or her out.

### ***By Car***

During normal pick-up time, families who pick up students by car must wait in the car line by entering the Springfield Prep parking lot and driving around to the car pickup area. **Please see the Pick-up and Drop-off map on the next page.**

Cars must be turned off and not idling during pickup or drop off. **Please do not enter the pickup line earlier than 3:20 PM – this will help us to avoid creating long traffic lines and will ensure that we are acting as good neighbors. Please wait in your car for your child; do not leave your car in the driveway and enter the building to pick up your child.** If a car is left unattended, all cars behind it in the pick-up

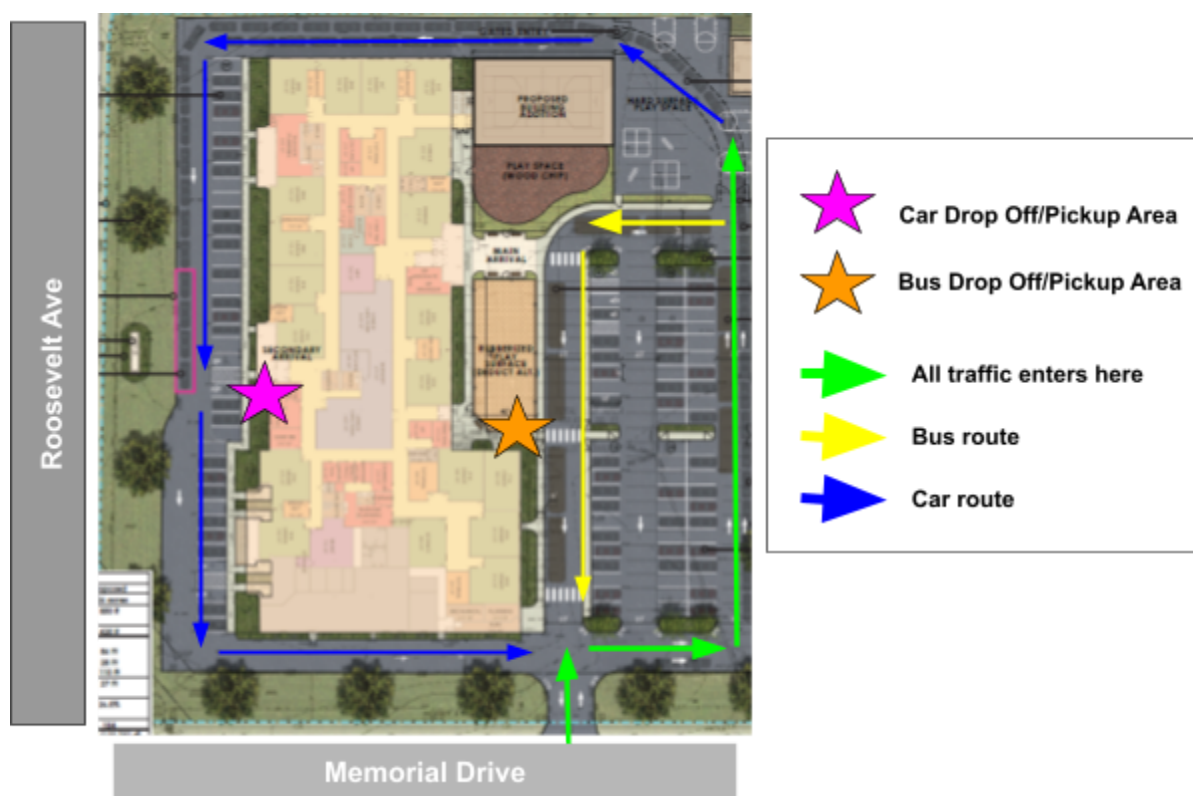
line will be stuck. At 3:30 PM, we will call students whose parents are waiting in the pick-up line, and those children will be brought out to their families' cars. On Fridays, dismissal begins at 12:30 PM.

There is no street parking on Memorial Drive and **parking in our lot during dismissal is not permitted.** Any families that drive to pick up their scholars must wait in the car line for their scholar to be dismissed directly to their car. Students will only be released to individuals authorized and listed on the Emergency Card. Parents or guardians may change an authorized individual on this list by calling the Main Office at any time.

**On Foot**

There is no sidewalk access to our building. Because of this, students are not permitted to walk to or from school.

**Pick-up and Drop-off Map:**



**4. Parking for Families and Visitors**

Families and visitors are permitted to park anywhere in the Springfield Prep lot. In the event of a large-scale school event where additional parking is required, families will be notified in advance of alternate parking options.

## Section XIV: General School Policies

### 1. Student Records and Directory Information Policy

In order to provide students with appropriate instruction and educational services, it is necessary for the Springfield Prep Charter School (“School”) to maintain extensive and sometimes personal information about students. It is essential that pertinent information in these records be readily available to appropriate school personnel, be accessible to the student's parents/guardians and/or to the student in accordance with law yet be guarded as confidential information.

The student record consists of the transcript (permanent record) and the temporary record.

#### Transcript

A student’s transcript is considered their permanent record. The transcript includes only the minimum information necessary to reflect the student’s educational progress. This information includes name, address, and phone number of the student; their birthdate; name, address, and phone number of the parent or guardian; course titles, grades (or the equivalent when grades are not applicable), course credit, grade level completed, and the year completed, and highest performance level achieved on all MCAS tests required for the competency determination.

Springfield Prep Charter School maintains the transcript for at least sixty (60) years following the student’s graduation, transfer, or withdrawal from the school.

#### Temporary Record

A student’s temporary record contains the majority of the information maintained by the School about the student that is “important to the educational process.” The contents of the temporary record may include such things as standardized test results; class rank; school-sponsored extracurricular activities; evaluations and comments by teachers, counselors, and other persons; disciplinary records; and other information.

The temporary record is destroyed no later than seven (7) years after the student leaves Springfield Prep Charter School (e.g. graduation, transfer, withdrawal) provided that proper notice has been given to the eligible student and their parents or guardians. Prior to destroying a student’s temporary record, Springfield Prep Charter School shall provide written notice to the student and/or parent/guardian using the last known contact information (address and/or e-mail) for the student and/or parent/guardian and include the approximate date of destruction of the record and right to receive the information in whole or in part from the student record. Written notice shall be provided to the student and/or guardian at the time the student leaves School.

Former students desiring information from their records may obtain it by requesting such information from the School’s Main Office before the date of destruction.

Springfield Prep Charter School wishes to make clear that all individual student records of the school are confidential. However, consistent with federal and state law and regulations governing student records, Springfield Prep Charter School designates the following information as “directory information”(as defined by the Family Educational Rights and Privacy Act and related Massachusetts laws and regulations) that may be released to the general public, third parties and outside organizations without the written consent of a student and/or his or her parents/guardians:

- student's name;
- major field of study;
- dates of attendance;
- class;
- participation in officially recognized activities and sports;
- degrees, honors and awards; and
- post-Springfield Prep school plans.

Students and/or their parents/guardians, however, may “opt-out” of the release of any element of directory information detailed above by notifying the School’s Main Office in writing by September 1 of each school year that such information shall not be released. The School shall ensure that procedures are in place to ensure that information regarding Springfield Prep’s Student Records Policy is distributed on an annual basis along with information regarding the right of both parents/guardians and students to "opt-out" of the release of directory information.

**Access and Amendment by Parents and/or Students**

A parent or eligible student has a right to access student records and to seek their amendment if the parent or eligible student believes them to be inaccurate, misleading, or otherwise in violation of the student's privacy rights. In order to obtain access or to seek amendment to student records, please contact the Executive Director.

**Access by Non-Custodial Parents**

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

**Access by Authorized School Personnel and Third Parties**

Release of student records generally requires consent of the parent or eligible student. However, the regulations provide certain exceptions. For example, staff employed or under contract to the district have access to records as needed to perform their duties. Springfield Prep also releases a student’s complete student record to authorized school personnel of a school to which a student seeks or intends to transfer without further notice to, or receipt of consent from, the eligible student or parent.

Please see the regulations for a description of other circumstances in which student records may be released without the consent of a parent or eligible student.

Parents and eligible students have a right to file a complaint concerning alleged failures by a school district to comply with the requirements of the student records laws and regulations with the Massachusetts Department of Education, 75 Pleasant Street, Malden, MA 02148. Complaints relative to federal statutes and regulations governing student records may be filed with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington D.C., 20202-5920.



## **2. Internet Acceptable Use Policy**

### **Acceptable Use**

Springfield Prep offers Internet access to its students and staff. The primary purpose of providing access to the Internet is to support the educational mission of Springfield Prep. Springfield Prep expects that students 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. Springfield Prep makes no guarantees, implied or otherwise, regarding the factual reliability of data available over the Internet. Users of the Springfield Prep Internet service assume full responsibility for any costs, liabilities, or damages arising from the way they choose to use their access to the Internet. Springfield Prep 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 Springfield Prep'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 gang activity, threatening others, transferring obscene material, or attempting to do any of the above;
- Using the Internet service to receive or send information relating to dangerous instruments such as bombs or other explosive devices, automatic weapons or other firearms, or other weaponry;
- Vandalizing school computers by causing physical damage, reconfiguring the computer system, attempting to disrupt the computer system, or destroying data by spreading computer viruses or by any other means;
- Using the Internet to bully another person is referred to as "cyber bullying" (see also the school's policies on bullying and harassment).
- 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), studentship, 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 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; or
- 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:

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

### **Privacy**

Users should not have an expectation of privacy or confidentiality in the context 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. Springfield Prep reserves the right to examine all data stored on diskettes involved in the user's use of Springfield Preparatory Charter School's Internet service.

Most Internet messages and emails on Springfield Prep's server are public records and are not private. Student records and certain personnel records are not considered a public record. 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 Springfield Prep's Internet service is a privilege not a right. Springfield Prep reserves the right to deny, revoke or suspend specific user privileges and/or to take other disciplinary action, up to and including suspension, expulsion (in the case of a direct threat to a staff member under M.G.L. c. 71 § 37H or a felony offense under MGL c. 71 § 37H 1/2) (students), or dismissal (staff) for violations of this policy. The school will advise appropriate law enforcement agencies of illegal activities conducted through Springfield Prep's 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.

### **3. Electronic Device Policy**

Students may not use cell-phones, tablets, smart-watches with calling and/or music capabilities, or electronic music devices (e.g., iPods or other MP3 players) while in the school building during school hours or after school if participating in after-school programs. If students are in possession of an electronic device it must be shut down, with all sounds, alarms and notifications turned off, and out of sight while students are inside the school. For example, a cell phone or smart-watch may be powered off and kept inside of a student's bag for use after school. While in school, the office phone may be utilized by the student to contact a parent/guardian.

If a student is seen with an electronic device, the device will be confiscated and given to the Principal or designee, who will return it to the student at the end of the day. The parent will be notified and a student may receive additional consequences if this happens repeatedly. If the student violates the

electronic policy again in the course of the same school year, a parent must come to the school to pick up any electronic device and the student will be subject to disciplinary consequences.

#### **4. Parent/Guardian Notification Relative To Sex Education Policy**

In accordance with General Laws Chapter 71, Section 32A, the Springfield Preparatory (“Springfield Prep”) Charter School Board of Trustees has adopted this policy on the rights of parents and guardians of our students in relation to curriculum that primarily involves human sexual education or human sexuality issues defined as sexual education courses, or discrete health education or biology curriculum units, school assemblies or other instructional activities for which the instruction materials focus principally on human sexual education, the biological process of human sexuality, human reproduction and/or sexual development.

At the beginning of each school year, all parents/guardians of students in our school will be notified in writing of the courses and curriculum we offer that primarily involve human sexual education or human sexuality issues. The Executive Director will determine the administrator(s) responsible for sending the notice(s), which may be a separate notice or incorporated into the Student and Family Handbook. Parents/guardians of students who enroll in school after the start of the school year will be given the written notice at the time of enrollment. If the planned curriculum changes during the school year, to the extent practicable, parents/guardians will be notified of this fact in a timely manner before implementation.

Each such notice to parents/guardians will include a brief description of the courses, curriculum units and other planned instruction activities covered by this policy, and will inform parents/guardians that they may:

- exempt their child from any portion of the curriculum that primarily involves human sexual education or human sexuality issues, without penalty to the student, by sending a letter to the school principal requesting an exemption. Any student who is exempted by request of the parent/guardian under this policy may be exempted from particular assignments, given an alternative assignment, independent study and/or placed in another course at the discretion of school administration.
- inspect and review program instruction materials for these curricula, which will be made reasonably accessible to parents/guardians to the extent practicable.

Parents/guardians may arrange with the principal to review the materials at the school during school hours.

A parent/guardian who is dissatisfied with a decision of the principal concerning notice, access to instructional materials, or exemption for the student under this policy may send a written request to the Executive Director for review of the issue within 30 days of the action or decision parent/guardian disagrees with pursuant to this policy, unless extenuating circumstances caused a delay. The Executive Director or designee will review the issue and give the parent/guardian a timely written decision, within 15 days of the request, unless extenuating circumstances require a delay. A parent/guardian who is dissatisfied with the Executive Director's decision may send a written request to the School's Board of Trustees for review of the issue. The Board of Trustees will review the issue and give the parent/guardian a timely written decision, within 30 days of the request, unless extenuating circumstances require a delay. A parent/guardian who is still dissatisfied after this process may send a written request to the Commissioner of Education for review of the issue in dispute within 15 days of the date of the Board of Trustees' decision. The parent/guardian shall send a copy of the written request to the Executive

Director. The Commissioner or his designee shall follow the process outlined in 603 CMR 5.04 to resolve the dispute. The decision of the Commissioner or his designee shall be the final agency decision.

## **5. Nondiscrimination and Harassment Policy**

Springfield 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, ancestry, sex, sexual orientation, gender identity/expression, disability, genetics, religion, age, immigration status, pregnancy status and veteran status in accordance with Title VI of the Civil Rights Act of 1964 (Title VI); Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973 (Section 504); Title II of the Americans with Disabilities Act of 1990 (ADA); Age Discrimination in Employment Act of 1974 (ADEA); M.G.L. c. 76 § 5; M.G.L. c. 151B and 151C; and 603 C.M.R. § 26.00. In addition, no person shall be discriminated against in admission to Springfield Prep on the basis of race, sex, color, creed, sex, ethnicity, gender identity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language or a foreign language, or prior academic achievement, as required by M.G.L. c.71, § 89(1) and 603 CMR 1.06(1). Springfield Prep provides equal access to all designated youth groups as required by 20 U.S.C. 7905. Consistent with the requirements of the McKinney-Vento Act, Springfield Prep also does not discriminate against students on the basis of homelessness. Finally, no person shall be discriminated against in obtaining the advantages, privileges or access to the courses of study offered by Springfield Preparatory Charter School on the basis of race, sex, color, religion, national origin, or sexual orientation as required by M.G.L. c. 76, § 5. Springfield Prep is committed to maintaining a school environment free of any discrimination and harassment on the basis of race, color, national origin, ancestry, sex, sexual orientation, gender identity/expression, disability, genetics, religion, age, immigration status, pregnancy status and veteran status as covered by applicable federal and state laws and regulations. Such unlawful discrimination and harassment in the workplace or school environment is absolutely prohibited. This includes discrimination and harassment by administrators, certified and support personnel, students, vendors, and other individuals in school or at school-related events. Further, any retaliation against an individual who has complained about discrimination or harassment or against individuals for cooperating with an investigation of a discrimination or harassment complaint is similarly unlawful and will not be tolerated.

Harassment is unwelcome conduct on the basis of race, color, national origin, ancestry, sex, sexual orientation, gender identity/expression, disability, genetics, religion, age, immigration status, pregnancy status or veteran status that is sufficiently severe, persistent or pervasive to create or contribute to 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. A hostile environment is one which unreasonably interfered with an individual's participation in, denied the individual the benefits of, or otherwise subjected the individual to discrimination under any program or activity of Springfield Prep.

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

1. Acceptance of or submission to such conduct is made either explicitly or implicitly a term or condition of employment or education;
2. The individual's response to such conduct is used as a basis for employment decisions affecting an employee or as a basis for educational, disciplinary, or other decisions affecting a student;
3. Such conduct interferes with an individual's job duties, education, or participation in extracurricular activities;

4. The conduct creates an intimidating, hostile or offensive work or school environment.

Regulations promulgated under Title IX of the Education Amendments of 1972 (Title IX), define sexual harassment pursuant to a separate, but similar definition. Title IX Sexual Harassment is defined as conduct on the basis of sex that satisfies one or more of the following:

1. A Springfield Prep employee conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Springfield Prep's education programs or activities; or,
3. Sexual assault, dating violence, domestic violence, or stalking (as defined under the Clery Act and the Violence Against Women Act).

Title IX Sexual Harassment also requires that the incident occurred in the United States, at Springfield Prep or during its programming, and the complainant must have been actively participating in or attempting to participate in Springfield Prep educational programming or activities during the incident.

The legal definitions of sexual harassment are broad. 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 a work or educational environment that is hostile, offensive, intimidating or humiliating to individuals of either gender may also constitute sexual harassment. While it is not possible to list all circumstances that may constitute such harassment, examples may include references to sexual conduct, comments on an individual's body, unwelcome leers, and suggestive or insulting comments.

Some possible examples of behavior that might constitute sexual and/or non-sexual harassment include:

- offensive jokes
- slurs
- epithets or name calling
- physical assaults or threats
- intimidation
- ridicule or mockery,
- insults or put-downs
- offensive objects or pictures

Springfield Prep will promptly investigate all complaints of discrimination and harassment on the basis of race, color, national origin, ancestry, sex, sexual orientation, gender identity/expression, disability, genetics, religion, age, immigration status, pregnancy status and veteran status as covered by applicable federal and state laws and regulations in accordance with applicable grievance procedures. If Springfield Prep determines that discrimination, harassment or retaliation has occurred, Springfield Prep will take reasonable steps to restore a sense of safety to the victim, stop the offending conduct and prevent recurrence.

Persons who engage in discrimination, harassment, or retaliation in violation of this policy may be subject to suspension, termination/expulsion or other sanctions, subject to applicable school system policies and procedures, as well as applicable contractual requirements. It should be noted that, while this policy sets forth the goal of Springfield Prep Charter School to maintain a work and educational environment that is free of discrimination and harassment on the basis of legally protected classes, the policy is not designed or intended to limit the authority of school officials to discipline or take remedial

action for conduct which is deemed unacceptable, whether or not that conduct satisfies the definition of discrimination, harassment or retaliation under the law.

In certain cases, and in particular, sexual harassment of a student, harassment may constitute child abuse under Massachusetts laws. Verbal sexual harassment of any child by anyone, including school district employees/volunteers, is recognized as a form of child abuse and a warning sign of actual physical or sexual abuse. Any such abuse must be reported immediately to the Department of Children and Families in accordance with the requirements of M.G.L. c. 19, § 51A. Springfield Prep will comply with all legal requirements governing the reporting of suspected cases of child abuse.

The Title IX Coordinator and Civil Rights Coordinator shall understand and have knowledge of the civil rights legal requirements and Springfield Prep's own policies and procedures on discrimination, anti-bullying, anti-retaliation, school place violence, and sexual harassment. Coordinators are responsible for consulting regarding the handling of complaints for consistency with this Policy and applicable procedures and legal requirements, and for identifying and addressing any patterns or systemic problems that arise during the review of such complaints as well as ensuring appropriate trainings and implementation of Springfield Prep's non-discrimination policies and procedures.

Springfield Prep shall require that the Title IX Coordinator and Civil Rights Coordinator, as well as investigators and decision-makers, be free of any conflict of interest or bias for or against complainants or respondents, generally, or an individual complainant or respondent. Any training materials for Title IX Coordinators, Civil Rights Coordinators, investigators, decision-makers and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and decision-making of formal complaints of sexual harassment.

Please see Appendix F for Springfield Prep's Civil Rights Grievance Procedures and Appendix G for Springfield Prep's Title IX Sexual Harassment Grievance Procedures.

Effective upon adoption of this Policy by the Board of Trustees, the Title IX Coordinator shall be Marelin Velazquez, HR & Finance Manager, [mvelazquez@springfieldprep.org](mailto:mvelazquez@springfieldprep.org), 2071 Roosevelt Ave., Springfield, MA 01104, 413-225-2892.

The Civil Rights Coordinator is Marelin Velazquez, HR & Finance Manager, [mvelazquez@springfieldprep.org](mailto:mvelazquez@springfieldprep.org), 2071 Roosevelt Ave., Springfield, MA 01104, 413-225-2892. The Civil Rights Coordinator is responsible for all non-Title IX civil rights obligations (including role of Title VI Coordinator, Title VII Coordinator and Section 504/Title II Coordinator).

State and federal agencies that enforce laws prohibiting discrimination and harassment and who receive complaints thereunder:

- Massachusetts Commission Against Discrimination (MCAD) - One Ashburton Place, Suite 601, Boston, MA 02108-1518; telephone (617) 994-6000; TTY Users (617) 994-6196; Springfield Office: 424 Dwight Street, Rm. 220, Springfield, MA 01103, (413) 739-2145
- Massachusetts Department of Elementary and Secondary Education - Problem Resolution System - 75 Pleasant Street, Malden, MA 02148-4906; telephone (781) 338-3300; TTY Users (800) 439-2370.
- United States Equal Employment Opportunity Commission (EEOC) - JFK Federal Bldg., 475 Government Center, Boston, MA 02203; (617) 565-3200 or (800) 669- 4000; TTY Users (800) 669-6820

- United States Department of Education, Office for Civil Rights (OCR), 8th Floor, 5 Post Office Square, Boston, MA 02109-3921; telephone (617) 289-0111, fax (617) 289-0150.

## **6. Bullying and Cyberbullying**

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

## **7. Corporal Punishment**

Springfield Prep maintains a strict Code of Conduct and clear disciplinary procedures. These procedures do not allow for corporal punishment but rather include a clear set of consequences including logical consequences, color changes, loss of privileges, suspensions, and expulsions. In accordance with M.G.L. § 37G, corporal punishment of pupils is prohibited.

## **8. Student Restraint**

In accordance with 603 CMR 46.00 and our policy regarding the restraint of students (see Appendix E), physical restraint shall be used only in emergency situations, after other less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution. School personnel shall use physical restraint with two goals in mind: to administer a physical restraint only when needed to protect a student and/or a member of the school community from imminent, serious, physical harm; or to prevent or minimize any harm to the student as a result of the use of physical restraint. All personnel authorized to administer any forms of restraint shall be trained annually in accordance with Department of Elementary and Secondary Education guidelines.

## **9. Grievance Procedure for Bullying**

Students who are victims of bullying, who witness bullying activity, or who are retaliated against for reporting bullying, should report the incident to the Principal, Assistant Principal, Counselor, or Chief Operating Officer. Students may also report to a teacher or other trusted adult in the building, who will in turn report the incident to the Principal or the Chief Operating Officer. The Principal or the Chief Operating Officer will be responsible for conducting an investigation regarding the allegations. Parents of the alleged target and alleged perpetrator will be contacted when the allegations are made, and after the investigation is complete and a determination is made in accordance with M.G.L. c. 71, § 37O. The same process for appeals described above applies to the grievance procedure for bullying. Students and parents may consult the Bullying Prevention and Intervention Plan for a detailed description of the school's procedures regarding bullying.

A student who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action.

Please note that in accordance with M.G.L. c. 71, § 37O, law enforcement may be contacted by the school in some bullying cases.

# Appendix A: Annual Calendar



<p>7-11 New Staff Training</p> <p>14-23 Summer Institute (All Staff)</p> <p>22 Open House</p> <p>24 First Day - K only - 12:30 dismissal</p> <p>25 K Only - 12:30 dismissal</p> <p>28 First Day- All Grades</p> <p>4 No School - Labor Day</p> <p>9 No School - Indigenous Peoples' Day</p> <p>7 No School - Professional Development</p> <p>10 No School - Veterans Day (observed)</p> <p>20 End of Trimester 1</p> <p>16 Report Card Conferences- 12:30 Dismissal</p> <p>22-24 Thanksgiving - No School</p> <p>22-29 Winter Break - No School</p>	<table border="1"> <thead> <tr><th colspan="7">August 2023</th></tr> <tr><th>S</th><th>M</th><th>T</th><th>W</th><th>Th</th><th>F</th><th>S</th></tr> </thead> <tbody> <tr><td></td><td></td><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td></tr> <tr><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td></tr> <tr><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td></tr> 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Tentative End of School Year Date includes 5 snow days. School will close after it has been in session for 180 student school days (182 for Kindergarten).

**Important Assessment Dates:**  
 April 9, 10 - ELA MCAS Grades 3-8  
 May 7, 8 - Math MCAS Grades 5 and 8  
 May 14, 15 - Math MCAS Grades 3, 4, 6, 7  
 May 21, 22 - Science MCAS Grades 5 and 8



## Appendix B: Code of Conduct

Springfield Prep strives to create a safe, welcoming and orderly environment in which every student can achieve his or her highest potential. Students will be expected to make appropriate choices regarding their personal conduct on a daily basis and will be supported in their efforts to practice their best behavior. In both the classroom and the school as a whole, explicit rules and fair consequences will govern student conduct.

### Section 1: Purpose and Philosophy

#### 1.1 Purpose

Springfield Prep Charter School has created a Code of Conduct in order to:

- Maintain a safe, respectful space for learning,
- Allow students to focus on their learning, and
- Prepare students to become engaged citizens who follow rules set by our communities.

The Code of Conduct describes behaviors that Springfield Prep considers inappropriate or unacceptable (which we will call “Disciplinary Infractions”) and the consequences of those behaviors.

#### 1.2 Our Philosophy

Students 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 student Code of Conduct.

Respect is a foundation of our school culture. Students are expected to interact with staff and peers in a respectful way. Behaviors that are considered disrespectful include but are not limited to: rolling of the eyes, making mocking, dismissive remarks or sounds in response to a staff member request or in the course of staff member or peer interactions, or refusing to follow staff member directions.

Springfield Prep’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 help students correct their behavior and are aligned with our instructional practices, core values, and structures for supporting positive classroom engagement.

### Section 2: Disciplinary Infractions

#### 2.1 Scope

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

- While the student is on school grounds or school-related transportation;
- During school-sponsored activities and trips;
- During all other school-related events; or
- Off of school grounds that results in substantial disruption to the school environment.

The following descriptions of Disciplinary Infractions and their related consequences is not comprehensive. While we have stated possible consequences for certain Disciplinary Infractions, Springfield Prep staff has sole discretion to determine the consequence of each Disciplinary Infraction.

## **2.2 Minor Infractions**

If a student displays behavior that does not align with class or schoolwide expectations, the student will first receive a consequence according to the Student Expectations Framework, a “color system” in grades K-4 and an “impression” system in grades 6-8, accompanied by a reminder of the proper behavior. If this problematic behavior continues, the student will be given an additional consequence. Consequences according to the Student Expectations Framework will be accompanied by additional, logical consequences, including, but not limited to, students moving away from a peer group, apologizing to a classmate, or taking action to restore or repair the consequences or harm of a choice that they made.

Disciplinary infractions that may warrant a check or color change (color system) or an impression change (impression system) include, but are not limited to:

- Being out of uniform (for reasons besides not having access to the uniform)
- Disrupting teaching and learning (e.g., making inappropriate noises during class or talking out of turn)
- Failing to follow clear directions or procedures of the class or school
- Other behaviors deemed inappropriate by school staff

Staff members will communicate the infraction and any related consequence to their students. Families are notified of a student’s conduct in school through the indication of a daily color or impression, communicated by staff to families on a daily basis in the Homework and Behavior Log or electronic means.

## **2.3 Community Violations**

We call more serious infractions Community Violations. Students may receive Community Violations for:

- disrespect of an adult, including using inappropriate language or showing defiance;
- disrespect of a fellow student, such as name-calling, insulting, or excluding;
- unsafe behaviors, such as hitting, kicking, biting, or throwing tantrums;
- leaving class without permission;
- use of inappropriate language; or
- disruption of class.

Students are notified of a Community Violation by a staff member. If a student loses the right to participate in recess, his or her teacher will notify them prior to the recess period. Parents will be informed of a Community Violation in the Homework and Behavior Log or similar electronic means. When possible, they will also be contacted by phone to discuss the incident.

If a student’s behaviors are too disrespectful, unsafe, or disruptive for them to remain in the classroom, they may be referred to an Administrator or the Main Office. A staff member will provide students with the support they need to help them to calm themselves, regain their focus, and successfully return to class.

If a student’s conduct requires a referral out of class, they will be notified by the teacher and escorted to either an administrator’s office or a separate area. Families will be informed of a referral out of class on the Homework and Behavior Log or other electronic means. Whenever possible, parents will also be notified by phone when a student has been referred out of class.

### **Severe and/or Repeated Infractions**

Severe and/or repeated infractions may result in In- or Out-of-School Suspension or, in exceedingly rare circumstances, expulsion. Springfield Prep believes that a student's attendance is critical to their being on the path to college and we do not take the decision to remove a student from the school community lightly. While there are occasions when a student must be removed from the community, we will work with students and families to do everything possible to minimize those occasions.

### **Removal from Privileges**

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

### **2.4 In-School Suspension**

A Student may earn In-School Suspension (ISS) for one (1) to ten (10) days for severe and/or persistent infractions of the Code of Conduct that warrant removal from the general classroom environment. The purpose of ISS is to ensure that the school environment is safe for all students at all times, and simultaneously to send a clear message to the student serving the suspension that his/her behaviors are unacceptable and will not be tolerated. In-school suspensions are used as an alternative to a short-term suspension. Infractions that may warrant an ISS include, but are not limited to:

- Disrespect of a fellow student, including, but not limited to, hazing, bullying and harassment
- Disrespect of faculty, staff or other members of the school community
- Damaging, destroying, or stealing personal or school property or attempting to
- Committing sexual, racial, or any form of harassment or intimidation
- Skipping school or class
- Using abusive, vulgar, or profane language or treatment
- Making verbal or physical threats, empty or otherwise
- Fighting, pushing, shoving, or unwanted physical contact with other students or staff
- Setting off false alarms or calling in groundless threats
- Gambling
- Departing, without permission, from class, floor, building, or school-sponsored activity, or riding a school bus to which one is not assigned
- Unauthorized use of the building elevator
- Forgery of any sort, including parental signatures
- Cheating or plagiarism, or copying of anyone else's work
- Repeated infractions for which the student has already earned consequences
- Conduct that threatens the safety of others
- Conduct that threatens to substantially disrupt the school environment

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

Students who earn Out-of-School suspension (OSS) will be prohibited from attending school for a specific number of days as determined by the Principal or his/her designee. Before the student is returned to class, the student, his or her parent or guardian, and the Principal or his/her designee will meet in order to address the student's behavior and plan for improvement. Infractions that may warrant an OSS include, but are not limited to:

- Possession of a weapon or weapon-like object or illegal drugs (including prescription medication without a prescription) (which could also warrant expulsion under M.G.L. c. 71 § 37H)
- Serious or continued disrespect of a fellow student including, but not limited to, hazing, bullying and harassment

- Serious disrespect of faculty, staff or other members of the school community
- Assaulting another student or a staff member
- Damaging, destroying, or stealing personal or school property or attempting to
- Being charged with a felony (which could also warrant a long-term suspension or expulsion upon conviction, see M.G.L. c. 71, § 37H1/2)
- Gross disrespect of a fellow student, staff member, or school property
- Using or possessing over-the-counter medication inappropriately
- Using, possessing, distributing, or selling tobacco products or paraphernalia.
- Committing sexual, racial, or any form of harassment or intimidation
- Skipping school or class
- Using abusive, vulgar, or profane language or treatment
- Making verbal or physical threats, empty or otherwise
- Fighting, pushing, shoving, or unwanted physical contact with other students
- Setting off false alarms or calling in groundless threats
- Gambling
- Departing, without permission, from class, building, or school-sponsored activity, or riding a school bus to which one is not assigned
- Forgery of any sort, including parental signatures
- Cheating or plagiarism, or copying of anyone else's work
- Repeated infractions for which the student has already earned consequences
- Misbehavior or disruption while assigned to In-School Suspension
- Conduct that threatens the safety of others
- Conduct that threatens to substantially disrupt the school environment

## 2.6 Expulsion

Expulsion is defined as the exclusion from Springfield Preparatory Charter School on a permanent basis at the discretion of the Principal or his/her designee, subject to the review on appeal by the Executive Director. Massachusetts law (M.G.L. c. 71, §§ 37H, 37H½ and 37H¾) provides the Principal or his/her designee with the authority to expel students for the following disciplinary infractions:

- 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 student.
- Assaulting educational personnel (e.g., threatening assault, hitting, kicking, punching, slapping, pushing)
- Being convicted of a felony

In addition to any of these infractions, any breaches of Federal law, Massachusetts State law, or bylaws of the city in which the school is located, may be handled in cooperation with the local police department and may result in expulsion.

## Section 3: Suspension

A student will not be excluded from school without being afforded appropriate due process as set forth below. If, however, a student's continued presence in school poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the Principal's or his/her designee's judgment there is no alternative available to alleviate the danger or disruption, a student who is charged with a disciplinary offense may be removed temporarily from school before receiving due process pursuant to an Emergency Removal (see below for more information).

### **3.1 In-School Suspension**

An In-School Suspension (ISS) is a removal of a student from regular classroom activities, but not from the school premises. A student serving short-term suspension has the opportunity to earn credits, as applicable, and make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from school. The procedure for an ISS of no more than ten (10) school days (consecutive or cumulatively for multiple infractions during the school year) will be as follows:

1. The Principal or his/her designee will inform the student of the disciplinary offense charged, the basis for the charge, and provide the student an opportunity to respond. If the Principal or his/her designee determines that the student committed the disciplinary offense, the Principal or his/her designee will inform the student of the length of the student's ISS, which may not exceed ten (10) days, cumulatively or consecutively, in a school year.
2. On the same day as the ISS decision, the Principal or his/her designee will make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the In-School Suspension. The Principal or his/her designee will also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meetings will be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the Principal or his/her designee is unable to reach the parent after making and documenting at least two (2) attempts to do so, such attempts will constitute reasonable efforts for purposes of orally informing the parent of the ISS.
3. The Principal or his/her designee will send written notice to the student and parent about the In-School Suspension, including the reason and the length of the ISS, and invite the parent to a meeting with the Principal or his/her designee for the purpose set forth above, if such meeting has not already occurred. The Principal or his/her designee will deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or by other method of delivery agreed to by the Principal or his/her designee and the parent.

An ISS of more than ten (10) cumulative days in a school year will be subject to the procedures for long-term suspension found in section 3.2.

#### **In-School Suspension Procedures**

In the morning, students will need to check in with the Principal or his/her designee, who will reiterate the expectations of an ISS. Students on an ISS will:

- Not attend classes but will receive instruction and curriculum through tutorials led by the teacher or other staff member.
- Not be permitted to participate in instruction or other activities with his/her class, including recess and lunch
- Not participate in selected class activities, as determined by each teacher
- Not attend reward events including field trips, dances, etc. (rare exceptions may be made at the discretion of the Principal or his/her designee.)
- Not participate in extra-curricular or community service field trips and other class rewards.

Violation of the requirements of ISS may result in additional days of ISS or an Out-of-School suspension.

The number of days on ISS, determined by the Principal or his/her designee, will be commensurate with the severity of the behavioral infraction. For each day that a student does not meet the requirements of the ISS, they will be required to complete an additional day of suspension.

In all cases when a possible suspension involves a student in grades K through 3, the Principal or his/her designee will send written determination to the Executive Director (the superintendent), explaining reasons for an out-of-school suspension.

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

Out-of-School Suspension may be either a Short-Term Suspension or a Long-Term Suspension.

#### **Short-Term Suspension**

Short-term suspension means the removal of a student from the school premises for ten (10) consecutive school days or less. A student serving short-term suspension has the opportunity to earn credits, as applicable, and make up assignments, tests, papers, and other schoolwork as needed to make academic progress during the period of his or her removal from school.

Except in the case of an Emergency Removal (see below), prior to imposing a short term out-of-school suspension (10 days or less in a school year) for conduct not covered by M.G.L. c. 71, §§ 37H and 37H ½, the Principal or his/her designee will provide the student and his/her parent oral and written notice and an opportunity to participate in an informal hearing.

For suspensions between one (1) and ten (10) days, the following procedures will apply:

1. **Notice**: The written notice to the student and the parent will be in English and in the primary language of the home if other than English, or other means of communication where appropriate, and will include the following:
  - a) the disciplinary offense;
  - b) the basis for the charge;
  - c) the potential consequences, including the potential length of the student's suspension;
  - d) the opportunity for the student to have a hearing with the Principal or his/her designee concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing;
  - e) the date, time, and location of the hearing; and
  - f) the right of the student and the student's parent to interpreter services at the hearing if needed to participate.

Written notice to the parent may be made by hand delivery, first-class mail, certified mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the school and parent.

2. **Efforts to Involve Parent and Guardians**: The Principal or his/her designee will make reasonable efforts to notify the parent or guardian of the opportunity to attend the hearing. To conduct a hearing without the parent present, the Principal or his/her designee must be able to document

reasonable efforts to include the parent. The Principal or his/her designee is presumed to have made reasonable efforts if he/she has sent written notice and has documented at least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.

3. **Format of Hearing:** The Principal or his/her designee will discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also will have an opportunity to present information, including mitigating facts, that the Principal or his/her designee should consider in determining whether other remedies and consequences may be appropriate. The Principal or his/her designee will provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Principal or his/her designee should consider in determining consequences for the student.
4. **Decision:** The Principal or his/her designee will provide written notice to the student and parent of his/her determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal. The notice of determination may be in the form of an update to the original written notice of hearing.

Prior to returning from a suspension, an administrator may contact the parent/guardian to schedule a re-entry meeting.

Students are responsible for completing academic work missed during the suspension. This work will be available in a folder for pick-up by a family member at the school daily between 4:00 – 5:00 PM. The completed work will receive full credit, if submitted by deadlines in accordance with the school make-up policy. If a student does not complete this work, the student may face standard academic consequences (e.g., loss of privileges, no academic credit).

In all cases when a possible suspension involves a student in grades K through 3, the Principal or his/her designee will send written determination to the Executive Director/superintendent, explaining reasons for an out-of-school suspension.

### **Long-term Suspensions**

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

Pursuant to M.G.L. c. 71, § 37H¾, long-term suspensions may not exceed ninety (90) consecutive days.

Except in the case of an Emergency Removal provided in Section 3.4, prior to imposing a long-term suspension (more than 10 days of suspension, whether in-school or out-of-school, whether consecutive or cumulative for multiple offenses during a school year), the Principal or his/her designee will follow the procedures for short-term suspension plus additional procedures as follows:

1. **Notice:** The notice will include all of the components for a short-term suspension (see above), plus the following:
  - a) In advance of the hearing, the opportunity to review the student's record and the documents upon which the Principal or his/her designee may rely in making a determination to suspend the student or not;

- b) the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense;
  - c) the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so;
  - d) the right to cross-examine witnesses presented by the school district;
  - e) the right to request that the hearing be recorded by the Principal or his/her designee, and a copy of the audio recording provided to the student or parent upon request; and
  - f) the right to appeal the Principal's or his/her designee's decision to impose long-term suspension to the Executive Director.
2. **Format of Hearing:** The Hearing will afford the rights set forth in the notice above. The Principal or his/her designee will also provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Principal or his/her designee should consider in determining consequences for the student.
3. **Decision:** Based on the evidence, Principal or his/her designee will determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to long-term suspension, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The Principal or his/her designee will send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the school and the parent. If the Principal or his/her designee decides to suspend the student on a long-term basis, the written determination will:
- a) Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
  - b) Set out the key facts and conclusions reached;
  - c) Identify the length and effective date of the suspension, as well as a date of return to school;
  - d) Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school (if more than ten (10) cumulative days);
  - e) Inform the student of the right to appeal the Principal's or his/her designee's decision to the Executive Director. Notice of the right of appeal will be in English and the primary language of the home if other than English, or other means of communication where appropriate, and will include the following information stated in plain language: the process for appealing the decision, including that the student or parent must file a written notice of appeal with the Executive Director within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the Executive Director an extension of time for filing the 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 or his/her designee's determination on appeal.

No long-term suspension will extend beyond the end of the school year in which such suspension is imposed.



In all cases when a possible suspension involves a student in grades K through 3, the Principal or his/her designee will send written determination to the Executive Director (superintendent) explaining reasons for an out-of-school suspension.

### **3.3 Continuation of Educational Services for Students Serving Suspensions**

#### **Services during Removals**

Students serving an in-school suspension, short-term suspension, or long-term suspension have the opportunity to earn credits, as applicable, and make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. Students who are suspended under § 37H<sup>3</sup>/<sub>4</sub> for more than ten (10) consecutive days, whether in school or out of school, are entitled to receive educational services during the period of suspension under Springfield Prep's Education Service Plan. If the student withdraws from Springfield Prep and/or moves to another school district or public school during the period of suspension, the new school/district/district of residence shall either admit the student to its schools or provide educational services to the student under the new school or district's education service plan.

#### **School-Wide Education Service Plan**

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

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

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

Access to tutoring services: Students offered this option are expected to attend tutoring sessions at a designated public site identified by the school district. The tutoring will be provided by qualified personnel or contracted providers. The academic work will be consistent with the academic standards and curriculum frameworks established for all students. Students' tutoring schedule will be set by appointment and prepared weekly.

Access to online education: Students offered this option will be enrolled in an online platform. Work hours are flexible but students are expected to access online instruction by logging in at least 5 days per week for a minimum of 45 minutes to an hour per subject. Daily attendance is imperative in order to ensure success in the virtual program. The academic work will be consistent with the academic standards and curriculum frameworks.

If Springfield Prep expels a student or suspends a student for more than nine (9) consecutive school days, Springfield Prep is required to provide the student and the parent/guardian of the student with a list of alternative educational services. Upon selection of an alternative educational service by the

student and the student’s parent/guardian, the school shall facilitate and verify enrollment in the service. See the table below for more detail.

Time frame	Educational Service Delivery
Suspension days 2-5 (consecutive) beyond 9 days	Academic work provided to the parent prior to the day of suspension without late penalty.
Suspension days 6-10 beyond 9 days	Academic work provided to the parent prior to the day of suspension without late penalty. Additionally, 2 hours of tutoring, which can be provided in a location or remotely, to be agreed upon, and at a time to be agreed upon.
Consecutive suspension days 11 and beyond	Academic work provided to the parent. Additionally, 30 minutes of home tutoring time per suspension day. The formula of time allotted does not mean 30 minutes each day of suspension but rather a collection of time to be designed by the principal to apply.

**3.4 Exception for emergency removal**

Notwithstanding the provisions for short- or long-term suspension set forth above, a student who is charged with a disciplinary offense may be removed temporarily from school if the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the judgment of the Principal or his/her designee, there is no alternative available to alleviate the danger or disruption.

The Principal or his/her designee will immediately notify the Executive Director in writing of the removal and the reason for it, and describe the danger or disruption by the student.

The temporary removal will not exceed two (2) school days following the day of the emergency removal, during which time the Principal or his/her designee will provide the following, as applicable to the length of suspension:

- Make immediate and reasonable efforts to orally notify the student and the student’s parent of the emergency removal, the reason for the need for emergency removal, and other applicable matters;
- Provide written notice to the student and parent as provided in notice provision of the Short-Term Suspension section above, plus additional notice as provided in the Long-Term Suspension section above if the student may be placed on long-term suspension following the hearing with the Principal or his/her designee;
  - Provide the student an opportunity for a hearing with the Principal or his/her designee, as applicable, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the Principal or his/her designee, student, and parent; and
- Render a decision orally on the same day as the hearing, and in writing no later than the following school day.

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

### **3.5 Appeal to the Executive Director**

If a decision by the Principal or his/her designee, following the parent meeting, results in suspension of a student for more than ten (10) cumulative school days for the school year, the student may appeal the decision to the Executive Director. In order to do so the student or parent must file a notice of appeal with the Executive Director within five (5) calendar days with a seven (7) day postponement option. The Executive Director must hold the hearing within three (3) school days of the student's request, unless the student or parent requests an extension of up to seven (7) additional calendar days. If the appeal is not filed within this time frame, the Executive Director may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

In the case of an appeal to the Executive Director, the following apply:

- The Executive Director will make a good faith effort to include the parent in the hearing. The Executive Director will be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and Executive Director to participate. The Executive Director will send written notice to the parent of the date, time, and location of the hearing.
- The Executive Director will conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence will be. The Executive Director will arrange for an audio recording of the hearing, a copy of which will be provided to the student or parent upon request. The Executive Director will inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request.
  - The student will have all the rights afforded the student at the Principal's or his/her designee's hearing for long-term suspension as described above.
- The Executive Director will issue a written decision within five (5) calendar days of the hearing which meets the requirements for a long-term suspension as described above. If the Executive Director determines that the student committed the disciplinary offense, the Executive Director may impose the same or a lesser consequence than the Principal or his/her designee, but will not impose a suspension greater than that imposed by the school leader's decision.

The decision of the Executive Director constitutes the final decision of the school district.

## **Section 4: Expulsion**

### **4.1 Definition**

Expulsion is the permanent exclusion from School and can only apply pursuant to M.G.L. c. 71, §§ 37H and 37H½.

### **4.2 Causes for Expulsion**

Misconduct may result in expulsion under any of the following circumstances.

- Pursuant to Massachusetts' law, M.G.L. c. 71 § 37H, the Principal may expel a student for any of the following infractions:

- o Any time a student is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a controlled substance as defined in M.G.L. c. 94C, including, but not limited to, marijuana, cocaine, and heroin, and certain prescription medications;
  - o Any time a student is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon<sup>1</sup>, including, but not limited to, a gun or a knife;
  - o Any time a student assaults a school administrator, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games;
  - o Vandalism; or
  - o Violation of a student's civil rights.
- Pursuant to Massachusetts' law, M.G.L. c. 71 § 37H½, if a student is charged with a felony, the Principal may expel the student from school if the student is convicted, or is found guilty (by admission or adjudication), of the felony and the student's continued presence would have a substantial detrimental effect on the general welfare of the school.

#### **4.3 Procedures Applicable to Conduct Covered by M.G.L. c. 71, §§ 37h and 37h½**

##### **A. Student and Parent/Guardian Rights under Massachusetts' law, M.G.L. c. 71 § 37H**

When considering the exclusion of a student from school for possession of a dangerous weapon, possession of a controlled substance (such as marijuana, cocaine, or prescription drugs not authorized by the school nurse), or assault on a member of the educational staff, the Principal may place a student on short-term suspension (ten (10) 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. Formal Hearing**

Any student who is charged with any of the misconduct detailed above has an opportunity for a formal hearing before the Principal. At the hearing, the student may have representation at his or her own expense, along with the opportunity to present evidence and witnesses at said hearing before the Principal. After said hearing, the Principal may, in his or her discretion, decide to suspend rather than expel a student who has been determined by the Principal to have committed the misconduct detailed above. The student is entitled to this hearing prior to an expulsion and the following procedures will apply:

- The student shall receive written notice, before the expulsion takes effect, of the following:

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<sup>1</sup> This includes not only knives and guns, explosive devices and realistic replicas of such weapons/devices, but also other objects used to assault another person or to otherwise create a dangerous situation, such as a baseball bat, a pair of scissors, matches or a lighter. While such objects would not always constitute "dangerous weapons", administrators and educational professionals will review the circumstances of each case and make a reasonable determination about whether a particular object in a student's possession constitutes a dangerous weapon in the school setting. Any illegal weapon will be turned over to the Police Department. Any student who brings a firearm to school must be expelled for a minimum of one school year, with exceptions granted only by the Executive Director. (The definition of a firearm includes but is not limited to guns (including a starter gun), bombs, grenades, rockets, missiles, mines and similar devices.)

- o Charges and a statement of the evidence;
- o Date, time and place of a hearing;
- o Notice of the right at the hearing to:
  - Be represented by legal or other representative (at the student's/parent's own expense);
  - Present evidence;
  - Confront and cross-examine witnesses; and
  - Have parent or guardian present at the hearing.
- The school will record (by tape or other appropriate means) the hearing and a copy of such will be made available to the student upon request.
- Notices and proceedings will be translated into the student's/parent's primary language if necessary for their understanding of the proceedings.
- A student and/or parent, upon request, will have the right to review the student's records in accordance with the Massachusetts Student Records Regulations or other applicable law.

The hearing will be conducted by the Principal.

- Decisions shall be put in writing and sent to the student and parents.
- If the Principal decides to expel the student after the hearing, Principal shall give written notification at the hearing to student and parent or guardian of the student of the right to appeal to the Executive Director, the process for appealing the expulsion and the opportunity to receive educational services.

## **2. Appeals to Expulsions under § 37H**

Any student who has been expelled from Springfield Prep pursuant to M.G.L. c. 71 § 37H shall have the right to appeal to the Executive Director. The expelled student shall have ten (10) days from the date of the expulsion in which to notify the Executive Director, in writing, of his or her appeal. The hearing must be held within three (3) days of receipt of the request. The student has the right to counsel, at his or her own expense, at a hearing before the Executive Director. At the appeal hearing, the student shall have the right to present oral and written testimony on his/ her behalf, shall have the right to counsel, shall have the right to confront and cross examine witnesses presented by the school and has the right to have the parent or guardian present at the appeal. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section. The Executive Director shall render a decision on the appeal. Such decision shall be the final decision of the school.

## **B. Student and Parent/Guardian Rights under M.G.L. c. 71 § 37H½**

This section applies to student misconduct that involves student criminal or felony delinquency charges, findings, or admissions.

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

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

**2. Appeals to Expulsions under § 37H½**

The student shall have the right to appeal the expulsion to the Executive Director. The student 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 expulsion. The Executive Director shall hold a hearing with the student and the student's parent/guardian within three (3) calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his or her behalf, shall have the right to counsel, and shall have the right to confront and cross examine witnesses presented by the school and has the right to have the parent or guardian present at the appeal. The Executive Director shall have the authority to overturn or alter the decision of the Principal, including recommending an alternate educational program for the student. 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 Springfield Prep with regard to the expulsion.

**3. Continuation of Educational Services under M.G. L. c. 71, § 37H and § 37H½**

Any student who is removed from school for a disciplinary offense under M.G.L. c. 71, § 37H or § 37H½ for more than ten (10) consecutive days will have an opportunity to receive educational services and make academic progress during the period of removal under a school-wide education service plan, and will be informed in writing at the time of the expulsion. Notice shall be provided in English and the primary language spoken in the student's home if other than English or other means of communication where appropriate. The notice shall include a list of the specific educational services that are available to the student and contact information for a specific school district staff member to arrange services. If the student withdraws from the charter school and/or moves to another school district during the expulsion, the new school/district/district of residence shall either admit the student to its schools or provide educational services to the student under the new school or district's education service plan.

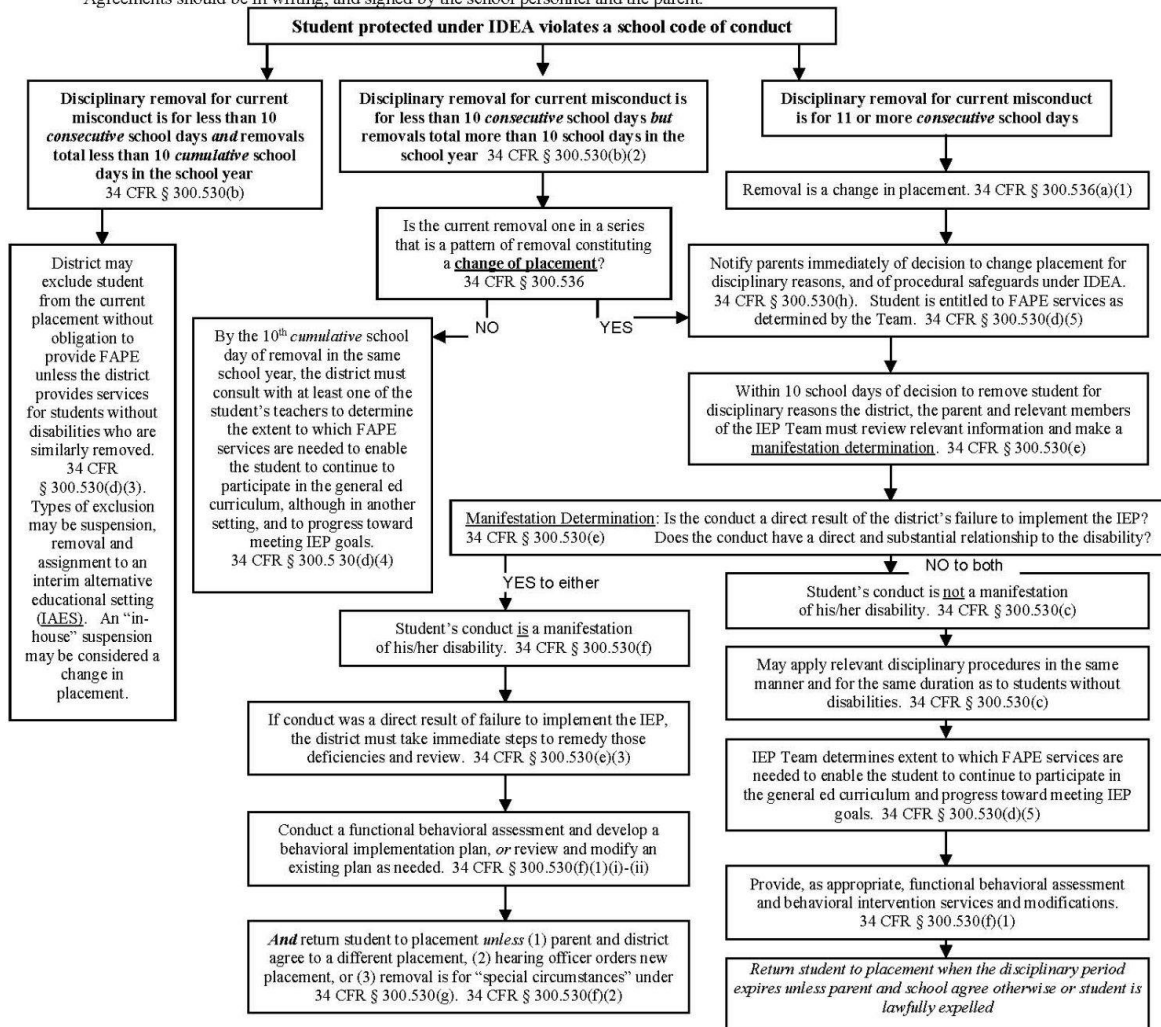
**Section 5: Discipline of Students with Special Needs**

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

# Appendix C: Discipline of Students with Disabilities

## Discipline of Special Education Students Under IDEA 2004 20 U.S.C. § 1415(k) and 34 CFR §§ 300.530-300.536

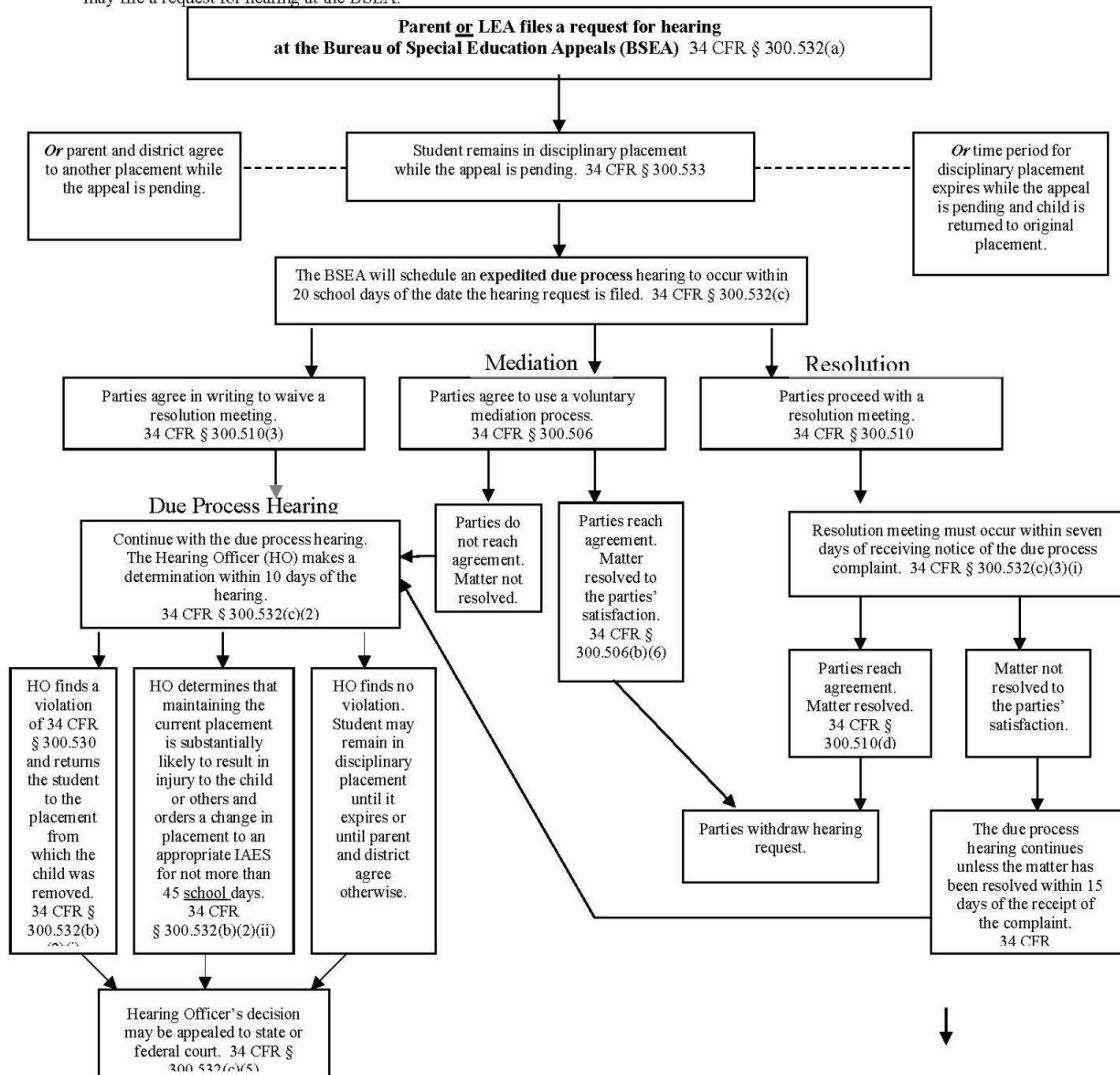
- This chart should be read in conjunction with discipline procedures in state law, M.G.L. c. 71, §§ 37H & 37H1/2, and district-wide and school-wide student codes of conduct.
- Protections in the IDEA apply to students who have been found eligible for special education and to students for whom the school is deemed to have knowledge that the child might have a disability (i.e., students who have not yet been found eligible but the school had a basis of knowledge of a disability, including students who have been referred for initial evaluation). 34 CFR § 300.354
- Beginning on the 11<sup>th</sup> school day of a student's disciplinary removal during the school year, and if removal is a change in placement, the student must be provided free appropriate public education (FAPE) services during the period of removal to allow him/her to continue to participate in the general education curriculum and progress towards IEP goals, even if in a different setting. 34 CFR § 300.530(b) & (d).
- If the conduct that the student is being disciplined for involves the "special circumstances" of weapons, illegal drugs, controlled substances, or serious bodily injury, school personnel may remove the student to an interim alternative educational setting (IAES) for up to 45 school days, regardless of the manifestation determination. 34 CFR § 300.530(g). The IEP Team must determine the IAES.
- Although the following flowchart lays out the steps that a school district must take when disciplining a student with a disability, it is important to remember that at any point the parent and school district can agree to change a student's placement for disciplinary reasons. Agreements should be in writing, and signed by the school personnel and the parent.



## Appeals Process for Disciplinary Placement Decisions for Students with Disabilities Under IDEA 2004: 20 U.S.C. § 1415(k) and 34 CFR §§ 300.532-300.533

### Who may file an appeal of a disciplinary decision?

- A parent of a child with a disability who disagrees with any decision regarding the child's disciplinary placement, or the manifestation determination, may appeal the decision by requesting a hearing at the Bureau of Special Education Appeals (BSEA). Reasons for appeal may include but are not limited to disagreement with the student's removal to an interim alternative educational setting (IAES), disagreement regarding the manifestation determination, disagreement regarding the determination of whether the removal is a change of placement, disagreement regarding the educational services the student receives during the period of removal, and disagreement regarding the functional behavioral assessment and/or implementation of a behavioral intervention plan. 34 CFR §§ 300.530-300.531.
- An LEA that believes that maintaining the student's current placement is substantially likely to result in injury to the child or others may file a request for hearing at the BSEA.



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## DEFINITIONS

A student for whom the district is deemed to have knowledge of a disability – A child who has not yet been determined to be eligible for special education and related services may assert the disciplinary protections under IDEA if the school had a basis of knowledge that the child is a child with a disability before the behavior that precipitated the disciplinary action occurred. The school is deemed to have knowledge if: (1) the child's parent expressed concern in writing to administrative or supervisory personnel of the school or district that the child is in need of special education and related services; (2) the parent of the child had requested a special education evaluation; or (3) the child's teacher or other school or district personnel expressed specific concerns to the director of special education or to other supervisory personnel about a pattern of behavior demonstrated by the child. The school or district is *not* deemed to have knowledge of a disability if (1) the parent has not allowed an evaluation or has refused special education and related services, *or* (2) the child has been evaluated and determined not to be a child with a disability. 34 CFR § 300.534.

Change of placement – A change of placement because of a disciplinary removal occurs if a child with a disability is removed from his/her current educational placement for more than 10 consecutive school days, or the child is subjected to a series of removals that constitutes a pattern because: (1) the removals total more than 10 school days in a school year; (2) the child's behavior is substantially similar to previous incidents that resulted in the series of removals; and (3) additional factors such as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another constitute a pattern. 34 CFR § 300.536.

Current placement – The placement from which the student was removed for disciplinary reasons.

Interim alternative educational setting (IAES) – An IAES is a disciplinary placement that is not the same as the child's current placement as defined in his/her IEP.

Manifestation determination – The determination made by the district, the parent, and relevant members of the student's Team, after review of all relevant information in the student's file including the IEP, teacher observations, and relevant information provided by the parents, whether (1) the conduct in question was caused by or had a direct and substantial relationship to the child's disability; *or* (2) the conduct in question was the direct result of the district's failure to implement the student's IEP. 34 CFR § 300.530(e).

Special circumstances – Where the disciplinary conduct is a "special circumstance," school personnel may remove a student to an IAES for not more than 45 school days, regardless of the results of the manifestation determination. Special circumstances exist if the student:

- carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function under the jurisdiction of a State or local educational agency (district); or
- knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a State or local educational agency; or
- inflicts serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a State or local educational agency. 34 CFR § 300.530(g).

Serious bodily injury – As defined in 18 U.S.C. § 930, a bodily injury that involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty. 34 CFR § 300.530(i)(3).

## Appendix D: Bullying Prevention and Intervention Plan

### **Introduction**

Springfield Prep is committed to maintaining a school environment where students are free from bullying and cyber-bullying and the effects thereof. Acts of bullying and cyber-bullying are prohibited:

- (i) on school grounds, property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by the school; or through the use of technology or an electronic device owned, leased, or used by the school, and
- (ii) 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 district, if the acts create a hostile environment at school for the target, infringes on the rights of the target at school or materially and substantially disrupts the education process or the orderly operation of a school.

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

Under this policy, all students are afforded the same protection regardless of their status under the law.

### **A. Definitions**

**Aggressor** is a student or member of the school staff including but not limited to educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals who engages in bullying, cyber-bullying, or retaliation.

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

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

Bullying may include conduct such as physical intimidation or assault, including intimidating an individual into taking an action against his/her will; oral or written threats; teasing; putdowns;

name-calling; stalking; threatening looks, gestures, or actions; cruel rumors; false accusations; and social isolation.

**Cyber-bullying**, as defined in M.G.L. c.71, § 37O is bullying through the use of technology or any electronic communication, which shall include, but not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

Cyber-bullying also includes:

- (i) the creation of a web page or blog in which the creator assumes the identity of another person;
- (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated above in clauses (i) to (v), inclusive, of the definition of bullying; and
- (iii) 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 above in clauses (i) to (v), inclusive, of the definition of bullying.

Cyber-bullying may include conduct such as sending derogatory, harassing or threatening email messages, instant messages, or text messages; creating websites that ridicule, humiliate, or intimidate others; and posting on websites or disseminating embarrassing or inappropriate pictures or images of others.

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

**Retaliation** is any form of intimidation, reprisal, or harassment directed against a person 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, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

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

## **B. Bullying and Retaliation Are Prohibited and Will Lead to Discipline**

Springfield Prep absolutely prohibits bullying, cyber-bullying and retaliation as defined above. Students who engage in bullying or retaliation will be subject to disciplinary action. However, disciplinary action taken must balance the need for accountability with the need to teach appropriate behavior. The range of disciplinary action includes, but is not limited to, one or more of the following: verbal warnings, written warnings, reprimands, detentions, short-term or long-term suspensions from school as determined by the school administration or designee, subject to applicable procedural requirements. Nothing in this policy is intended to prevent the school administration from taking

disciplinary action against a student for conduct that does not meet the definition of bullying or cyber-bullying, as defined above, but nevertheless is inappropriate for the school environment.

### **C. Reporting Obligations**

**Reporting by Staff:** A staff member shall immediately report any instance of suspected bullying or retaliation the staff member has witnessed or become aware of to the Principal or designee. This includes bullying or retaliation of a student by another student or bullying or retaliation of a student by a staff member. If the Principal is the alleged aggressor, the report shall be made to the Executive Director. If the Executive Director is the alleged aggressor, the report shall be made to the school's Board of Trustees or designee. If the staff member fails to report, he or she may be subject to disciplinary action.

**Reporting by Students, Parents/Guardians, and Others:** Springfield Prep expects students, parents/guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the Principal or designee. This includes bullying of a student by another student or by a member of the school staff. If the Principal is the alleged aggressor, the report shall be made to the Executive Director. If the Executive Director is the alleged aggressor, the report shall be made to the school's Board of Trustees or designee. An individual may make an anonymous report of bullying or retaliation, however, no disciplinary action may be taken against a student solely on the basis of an anonymous report. A student who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action.

**Reporting to Local Law Enforcement:** At any point after receipt of a report of bullying or retaliation, or during or after an investigation, if the Principal has a reasonable basis to believe that the incident may involve criminal conduct, the Principal or designee will notify the local law enforcement agency. In addition, if an incident of bullying or retaliation occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in a local school district, charter school, non-public school, approved private day or residential school or collaborative school, the Principal or designee will notify local law enforcement if s/he believes that criminal charges may be pursued.

**Reporting to Administrator of Another School District or School:** If an incident of bullying or retaliation involves students from more than one school district, charter school, non-public school, approved private day or residential school or collaborative school and Springfield Prep is the first to be informed of the bullying or retaliation, then the Principal or designee must, consistent with state and federal law, promptly notify the appropriate administrator of the other school district or school so that both may take appropriate action.

### **D. Investigation**

The school administrator shall investigate as soon as reasonably possible a report of bullying or retaliation, giving consideration to all the circumstances at hand, including the nature of the allegations and the ages of the students involved. The school administrator (or whoever is conducting the investigation) shall remind the alleged aggressor, target, and witnesses of the importance of the investigation, their obligation to be truthful and that retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action. The following are general guidelines for responding to a report of bullying or retaliation. The guidelines will be adapted as necessary to respond appropriately to the complaint.

**Pre-Investigation:** Even before fully investigating allegations of bullying or retaliation, school personnel will consider whether there is a need to take immediate steps to support the alleged target and/or protect the alleged target from further potential incidents of concern. In taking any such action, however, the rights of both the alleged target and alleged aggressor must be considered.

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

**Written statement of the complaint:** The investigator will seek to determine the basis of the complaint, gathering information from the complainant, including such matters as: what specifically happened, who committed the alleged acts, who was present or may have information about the events, when the events occurred (date, time of day), and where the events occurred.

It is helpful to have these facts in writing. If age appropriate, the complainant may be asked to put the complaint in writing and to sign and date it. If the complainant cannot or chooses not to write a complaint, the investigator will record the allegations, read them to the complainant to confirm accuracy, and ask the complainant to sign the document. If the complainant cannot or chooses not to sign, the investigator may sign and date the document her/himself.

**Interviews:** Once the allegations of the complainant are established, the investigator will gather other evidence, which often involves interviews of the alleged aggressor and/or other witnesses. If appropriate, the investigator should remind the alleged aggressor and witnesses that retaliation against persons whom they believe might have reported the incidents or cooperated with the investigation is strictly prohibited and will result in disciplinary action.

**Confidentiality:** The confidentiality of the complainant and the other witnesses will be maintained to the extent practicable given the school's obligation to investigate and address the matter.

If the alleged aggressor is a staff member, notice will be made to that individual in accordance with district policies and procedures.

## **E. Determination**

School personnel must weigh all of the evidence objectively to determine whether the alleged events occurred and, if they did, whether the events constitute bullying or retaliation. The determination must be based upon all of the facts and circumstances and the perspective of a reasonable person. When applied to children, the "reasonable person" standard is generally "that of a reasonable person of like age, intelligence, and experience under like circumstances." See Ellison v. Brady, 924 F.2d 872 (9th Cir. 1991).

If the Principal or designee determines that bullying has occurred, he/she shall take appropriate disciplinary action, and if it is believed that criminal charges may be pursued against the aggressor, the Principal shall immediately notify the appropriate local law enforcement agency.

A school administrator, upon determining that bullying or retaliation has occurred, shall promptly contact the parents or guardians of the alleged target(s) and when the alleged aggressor(s) is a

student, parents or guardians of the alleged aggressor(s). Actions being taken to prevent further acts of bullying shall be discussed.

If bullying or retaliation is substantiated, the school will assess the target's needs and take steps reasonably calculated to restore the target's safety, prevent recurrence, and ensure that the target is not restricted in participating in school or in benefiting from school activities. As with the investigation, the response will be individually tailored to all of the circumstances, including the nature of the conduct and the age of the students involved. In addition to taking disciplinary action, the following are examples of steps that may be taken to prevent the recurrence of bullying or retaliation:

- Holding parent conferences;
- Transferring student's classroom;
- Limiting or denying student access to a part, or area, of a school;
- Enhancing adult supervision on school premises;
- Excluding from participation in school-sponsored or school-related functions, after-school programs, and/or extracurricular activities;
- The implementation of a Personalized Action Plan and/or the provision of directives for future conduct, including providing the target with a process for reporting any concerns about future conduct. It is critical to involve the student in creating an action plan that involves a reporting process that works for that particular student;
- Arranging for communication between the parties, if appropriate, to assist them in resolving issues which have arisen between them. (Such an approach will be used cautiously since communication can sometimes exacerbate, rather than alleviate, the target's concerns and since the conduct often involves an imbalance of power.); and
- Providing counseling (or other appropriate services) or referral to such services for the target and/or the aggressor and/or for appropriate family members of said students.

School counselors and others in the school setting who have been trained in working with students on interpersonal issues may be helpful in providing such programs.

Disciplinary actions for employees who are found to have committed an act of bullying or retaliation shall be in accordance with state law and the school's policies and procedures.

#### **F. Closing the Complaint and Possible Follow-Up**

School staff will provide notice as soon as reasonably possible to the parent/guardian of a target and an aggressor about whether or not the complaint was substantiated and, if substantiated, what action is being taken to prevent any further acts of bullying or retaliation. Specific information about disciplinary action taken will not be released to the target's parents or guardians—unless it involves a directive that the target must be aware of in order to report violations.

If appropriate, within a reasonable time period following closure of the complaint, the administrative staff or designee will contact the target to determine whether there has been any recurrence of the prohibited conduct.

Springfield Prep will retain a report of the complaint, containing the name of the complainant, the date of the complaint, investigator, a brief statement of the nature of the complaint, the outcome of

the investigation, and the action taken.

### **G. Vulnerable Students**

Springfield Prep recognizes that students may be more vulnerable to bullying based upon actual or perceived differences related to race, color, religion, ancestry, national origin, sex, socio-economic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by associations with other people who may have one or more of these characteristics. Springfield Prep staff shall provide additional support to vulnerable students, as necessary, to provide them with the skills, knowledge and strategies needed to prevent or respond to bullying or harassment.

### **H. Students with Disabilities**

When an IEP Team determines the student has a disability that affects social skills development or the student may participate in or is vulnerable to bullying, harassment, or teasing because of his/her disability, the Team will consider what should be included in the IEP to develop the student's skills and proficiencies to avoid and respond to bullying, harassment, or teasing.

### **I. Plan Development**

This Plan will be developed in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents, and guardians. There will be a notice and a public comment period before the Plan is adopted by the school committee or equivalent authority.

At least once every four years, Springfield Prep will administer a Department of Elementary and Secondary-developed student survey to assess school climate and the prevalence, nature, and severity of bullying in our schools. This plan shall be updated at least biennially.

### **J. Training and Professional Development on the Plan**

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

The goal of professional development is to establish a common understanding of tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. Professional development will build the skills of staff members to prevent, identify, and respond to bullying. As required by M.G.L. c. 71, § 37O, the content of school wide and district wide professional development will be 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 an aggressor, target, and witnesses to the bullying;
- research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment;
- 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 students with disabilities that must be considered when developing students' Individualized Education Programs (IEPs). This will include a particular focus on the needs of students with autism or students whose disability affects social skills development.

#### **K. Collaboration with Families**

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

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

#### **L. Problem Resolution**

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

#### **M. Data Collection**

Springfield Prep will collect data on the number of reported allegations of bullying or retaliation, the number and nature of substantiated incidents, the number of students disciplined for engaging in bullying or retaliation, and any other information required by the Department of Elementary and Secondary Education.



## Appendix E: Restraint of Students

To the extent required by law, Springfield Prep Charter School (hereinafter “Springfield Prep”) complies with the Department of Elementary and Secondary Education (hereinafter “DESE”) restraint regulations, which can be found at 603 CMR 46.00 et seq. (hereinafter “Regulations”). According to their terms, the Regulations apply not only at school but also at school-sponsored events and activities, whether or not on school property.

A brief overview of the Regulations is provided below.

**Purpose.** The purpose of this policy is to ensure that every student attending Springfield Prep is free from the unlawful use of physical restraint. Physical restraint shall be used only in emergency situations of last resort, after other lawful and less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution.

School personnel shall use physical restraint with two goals in mind:

- (a) To administer a physical restraint only when needed to protect a student and/or a member of the school community from assault or imminent, serious, physical harm; and
- (b) To prevent or minimize any harm to the student as a result of the use of physical restraint.

**Use of Restraint.** Physical restraint<sup>2</sup> shall be considered an emergency procedure of last resort, and shall be prohibited in public education programs 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 and/or alternatives, or such interventions and/or alternatives are deemed to be inappropriate under the circumstances. Prone restraint<sup>3</sup> shall be prohibited in public education programs except to the extent allowed by law. All physical restraints, including prone restraints where permitted, shall be administered in compliance with 603 CMR 46.05.

Physical restraint 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 policy or directive, or verbal threats when those actions do not constitute a threat of assault, or imminent, serious, physical harm; or

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<sup>2</sup> **Physical restraint** shall mean direct physical contact that prevents or significantly restricts a student’s freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.

<sup>3</sup> **Prone restraint** shall mean a physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student’s body to keep the student in the face-down position.

(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.

Mechanical restraint<sup>4</sup>, medication restraint<sup>5</sup>, and seclusion<sup>6</sup> shall be prohibited in public education programs. Seclusion does not include a time-out, as defined within the Regulations.<sup>7</sup>

The Regulations do not limit the protection afforded publicly funded students under other state or federal laws, including those laws that provide for the rights of students who have been found eligible to receive special education services.

**Proper Administration of Physical Restraint.** Only Springfield Prep personnel who have received training pursuant to the Regulations shall administer physical restraint on students. Whenever possible, the administration of a restraint shall be witnessed by at least one adult who does not participate in the restraint. Nothing in this policy shall preclude a teacher, employee or agent of Springfield Prep from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm. When administering a physical restraint, trained staff shall comply with the requirements regarding use of force, method, duration of the restraint, and safety, as set forth in the Regulations.

**Staff Training.** All school staff receive training with respect to the district's restraint prevention and behavior support policy and requirements when restraint is used. All staff members participate in the Understanding and Responding to Violence and Aggression - Applied Non-Violence training. Additionally, the school identifies specific staff who are authorized to serve as school-wide resources to assist in ensuring proper administration of physical restraint. These individuals participate in in-depth training in the use of physical restraint and implementation of the Regulations.

**Reporting Requirements.** Program staff shall report the use of any physical restraint, as required by the Regulations. The staff member who administered the restraint shall notify the Principal verbally as soon as possible and in writing no later than the next school working day. The report shall be maintained by the school and made available for review by the Parent(s) or the DESE upon request.

The Principal or designee shall make reasonable efforts to inform the Parent(s) of the restraint within 24 hours of the event, and shall notify the Parent(s) by written report within three (3) school working days of the restraint. The information in the report shall be in conformance with 603 CMR 46.06(4). The written restraint report must be provided to the Parent(s) in the language in which report cards and other necessary school-related information are customarily provided.

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<sup>4</sup> **Mechanical restraint** shall mean the use of any device or equipment to restrict a student's freedom of movement.

<sup>5</sup> **Medication restraint** shall mean the administration of medication for the purpose of temporarily controlling behavior.

<sup>6</sup> **Seclusion** shall mean the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving.

<sup>7</sup> **Time-out** shall mean a behavioral support strategy developed pursuant to 603 CMR 46.04(1) 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. During time-out, a student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The space used for time-out must be clean, safe, sanitary, and appropriate for the purpose of calming. Time-out shall cease as soon as the student has calmed.

The Principal or designee shall review restraint data and determine necessary next steps, if any, as set forth in the Regulations.

As required by the Regulations, all physical restraints must be reported to the DESE.

**Prevention of Student Violence, Self-Injurious Behavior and Suicide.** As set forth in the Regulations, Springfield Prep develops methods for preventing student violence, self-injurious behavior, and suicide, including individual crisis planning and de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student. The School uses a range of strategies to quickly identify and address any potentially dangerous behavior. These strategies include the employment of a school counselor; the use of social skills groups; regular meetings of a school wide School Culture Team; regular communication with families; and when necessary, communication with outside providers, the Department of Children and Families, and the local Crisis Intervention team.

Prevention of student violence, self-injurious behavior and suicide is discussed with staff annually in professional development sessions. Staff are trained in methods to prevent this through the use of the Student Expectations Framework as well as classroom management techniques designed to reinforce positive classroom climates and identify negative behaviors at early stages. Through tiered behavior intervention strategies, staff members are trained to address any potential negative behaviors immediately and proactively. The School Culture Team, School Counselor and School Administration team support as needed when potential negative behaviors arise and further intervention is required outside of the classroom to ensure the safety of all students.

#### **Alternatives to Physical Restraint**

The Behavior and Expectations System provides many alternatives to physical restraint and ensures that Springfield Prep authorized personnel use physical restraint only in emergency situations. The school follows the Understanding and Responding to Violence and Aggression - Applied Non-Violence method of restraint. The Behavior and Engagement Expectation System includes a matrix that outlines the many different de-escalation tools staff members should use in place of physical restraint. The school provides extensive training to all staff members on these tools.

**Parent Engagement.** In accordance with the regulations, Springfield Prep engages parents in discussions about restraint prevention and the use of restraint solely as an emergency procedure. This engagement occurs when a student's behavior is potentially injurious or self-injurious and takes place during meetings with an Administrator, the Principal, and/or the IEP Team. In the event a restraint is used, the School includes a cover letter along with the Restraint Report that clearly states that restraint is used as a last resort and only when necessary to protect students, other persons or themselves from assault or imminent, serious, physical harm. This letter invites further engagement by asking families to contact the Principal with any questions, comments, or concerns.

Springfield Prep also engages parents in discussions about behavior and the Student Expectations Framework through required summer orientations, back to school nights, mandatory report card conferences and additional meetings as necessary. Springfield Prep utilizes a homework log in which teachers communicate daily with parents about scholar's behavior, as well as a Community Violation Form that is sent home any time a scholar acts in a way that is unacceptable in the School's Code of Conduct and violates the school's core values. The forms are required to be signed each night by the scholar's parent or guardian (or when applicable in the case of the Community Violation). A Monthly Culture Report is sent home for each scholar that outlines the totals of each color earned throughout the month, homework and attendance rates as well as information related to any Community Violations or

Suspensions the scholar earned. Parents are encouraged to contact the school with any questions or concerns regarding the daily or monthly reports.

**Complaints.** Complaints and investigations regarding restraint practices are covered by the Complaint Procedure for Perceived Violations of Charter School Laws and Regulations Policy (see Appendix F).

**Additional information,** including a copy of the regulations, can be obtained from the Director of Operations, who can be reached at 413-231-2722. A copy of the regulations may also be obtained at [www.doe.edu/lawsregs/603cmr46.html](http://www.doe.edu/lawsregs/603cmr46.html).

## Appendix F: Civil Rights Grievance Procedure for Harassment and/or Discrimination

### **Non-Applicability of This Procedure to Title IX Sexual Harassment Allegations**

The *Civil Rights Grievance Procedure* shall not apply to reports of sexual harassment as defined under Title IX of the Education Amendment of 1972 (Title IX). For reports of sexual harassment as defined under Title IX, see Appendix G: Title IX Sexual Harassment Grievance Procedure.

Allegations of conduct that could, if proven, meet the definition of sexual harassment under Title IX shall be addressed through the District's *Title IX Sexual Harassment Grievance Procedure*. Similarly, allegations of conduct that meet the definition of sexual harassment under Title IX, and simultaneously meet the definitions of sexual harassment under Title VII (employees), M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will also be addressed through the *Title IX Sexual Harassment Grievance Procedure*. Allegations of conduct that do not meet the definition of sexual harassment under Title IX, but could, if proven, meet the definition(s) of sexual harassment under Title VII (employees), M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will be addressed through the *Civil Rights Grievance Procedure*.

### **Definitions for the Purposes of this Procedure:**

**Discrimination** - means discrimination or harassment on the basis of race, color, national origin, ancestry, sex, sexual orientation, gender identity/expression, disability, genetics, religion, age, immigration status, pregnancy status or veteran status by which an individual is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any program or activity of Springfield Prep.

**Harassment** - means unwelcome conduct on the basis of on the basis of race, color, national origin, ancestry, sex, sexual orientation, gender identity/expression, disability, genetics, religion, age, immigration status, pregnancy status or veteran status that is sufficiently severe, persistent or pervasive to create or contribute to 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. A hostile environment is one which unreasonably interfered with an individual's participation in, denied the individual the benefits of, or otherwise subjected the individual to discrimination under any program or activity of Springfield Prep. When determining whether an environment is hostile, Springfield Prep shall consider the context, nature, frequency, and location of the incidents as well as the credibility of witnesses and the identity, number and relationships of the persons involved. Springfield Prep must consider whether the alleged harassment was sufficient to have created such an environment for a reasonable person of the same age, gender, and experience as the Complainant, and under similar circumstances. Off-campus conduct may constitute harassment if it creates a hostile environment at school for the victim; however, conduct does not constitute harassment where the incident occurs off-campus at a non-school sponsored activity and does not create a hostile environment at school for the victim.

## Non-Title IX Sexual Harassment

- M.G.L. c. 151B, § 1 – Defines sexual harassment as sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment. Discrimination on the basis of sex shall include, but not be limited to, sexual harassment.
- M.G.L. c. 151C, § 1 – Defines sexual harassment as sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when: (a) 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 (b) 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.
- Title VII of the Civil Rights Act of 1964 - Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. A hostile environment on the basis of sex is created when the conduct is sufficiently severe or pervasive to alter the conditions of employment.

**Retaliation:** Retaliatory acts against any individual who exercises his or her rights under the civil rights statutes covered by this Procedure or the Title IX Sexual Harassment Grievance Procedure are considered to be discrimination and are unlawful. Individuals are prohibited from coercing, intimidating, threatening, or interfering with an individual because the individual exercised any right granted or protected under these procedures and/or the Title IX Sexual Harassment Grievance Procedure.

**Complainant:** An individual who is alleged to be the victim of conduct that could constitute discrimination, harassment, or retaliation under this Procedure. Parents and/or legal guardians of a complainant are not considered a complainant but may file formal complaints on behalf of a minor child and act on behalf of the minor child in any civil rights matter.

**Respondent:** An individual who has been reported to be the perpetrator of conduct that could constitute discrimination, harassment, or retaliation under this Procedure.

### Where to File a Grievance

Any student or employee who believes that they have been discriminated against or harassed her/him because of her/his race, color, national origin, ancestry, sex, sexual orientation, gender identity/expression, disability, genetics, religion, age, immigration status, pregnancy status and veteran status in admission to, access to, treatment in, or employment in Springfield Prep's services, programs,

and activities as protected by federal and state laws and regulations may file a complaint with the Executive Director, Bill Spirer (413-234-3174, or [bspirer@springfieldprep.org](mailto:bspirer@springfieldprep.org)) or the HR & Finance Manager, Marelín Velázquez, who shall serve as Civil Rights Coordinator, at [mvelazquez@springfieldprep.org](mailto:mvelazquez@springfieldprep.org), 413-225-2892.

In the event the complaint consists of a student's allegation that another student is harassing him/her based upon the above-referenced classifications as covered by federal and state laws and regulations for students, the student may, in the alternative, report incidents of harassing conduct to a teacher, administrator, or counselor. Any complaint received by a school personnel shall be promptly reported to the Civil Rights Coordinator.

Students or employees who are unsure whether discrimination, harassment, or retaliation has occurred are encouraged to discuss the situation with the Civil Rights Coordinator. Any Springfield Prep employee who observes or receives a report of discrimination, harassment or retaliation shall promptly notify the Civil Rights Coordinator, identified above.

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

A person who alleges discrimination on the basis of disability relative to the identification, evaluation, or educational placement of a person, who because of a disability needs or is believed to need special instruction or related services, pursuant to Section 504 of the Rehabilitation Act of 1973, Chapter 766, and/or the Individuals with Disabilities Education Act, may also use the procedure outlined in the Massachusetts Department of Education's *Parents' Rights Brochure* rather than this Grievance Procedure. A copy of the brochure is available in the Main Office.

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

Complaints under this Grievance Procedure must be put into writing either by the complainant themselves, or with the assistance of the Civil Rights Coordinator or any person of the Complainant's choosing. The written complaint should include the following information:

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

Springfield Prep encourages Complainants to file complaints under this Grievance Procedure as soon as possible after the alleged the discrimination or harassment occurs (e.g. within 30 days) in order to allow Springfield Prep to promptly investigate and take appropriate action.

### **Initial Assessment of Complaint**

The Civil Rights Coordinator will make an initial assessment following a complaint. Based on that assessment, the Civil Rights Coordinator may: (a) if the conduct, even if substantiated, would not constitute harassment, discrimination or retaliation, dismiss the complaint; (b) if the alleged conduct (or complaint) could not, even if true, constitute discrimination, harassment or retaliation, but is within the scope of another procedure, refer the matter to the appropriate personnel; (c) if the Civil Rights Coordinator concludes that it is possible to resolve the complaint in a prompt, fair and adequate manner through an informal resolution process involving and with the consent of both Complainant and Respondent, the Civil Rights Coordinator may seek to do so in accordance with procedures below; or (d) if the alleged conduct, if substantiated, would constitute discrimination, harassment or retaliation, the Civil Rights Coordinator will initiate an investigation. The Civil Rights Coordinator may also, in their discretion, identify and initiate any interim measures.

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

Respondents will be informed of the allegation by the Civil Rights Coordinator and have an opportunity to provide evidence or information to defend themselves during the investigation. The Civil Rights Coordinator may delay notice of allegations to Respondent as it deems appropriate based upon the nature of the allegations and the initial investigation required. However, a finding of discrimination or harassment shall not be made prior to Respondent being notified of the allegations and provided with an opportunity to present evidence and information to defend themselves prior to Springfield Prep making a discrimination, harassment or retaliation finding against Respondent.

### **Informal Resolution Process**

If the Civil Rights Coordinator concludes that it is possible to resolve a matter, in a prompt, fair and adequate manner through an informal process involving, and with the consent of, the Complainant and Respondent, the school may seek to do so. The informal process is voluntary, and the Complainant and/or Respondent may terminate or decline any informal process at any time, without penalty.

### **Interim Measures**

Springfield Prep will provide prompt and reasonable interim measures during the pendency of the investigation, if appropriate, to support and protect the safety of the parties, the educational environment, and Springfield Prep and/or school community; to deter retaliation; and to preserve the integrity of the investigation and resolution process. Any interim measures will be monitored to ensure they are effective based on the evolving needs of the parties. Violations of the restrictions imposed by interim measures could be considered a violation of school rules and may be considered in determining whether discrimination, harassment or retaliation has occurred.

### **Investigation and Determination Process**

#### **Timeframes**

Springfield Prep will seek to complete any investigation within twenty (20) school days after receipt of a complaint and provide the written notice of the outcome of the investigation within twenty-five (25) school days. The Civil Rights Coordinator or designee (Investigator) may impose reasonable timeframes on all parties to facilitate the timely completion of the investigation. The investigator may extend the investigation period beyond the time period identified due to extenuating circumstances, including but not limited to availability and cooperation of witnesses, complexity of the investigation, school vacation periods, and the involvement of law enforcement and other outside agency



investigations. If the investigator extends the investigation, he or she will notify the Complainant and Respondent of the extension. A report to the law enforcement will not automatically delay an investigation; however, a request from law enforcement to delay the investigation may require a temporary suspension of an investigation, and Springfield Prep will promptly resume its investigation upon being advised that law enforcement's evidence gathering is completed. Any interim measures provided to the parties may continue during the period of postponement.

**During the investigation:**

1. The Complainant shall be provided with an opportunity to be heard and have the opportunity to identify witnesses and other relevant evidence to the investigator.
2. The Respondent will be provided with an opportunity to be heard as part of the investigation including the opportunity to provide relevant information and identify witnesses for the investigator's consideration.
3. The privacy rights of the parties shall be maintained in accordance with applicable state and federal laws.
4. The investigator will keep a written record of the investigation process.
5. The investigation will be completed within twenty (20) school days of the date of receipt of the complaint.
6. The notification of the outcome of the investigation, including, if appropriate, a description of the remedies taken, will be provided to the parties within twenty-five (25) school days of the receipt of the complaint, unless extended for good cause.
7. Nothing in this Procedure will preclude the investigator, in his or her discretion, from completing the investigation sooner than the time period described above.

**Standard of Proof:** The investigation shall make factual findings based on a preponderance of the evidence standard.

**Determinations and Next Steps:** If the investigator determines that discrimination, harassment or retaliation has occurred, Springfield Prep shall take steps to eliminate the discriminatory or harassing environment, which shall include but not be limited to:

- Identifying what steps are necessary to prevent recurrence of any discriminatory behavior, including but not limited to harassment or retaliation, and to correct its discriminatory effects if appropriate; and
- Informing the Complainant and Respondent or, in the case of minor children, the parties' parent(s)/legal guardian(s) of the results of the investigation (in accordance with applicable state and federal privacy laws) in accordance with the above timelines. The notification will include the notice of the opportunity for appeal; however, failure to provide notice of appeal shall not constitute a violation of this policy.

The school district administration may also refer the offender for disciplinary procedures to be conducted in accordance with federal and state law. Nothing in the Civil Rights Grievance Procedure shall be interpreted as limiting or prohibiting Springfield Prep's ability to take appropriate disciplinary action against the offender in accordance with the applicable code(s) of conduct or employment contracts or policies, where appropriate, prior to completion of the investigation, in accordance with the due process rights of employees and students, as applicable. When informing the parties'

parent(s)/legal guardian(s) about the results of the investigation, the school district may consider appropriate notification processes when special circumstances may apply (e.g., disclosure of sexual orientation or gender identity/expression).

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

### **Appeals**

If the Complainant or Respondent is not satisfied with a disposition of an investigation, they may appeal the disposition to the Board of Trustees by writing to: Sherriff Balogun, Board Chair, [board@springfieldprep.org](mailto:board@springfieldprep.org), Springfield Preparatory Charter School, 2071 Roosevelt Avenue, Springfield, MA 01104 within five (5) school days of receipt of notice of investigation determination; except for circumstances in which the Respondent is subject to long-term suspension as a result of a finding of discrimination, harassment or retaliation. In such an instance, the appeal rights of the Respondent will be provided in a manner consistent with the disciplinary due process requirements applicable to the circumstances (e.g., M.G.L. c. 71, 37H, 37H ½ or 37H ¾).

The Board of Trustees will issue a written response on the appeal within thirty (30) school days of receiving the appeal.

## Appendix G: Title IX Sexual Harassment Grievance Procedure

### Scope and Purpose

The Title IX Sexual Harassment Grievance Procedure has been developed in accordance with the revised Title IX regulations, 34 CFR Part 106, which mandates specific procedures for responding to and investigating allegations of sexual harassment under Title IX.

The Title IX Sexual Harassment Grievance Procedure applies only to allegations of sexual harassment under Title IX, which includes harassment based on sex, sexual orientation, and/or gender identity/expression, and is defined in the Definitions section below.

The Title IX Sexual Harassment Grievance Procedure applies to conduct that occurs within the United States in an education program or activity of Springfield Prep, regardless of whether such Springfield Prep program or activity is conducted on or off school grounds. A Springfield Prep education program or activity includes locations, events, or circumstances over which Springfield Prep exercised substantial control over both the respondent and the context in which the sexual harassment occurred.

Allegations of conduct that meet the definition of sexual harassment under Title IX will be addressed through the Title IX Sexual Harassment Grievance Procedure. Allegations of conduct that meet the definition of sexual harassment under Title IX, and simultaneously meet the definitions of sexual harassment under Title VII of the Civil Rights Act of 1964 (employees), M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will also be addressed through the Title IX Sexual Harassment Grievance Procedure.

Allegations of conduct that do not meet the definition of sexual harassment under Title IX, but could, if proven, meet the definition(s) of sexual harassment under Title VII (employees), M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will be addressed through Springfield Prep's Civil Rights Grievance Procedure. The definitions of sexual harassment under Title VII, M.G.L. c. 151B, and M.G.L. c. 151C are set out in the Civil Rights Grievance Procedure.

### Confidentiality

Springfield Prep will keep the identity of complainants, respondents, and witnesses confidential, except as permitted by the Family Educational Rights and Privacy Act (FERPA), as otherwise required by law, and/or as necessary to carry out this Procedure.

### Definitions for the Purposes of this Procedure:

**Complainant:** An individual who is alleged to be the victim of conduct that could constitute sexual harassment under Title IX. Parents and/or legal guardians of a complainant are not considered a complainant but may file a Formal Complaint on behalf of a minor child and act on behalf of the minor child in any Title IX matter. For the purpose of this Procedure the terms "complainant" and "alleged victim" shall have the same meaning.

**Formal Complaint:** A document or electronic submission filed by a complainant, that contains the complainant’s physical or digital signature or otherwise indicates that the complainant is the person filing the Formal Complaint, or a document signed by the Title IX coordinator, that:

1. alleges sexual harassment against a respondent; and
2. requests that Springfield Prep investigate the allegation of sexual harassment.

At the time of filing a Formal Complaint, the complainant must be participating in or attempting to participate in Springfield Prep’s education program or activity with which the Formal Complaint is being filed.

**Sexual Harassment:** Under Title IX, the term “sexual harassment” includes three (3) types of misconduct based on sex:

- (1) any instance of quid pro quo harassment by a school employee;
- (2) unwelcome conduct on the basis of sex, including unwelcome conduct based on sex stereotyping or on the basis of traditional notions of masculinity and femininity, that is sufficiently severe and pervasive and objectively offensive conduct, that it effectively denies a person equal educational access; or
- (3) any instance of sexual assault, dating violence, domestic violence, or stalking as defined below.

- **Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system and set out below:
  - **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
  - **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. In Massachusetts, pursuant to M.G.L. c. 265, § 13B, a child under the age of 14 is incapable of giving consent to indecent touching.
  - **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent. In Massachusetts, pursuant to M.G.L. c. 265, § 23, the statutory age of consent is 16 years of age.
  - For the purposes of the definition of sexual assault, the term “consent” shall be defined in a manner consistent with Massachusetts laws.
- **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.
- **Domestic Violence:** A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a

spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

- **Stalking:** Engaging in a “course of conduct” directed at a specific person that would cause a “reasonable person” to fear for the person’s safety or the safety of others or suffer “substantial emotional distress.” For the purposes of this definition:
  - “Course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
  - “Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.
  - “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

**Respondent:** An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**Supportive Measures:** Individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the Complainant or Respondent, while designed to ensure equal educational access, protect safety, and/or deter sexual harassment. Supportive measures are individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party, while designed to ensure equal educational access, protect safety, and/or deter sexual harassment. Supportive measures available to complainants and respondents include, but are not limited to: counseling; extensions of deadlines or other course-related adjustments; modifications of work or class schedules; campus escort services; mutual restrictions on contact between the parties; changes in work locations; leaves of absence; increased security and monitoring of certain areas of the building and/or campus; and other similar measures. Violations of the restrictions imposed by supportive measures may be considered a violation of school rules and may also be considered in determining whether sexual harassment has occurred.

## Reporting

Anyone may report an allegation of sexual harassment. Individuals are encouraged to report allegations of sexual harassment to the **Title IX Coordinator, Marelin Velazquez, HR & Finance Manager** ([mvelazquez@springfieldprep.org](mailto:mvelazquez@springfieldprep.org), 413-225-2892, 2071 Roosevelt Ave., Springfield, MA 01104) or the Principal, but any Springfield Prep employee who receives a report of sexual harassment will respond to the report as outlined below. Any Springfield Prep employee who receives a report of sexual harassment shall respond by promptly informing the Principal or Title IX Coordinator of the report.

Any Springfield Prep employee who observes sexual harassment of a student should intervene to stop the conduct and shall promptly inform the Principal or Title IX Coordinator of the incident. If a report involves an allegation against the Title IX Coordinator, a Springfield Prep employee shall instead report the allegation to the Executive Director.

Any Principal who receives a report of sexual harassment shall promptly inform the relevant Title IX Coordinator of the report. Springfield Prep will respond to all reports of sexual harassment promptly and equitably, and in a manner consistent with this Procedure and any other relevant Springfield Prep procedures and policies. Upon receipt of a report, the Title IX Coordinator shall:

1. Promptly and confidentially contact the complainant to discuss the availability of supportive measures;
2. Inform the complainant of the availability of supportive measures with or without the filing of a Title IX Formal Complaint;
3. Consider the complainant's wishes with respect to supportive measures;
4. If Springfield Prep does not provide the complainant with supportive measures, document the reasons why such response was reasonable; and
5. Explain to the complainant the process for filing a Title IX Formal Complaint. Only the filing of a Title IX Formal Complaint will trigger the Title IX Formal Complaint grievance process.

### **Filing a Formal Title IX Complaint:**

Only the filing of a Title IX Formal Complaint will trigger the Title IX Formal Complaint grievance process, outlined below. Although anyone may report sexual harassment, only a complainant or a Title IX Coordinator may file a Title IX Formal Complaint. If a complainant chooses not to file a Formal Complaint, the complainant's choice to not initiate an investigation will generally 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. The Title IX Coordinator will take into account concerns articulated by the parties, the best interests of the community, fairness to all concerned, and Springfield Prep's legal obligations under applicable state and federal laws. Where the Title IX Coordinator signs the Formal Complaint, the Title IX Coordinator is not a complainant or a party during the grievance process and must comply with the requirement to be free from conflicts or bias.

Title IX Formal Complaints will be investigated promptly and equitably by the Title IX Coordinator or designee, as follows:

#### **Step 1: Title IX Formal Complaint is Filed:**

1. A Formal Complaint shall state (if known to the reporter or alleged victim) the name(s) of the person(s) involved, witnesses to the conduct, if any, a description of the conduct, and to the extent possible, the dates and locations of the conduct. A Formal Complaint will not be dismissed solely because it was not completely filled out or it was filled out incorrectly.
2. A Formal Complaint may be filed at any time, including during non-business hours. Formal Complaints submitted outside of normal business hours will be deemed received on the following school working day.
3. At the time of the filing of the Formal Complaint, the alleged victim must be participating in or attempting to participate in the education program or activity of the school Springfield Prep with which the Formal Complaint is filed.
4. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information for the Title IX Coordinator listed in this Procedure, and by any additional method designated by the school.
5. Consolidation of Formal Complaints: Schools may consolidate Formal Complaints where the allegations arise out of the same facts.

6. The Title IX Coordinator will consider the use of the Informal Resolution Process with the consent of the parties.
7. Throughout this process, there shall be a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

**Step 2:** Consider Supportive Measures for Both the Complainant and the Respondent: Once a Formal Complaint is filed, the Title IX Coordinator will ensure that supportive measures are considered for both parties.

**Step 3:** Written Notice of Allegations: Upon receipt of a Formal Complaint, Springfield Prep shall send written notice of the allegations, including the identity of the parties, to both the complainant and the respondent, if their identities are known. The written notice must include: (1) a statement prohibiting knowingly submitting false information; (2) sufficient details known at the time to allow the respondent the opportunity to respond to the allegations; (3) a statement that the respondent is presumed not responsible for the alleged conduct; (4) that a determination regarding responsibility is made at the conclusion of the grievance process; (5) that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney; and (6) that the parties/advisors may inspect and review evidence in accordance with this Procedure. If, in the course of the investigation, Springfield Prep decides to investigate allegations of sexual harassment that are not included in the initial written notice of allegations, Springfield Prep shall provide notice of the additional allegations to the parties whose identities are known.

**Step 4:** Consider Whether Dismissal of Formal Complaint is Warranted: Some Formal Complaints will be subject to mandatory or discretionary dismissal under Title IX.

**Mandatory Dismissal of Formal Complaint:** The Title IX Coordinator shall dismiss a Formal Complaint under Title IX when the conduct alleged:

- a. even if proved, would not meet the definition of sexual harassment under Title IX;
- b. did not occur in an education program or activity of Springfield Prep; or
- c. did not occur against a person in the United States.

**Discretionary Dismissal of Formal Complaint:** The Title IX Coordinator may dismiss a Formal Complaint or allegations therein for purposes of Title IX at any time if:

- d. the complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the Formal Complaint or allegations;
- e. the respondent is no longer enrolled or employed by Springfield Prep; or
- f. specific circumstances prevent Springfield Prep from gathering sufficient evidence to make a determination.

The Title IX Coordinator must provide the parties with written notice of any dismissal of a Formal Complaint and the reasons for the dismissal. Dismissal of a Formal Complaint for purposes of Title IX shall not preclude Springfield Prep from addressing the allegations under any other relevant Springfield Prep policies or procedure(s), including but not limited to, the Civil Rights Grievance Procedure, the Bullying Prevention and Intervention Plan, the Student Code of Conduct, and/or an employment action. The Title IX Coordinator shall have the discretion to make any such referrals and proceed as appropriate in regard to the allegations.

**Step 5:** Initial Investigation: All Formal Complaints will be investigated by an individual designated to serve as the investigator by the Title IX Coordinator. The Title IX Coordinator shall assign Meghan Wagner, Chief Operating Officer, ([mwagner@springfieldprep.org](mailto:mwagner@springfieldprep.org), 413-234-3173, 2071 Roosevelt Ave., Springfield, MA, 01104) or designee as Investigator. The Investigator shall be responsible for seeking and gathering evidence relative to the investigation. Any Formal Complaint against an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority.

The Coordinator will also assign a separate "Decision-Maker". Bill Spierer, Executive Director ([bspierer@springfieldprep.org](mailto:bspierer@springfieldprep.org), 413-234-3174, 2071 Roosevelt Ave., Springfield, MA, 01104) or designee shall serve as Decision-Maker.

In the event of an appeal, a separate "Appeal Officer" must also be appointed. This shall be the Chairperson of the Board of Trustees.

All individuals involved in processing a Formal Complaint must be free of bias and conflict of interest and must receive training regarding this policy and their respective roles.

During the Formal Complaint resolution process:

1. Standard of Proof: The investigator shall make factual findings based on a preponderance of the evidence standard.
2. The burden for gathering evidence and the burden of proof remains on Springfield Prep, not on the parties.
3. Springfield Prep shall provide equal opportunity for the parties to present fact and expert witnesses and other inculpatory and exculpatory evidence.
4. Springfield Prep shall not restrict the ability of the parties to discuss the allegations or gather evidence (e.g., no "gag" orders).
5. Each party may have one (1) advisor of their own selection and at their own expense participate in this grievance process. In the case of a student under the age of 18, this advisor may be in addition to the student's parents/guardians. Any restrictions on the participation of an advisor will be applied equally to each party. The advisor may, but is not required to, be an attorney. Any evidence received by an advisor in this process is subject to confidentiality and may be used only for the purpose of the grievance process. Advisors are prohibited from disseminating or disclosing such evidence outside of the grievance process.
6. Springfield Prep shall send prior written notice to the parties of any investigative interviews, meetings, or hearings in which their participation is invited or expected.
7. Privacy of Medical Treatment and Mental Health Treatment Records: Springfield Prep may not access or use either the complainant's or the respondent's medical, psychological, or similar treatment records unless Springfield Prep obtains the party's written consent to do so.
8. The investigator may impose reasonable timeframes on all parties as required to facilitate the timely completion of the investigation. The investigator may extend any of the timeframes beyond the time periods identified in this Procedure for good cause. If the investigator extends the investigation, the investigator will notify the parties of the extension and the reasons therefore in writing.

**Step 6:** Opportunity for Parties to Respond to Evidence: Springfield Prep must send the parties, and their advisor(s) (if they have one) evidence directly related to the allegation, in electronic format or hard copy. Parties shall be afforded ten (10) calendar days to inspect, review and respond to the evidence. Springfield Prep shall not require, allow, rely upon, or otherwise use evidence that constitutes



information protected from disclosure by a legally recognized privilege, unless it has been waived by the holder of the privilege.

1. Prior to providing evidence to the parties, the investigator may redact confidential information that is not directly related to the allegations or that is otherwise barred from use under Title IX or by privilege (e.g., treatment records), the Family Educational Rights and Privacy Act and/or 603 CMR 23.00. Information that is directly related to the investigation, and that is not expressly barred from disclosure under Title IX (e.g., treatment records), the Family Educational Rights and Privacy Act, and/or 603 CMR 23.00, must be made available for review by both parties.
2. The parties and their advisors shall be prohibited from dissemination of any of the evidence for any purpose not directly related to this grievance procedure.

**Step 7:** Completion of the Investigative Report: Springfield Prep must send the parties, and their advisor, an Investigative Report that fairly summarizes relevant evidence but does not reach any conclusions regarding responsibility, in electronic format or hard copy, within twenty-five (25) school days of receipt of the Formal Complaint, unless otherwise extended for good cause. A copy of the Investigative Report will also be sent to the decision-maker.

**Step 8:** Parties' Opportunity to Respond to Investigative Report: Springfield Prep shall provide each party ten (10) calendar days for the parties to respond to the investigative report. The Investigative Report will notify the parties of the opportunity to submit to the decision-maker directed questions of the other party and/or any witness within that same ten (10) calendar days. (See Step 9).

**Step 9:** Directed Written Questions from the Parties: After the Investigative Report has been sent to the parties, but prior to reaching a determination regarding responsibility, the decision-maker shall afford both the complainant and the respondent the opportunity to submit to the decision-maker written, relevant questions of the other party or any witness, provide the party with the other party's and/or witness's written responses to said written questions, and allow for additional, limited follow-up questions from each party in writing. Questions that seek disclosure of information protected under a legally recognized privilege, Family Educational Rights and Privacy Act, and/or 603 CMR 23.00 shall not be permitted, unless the person holding the privilege has waived the privilege.

The complainant shall be protected from answering questions about the complainant's prior sexual behavior unless such questions and evidence about the complaint's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

Upon receipt of the Investigative Report, each party shall have ten (10) calendar days to submit directed relevant questions to the decision-maker in writing.

All questions must be posed in a respectful manner (e.g., without profanity and without attacking a person's character or motivations).

Questions that are not relevant will be excluded, and the decision-maker shall explain to the party posing the question the reason(s) for excluding any question.

Upon receipt of the directed questions from Springfield Prep, each party and witness shall have five (5) calendar days to respond to those questions in writing.

After receipt of the answers by the parties, any follow-up questions by the parties shall be submitted to the decision-maker in writing within three (3) calendar days, and those follow-up questions shall be responded to in writing within three (3) calendar days of receipt.

Each party will be provided a copy of the other party's or witness's written answers.

**Step 10:** Determination of Responsibility/Findings of Fact by the Decision-Maker:

The decision-maker shall issue a written determination regarding responsibility with a description of the procedural steps taken, findings of fact, conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation, the range of disciplinary sanctions to which the respondent may be subject, whether remedies will be provided to the complainant, and procedures and bases for appeal. The decision-maker's written determination shall not be completed by the Title IX Coordinator or the investigator.

**Standard of Proof:** The decision-maker shall make factual findings based on a preponderance of the evidence standard.

The decision-maker's findings shall be based on an objective review of all relevant evidence, inculpatory and exculpatory, and avoid credibility determinations based on a person's status as a complainant, respondent, or witness. The decision-maker shall not draw inferences about the determination of responsibility based solely on a party's failure or refusal to answer questions. The written determination must be sent simultaneously to both parties. This determination shall be sent within twenty (20) school days of the issuance of the investigative report unless an extension is agreed upon by the parties or if the process is otherwise reasonably delayed. Except where the parties have agreed to an extension of the timeline or where the process is otherwise reasonably delayed, the written determination shall be issued within sixty (60) school days of receipt of the Formal Complaint.

**Remedies:** If the decision-maker determines that sexual harassment has occurred, Springfield Prep administration shall take steps to eliminate the harassing environment, which must include but need not be limited to providing remedies to a complainant that are designed to restore or preserve the complainant's equal access to Springfield Prep's education programs and/or activities. These remedies may be the same individualized services as the supportive measures outlined above and/or may consist of alternative interventions and/or punitive or disciplinary sanctions that burden the respondent.

**Discipline:** Persons who engage in sexual harassment or retaliation may be subject to disciplinary action, including, but not limited to, reprimand, suspension, termination, expulsion (if applicable under M.G.L. c. 71, §§ 37H or 37H ½), or other sanctions as determined by Springfield Prep administration, subject to applicable procedural requirements. Although the respondent may, in accordance with Title IX, be subject to emergency removal at any time, the respondent may not be subject to disciplinary sanctions for the misconduct defined under this Procedure until after this grievance process has been completed.

**Informal Process:** Only after a Formal Complaint is filed may Springfield Prep opt to offer and facilitate informal resolution options, such as mediation or restorative justice. Both parties must give voluntary, informed, written consent to attempt any offered informal resolution. Any informal resolution under this Procedure will be facilitated by trained personnel. The informal resolution process is not available to resolve allegations that an employee sexually harassed a student. The informal process is voluntary, and

the alleged victim and/or respondent may terminate or decline any informal process at any time and resume the Formal Complaint grievance process. The informal process shall not exceed thirty (30) calendar days. Participation in the informal process will stay the timelines of the Formal Complaint process.

**Emergency Removal under Title IX:** Springfield Prep may remove a respondent on an emergency basis at any time provided that Springfield Prep: (1) undertakes an individualized safety and risk analysis; (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal and that there is no alternative to the respondent's emergency removal to mitigate the threat presented; and (3) provides the respondent with notice and the opportunity to challenge the decision immediately following the removal.

**Anonymous Reports:** Springfield Prep may be on notice of an allegation of sexual harassment through receipt of an anonymous report. In cases of anonymous reports, Springfield Prep's obligation is to respond in a manner that is not clearly unreasonable in light of the known circumstances. If the anonymous reporter is the complainant and they request confidentiality, Springfield Prep can and should offer supportive measures to the extent consistent with maintaining the request for confidentiality. If an anonymous report is received without a disclosure of the complainant's identity, Springfield Prep will be unable to provide the complainant supportive measures in response to that report. Springfield Prep may in conformance with applicable state laws and regulations be required to report sexual harassment identified in an anonymous complaint to state and/or local authorities such as the Massachusetts Department of Children and Families in conformance with state statutes and regulations and/or take actions to protect the safety of the school community (contacting the police, for example) that may result in the identity of the reporting person being disclosed. Although Springfield Prep shall respond to anonymous reports of sexual harassment in accordance with this Procedure, a Formal Complaint cannot be filed anonymously.

**Appeals:** The complainant or respondent may appeal from a determination regarding responsibility and/or from Springfield Prep's dismissal of a Formal Complaint or any allegations therein, only on the following bases:

1. procedural irregularity that affected the outcome of the matter;
2. newly discovered evidence that could affect the outcome of the matter; and/or
3. Title IX personnel had a conflict of interest or bias that affected the outcome of the matter.

An appeal may be made to the Board of Trustees within five (5) calendar days after receiving the determination of responsibility or dismissal. An appeal shall be made in writing to Sherriff Balogun, Board Chair, at [board@springfieldprep.org](mailto:board@springfieldprep.org) and/or Springfield Preparatory Charter School, 2071 Roosevelt Avenue, Springfield, MA 01104. The Board of Trustees will decide the appeal no later than thirty (30) calendar days of the date of receipt of the written appeal. In cases in which it has been determined that a respondent student is subject to long-term suspension as a result of a finding of sexual harassment in accordance with this Procedure, the respondent may elect to exercise their appeal under the disciplinary due process requirements applicable to the circumstances (e.g., M.G.L. c. 71, §§ 37H, 37H ½ or 37H ¾) in place of this appellate procedure.

The Title IX Formal Complaint grievance process is deemed complete when either the time period for appeal has lapsed or upon the issuance of the Board of Trustees' decision on a timely filed appeal.

**Recordkeeping:** Records related to this Procedure will be maintained for a period of seven (7) years.

**Title IX Coordinator:** the Title IX Coordinator shall be Marelin Velazquez, HR & Finance Manager, [mvelazquez@springfieldprep.org](mailto:mvelazquez@springfieldprep.org), 2071 Roosevelt Ave., Springfield, MA 01104, 413-225-2892.

## Appendix H: Complaint Procedure for Perceived Violations of Charter School Laws and Regulations

The following policy provides a mechanism for addressing complaints at the school level and to comply with M.G.L. c. 71, § 89 (II). That statute requires charter schools to establish a process for persons or groups to file a complaint with the school's Board of Trustees if they believe the school has violated any of the provisions of charter school law (M.G.L. c. 71, § 89) and/or any regulation under 603 CMR 1.00. This complaint procedure is disseminated to all school community members and is available upon request.

### **Complaint Procedure**

The school and the Board work in conjunction with one another to address complaints. 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, the complainant should schedule a meeting with the Principal. If the issue is not resolved in a manner satisfactory to everyone, the complainant should schedule a meeting with the Executive Director.

A complainant may also submit a complaint directly to the Board of Trustees by following the process under 603 CMR 1.09 and emailing [board@springfieldprep.org](mailto:board@springfieldprep.org) if the complainant believes that the school has violated any provision of the charter school law (M.G.L. c. 71, § 89) and/or any regulation under 603 CMR 1.00. After receiving the complaint, the Board will review the complaint and the charter school's compliance with the law, and will respond to the complainant in writing within 45 days. The Board will determine how best to address a complaint based on the allegations in the complaint. The charter school and the specific individuals involved shall cooperate to the fullest extent with such review.

If a complainant believes a complaint pursuant to 603 CMR 1.09 has not been adequately addressed by the Board of Trustees, he/she may submit the complaint to the Commissioner of Elementary and Secondary Education, who shall investigate the complaint and make a written response (603 CMR 1.09(4)). In the event the charter school is found in non-compliance with M.G.L. c. 71, § 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 charter school has violated any federal or state law or regulation regarding special education, the individual may file a complaint directly with the Department of Elementary and Secondary Education.