



Policy Handbook

for

Student

and

Parent/Guardian

2024-2025

Atlantis Charter School ("District") does not discriminate against students, parents, employees, or the general public on the basis of race, color, national origin, sex, sexual orientation, gender identity, disability, religion, or age. Additionally, Atlantis Charter School does not discriminate against the individuals on the basis of homelessness in a manner consistent with the McKinney-Vento Act.

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PREFACE

The policies and procedures provided in this handbook are designed to help the school run smoothly so that you will have a successful year at Atlantis Charter School. This information should be used as a guideline for rights, responsibilities and acceptable standards of behavior.

Please read this guide carefully and contact school administration or teachers for further information. Please keep in mind that this guide does not list every policy, law, regulation, etc. that the school adheres to, but is intended to be a general overview.

All rules, regulations, requirements and policies are written in compliance with federal, state, and local education authorities. Recent changes and updates may supersede statements in this guide. In such cases, the rulings of the higher authority will prevail. Best wishes for a positive and productive school year!

Robert L. Beatty
Executive Director

MISSION STATEMENT

The mission of the Atlantis Charter School is to provide an education second to none yielding academic excellence and life-long learning skills.

Atlantis Charter School, an independent public school, provides an educational choice to the families of Greater Fall River by offering a solid academic foundation on which our students build a successful future. We expect an equal partnership among parents, community, faculty, staff and students to create a safe, caring, innovative and progressive learning environment. Atlantis incorporates the best methods in our curriculum to meet the needs of our student population. It is our intent to become a model of educational excellence.

VISION STATEMENT

Atlantis Charter School is committed to cultivating a diverse, equitable and inclusive school community. We are UNITED in creating a welcoming learning environment for students, staff, and families of all races, genders, ethnicities, religions, abilities, sexual orientation and nationalities. ACS is dedicated to continuous growth in pursuit of fulfilling this vision.

ATLANTIS CHARTER SCHOOL CORE VALUES

Atlantis Charter School is UNITED. Through these values and beliefs, students develop both a sense of humanity and civil responsibility.

Unwavering	We will persevere against all adversity
Noble	We have honor and respect for all
Integrity	We adhere to ACS values at all times
Trustworthy	We are responsible and accountable for our actions
Excellence	We always strive to do our best
Daring	We dare ourselves to be great and powerful beyond measure

CHARTER APPROVAL

The Charter for Atlantis Charter School was approved in 1995 and has been reviewed and approved in 2000, 2005, 2010, 2015, and 2020 by the Charter School Office at the Massachusetts Department of Education.

AMERICANS WITH DISABILITIES ACT

Program applicants, participants, members of the general public, employees, job applicants and others are entitled to participate in and benefit from all Atlantis Charter School programs, activities, and services without regard to disability.

Copies of this notice are available, upon request, in alternative print formats (large print, electronic file, etc.) Our grievance procedure and practices are also available. Inquiries, requests, and complaints should be directed to: Title IX Coordinator for Atlantis Charter School, 991 Jefferson Street, Fall River, MA 02721, 508-646-6410 (voice), 508-672-3489 (Fax).

EQUAL EDUCATIONAL OPPORTUNITIES

In recognition of the diverse characteristics and needs of our students and with the keen desire to be responsive to them, the Board of Trustees and the Atlantis Charter School faculty and staff will comply with the letter and the spirit of the Massachusetts Equal Educational Opportunities Law (Chapter 622 of the Acts of 1971), which prohibits discrimination in public school admissions and programs. Atlantis Charter School's Nondiscrimination Policy Statement reads:

Atlantis Charter School ("District") does not discriminate against students, parents, employees, or the general public on the basis of race, color, national origin, sex, sexual orientation, gender identity, disability, religion, or age. Additionally, Atlantis Charter School does not discriminate against the individuals on the basis of homelessness in a manner consistent with the McKinney-Vento Act.

PREGNANCY POLICY

Title IX of the Education Amendments of 1972 is a federal civil rights law that prohibits discrimination on the basis of sex- including pregnancy and parental status- in educational programs and activities.

All public and private schools, school districts, colleges, and universities receiving any federal funds must comply with Title IX. Title IX prohibits schools from excluding a pregnant student from participating in any part of an educational program. This prohibition applies to specific classes such as advanced placement of honors classes, extracurricular programs, interscholastic sports, honor societies, and opportunities for student leadership, among other activities. Schools may implement special instructional programs or classes for a pregnant student, but participation must be completely voluntary on the part of the student, and the classes must be comparable to those offered to other students.

Title IX requires schools to excuse a student's absences due to pregnancy or related conditions, including recovery from childbirth, with appropriate medical documentation from the school's physician for as long as the student's doctor deems the absences to be medically necessary. When a student returns to school, they must be allowed to return to the same academic and extracurricular status as before the medical leave began. In addition, a school must provide special services to a pregnant student that is also provided to other students with temporary medical conditions, including home tutoring.

To ensure a pregnant student's access to the educational program, Atlantis, when necessary, will make adjustments to the regular program that are reasonable and responsive to the student's temporary pregnancy status, such as a larger desk, frequent trips to the bathroom, or elevator access.

Atlantis is committed to working with and supporting pregnant and parenting students, and when appropriate, their families, so that students can remain successfully in school and graduate.

TRANSGENDER AND/OR GENDER NONCONFORMING STUDENTS POLICIES AND GUIDELINES

Atlantis Charter School is committed to fostering a safe and inclusive learning environment for all students by ensuring all classrooms, programs, and activities are free from bias and discrimination on the basis of sex, sexual orientation, and gender identity. This document outlines Massachusetts law and Atlantis Charter School policy as it relates to supporting transgender and gender nonconforming students.

Definitions:

Understanding the terminology associated with gender identity is important to providing a safe and supportive school environment for all students. The definitions provided below are not intended to label or limit students' individual identities or experiences, but rather to assist in building understanding and the district's legal obligations. Although these are the most commonly used terms, students may or may not choose to use these terms to describe their gender identity, appearance, or behavior.

- **Gender Identity:** Defined under Massachusetts law as “a person’s gender-related identity, appearance, or behavior, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the person’s physiology or assigned sex at birth.”
- **Gender Expression:** The manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.
- **Transgender:** A person whose gender identity or expression is different from that traditionally associated with the assigned sex at birth.
- **Gender Nonconforming:** People whose gender identity and/or gender expression do not conform to traditional societal expectations or norms.
- **Sex Assigned at Birth:** The female or male label that is assigned by a doctor at birth based on the genitals a person is born with.
- **Queer:** While historically and sometimes currently considered an offensive term, “queer” has been reclaimed by many members of the Lesbian, Gay, Bisexual, and Transgender (LGBT) community as a term of empowerment. The term generally refers to a member of the LGBT and/or gender nonconforming community. This term may be used by someone who identifies as a member of the LGBT community, but who does not specifically consider themselves to be lesbian, gay, bisexual, or transgender. Since this term has a negative history, it should only be used to describe individuals who identify themselves as queer and give permission for others to use that term to describe them.
- **Transition:** The process by which a person goes from living and identifying as one gender to living and identifying as another. Transitions may include physical, social, and/or medical processes. Not all transgender or gender-nonconforming people transition or desire to transition in the same way. Transitions are private, and personal information about a transition should not be discussed unless the conversation is initiated and led by the transgender or gender-nonconforming student.

Massachusetts Law and Regulations

All students need a safe and supportive school environment to progress academically and developmentally. It is the responsibility of all Atlantis Charter School administrators, faculty, staff, and students to create and sustain an environment free from bias-based conduct, discrimination, or harassment on the basis of sex, sexual orientation and/or gender identity/expression and to ensure equal rights of access and equal enjoyment of the opportunities, advantages, privileges, and courses of study.

Names, Pronouns, and Student Records

Transgender and/or gender nonconforming students sometimes choose to change the name assigned to them at birth to a name that is associated with their gender identity. In order to create a safe and supportive environment for transgender students, the school will engage with the student to create a plan to initiate that name and pronoun use within the school, including communication to peers, parents/guardians, and school records.

If a transgender and/or gender nonconforming student wishes to be referred to their chosen name and pronouns that reflect their gender identity, it is Atlantis Charter School's expectation that all staff does so. If staff or students demonstrate an unwillingness or challenge with referring to transgender and/or gender nonconforming students by their chosen name and pronouns, the school administration team will intervene to address the issue.

It is important for the school to follow the student's lead in what information is shared and with whom, including parents/guardians. There are a variety of reasons a student may not want to or feel safe sharing gender transition information with family members. If the student does not wish for their parents/guardians to know they are going by their chosen name and pronouns at school, staff members will respect the student's wishes and adapt accordingly in communicating home. This may mean referring to the student by their birth name and pronouns associated with their sex assigned at birth when communicating with parents/guardians.

Atlantis Charter School recognizes that a transition is an ongoing process and frequent check-ins with the student are essential in ensuring the school remains a safe learning environment and the staff are up to date on relevant information. Staff members that work regularly with a transgender or gender nonconforming student will receive updates through the grade level Student Adjustment Counselor or another identified point person. These updates may include information about name changes, pronoun changes, and updates on family partnership.

Massachusetts' law recognizes common law name changes, and an individual may adopt a name that is different from the name that appears on their birth certificate, provided the change of name has no fraudulent reason. When the school receives a request to change records for a student's name and gender, the school should accurately record the student's chosen name and gender on all school-based records. A court-ordered name or gender change is not required. For transgender students, a documented gender marker should reflect the student's gender identity, not the student's sex assigned at birth.

Transgender students that transition after having transferred or graduated from the school may ask to amend school records, diploma, and/or transcripts that include the student's birth name and sex assigned at birth.

Privacy and Confidentiality of Student Records

Under Massachusetts law, information about a student's assigned sex at birth, gender transition, name change associated with transition, medical or mental health treatment related to gender identity, or any other related information is part of the individual's student record (for more information, see the Massachusetts Student Records Regulations, 603 CMR 23.00). Student records are confidential and must be kept private and secure, except in limited circumstances, such as when authorized school personnel require the information to provide administrative, teaching, counseling, nursing, or other services to the student in the performance of their official duties. Authorized personnel may include, but are not limited to, individuals such as the principal, school nurse, classroom teacher(s), social worker, and/or guidance counselor.

When a student new to a school is using a chosen name, the birth name is considered private information and may be disclosed only with authorization as provided under the Massachusetts Student Records Regulations. If the student has previously been known at school and/or in school records by their birth name, school personnel must use the student's chosen name. School personnel should not disclose information that may reveal a student's transgender status or gender nonconforming presentation to others, including other parents and other school personnel, unless legally required to do so, for safety reasons, or if the student and/or guardian has authorized such disclosure.

Every effort should be made to update student records with the student's chosen name and gender identity, and records with the student's birth name and sex assigned at birth should not be circulated. Records with the student's birth name and sex assigned at birth should be kept in a separate, confidential file.

Transgender and gender non-conforming students have the right to discuss and express their gender identity and expression openly and to decide when, with whom, and how much information to share. A student who is 14 years of age or older, or who has entered the ninth grade, may consent to disclosure of information from

their student record. If a student is under 14, and is not yet in the ninth grade, the student's parent/guardian alone has the authority to decide on disclosures.

At Atlantis Charter School, upon receiving a request for changes in a student's school records as it pertains to gender identity and name change associated with transition, the school will take the following steps:

- Obtain the student's request in writing, if possible, although this is not required to change student records. If a written request is received, the documentation is to be given to the Principal (or designee), to be kept secure and confidential. The school will work to engage with the student's parent/guardian as much as possible in order to ultimately support the student. However, the decision and power to change a transgender and/or gender nonconforming student's name and gender identity lies solely with the student.
- The Principal (or designee), will contact the relevant people to change the student's name and gender on the records and documents below:
 - **PowerSchool:** The Executive Assistant will change the student's name and gender
 - **Student Record Files:** The Student Records Clerk will create a new file for the student with the chosen name. Student file with the student's birth name will be separated and given to the Principal (or designee).
 - **IEP, 504, ELL Records:** If the student is receiving special education services, the Special Education Records Clerk, or the 504 Coordinator, will create a new file for the student with the chosen name and edit the student records on ESped. If the student is an English Language Learner, the ELL Coordinator will create a new file for the student with the chosen name. Student files with the student's birth name will be separated and given to the Principal (or designee).
 - **Academic Files/Trackers:** Any documents or files, including internal assessment trackers, RTI files, attendance trackers, will be changed to reflect the student's chosen name. Any physical documents will be separated and given to the Principal (or designee).
 - **Technology Accounts:** The Technology Integration Specialist will change existing accounts to reflect the student's chosen name and gender identity. Any documents or reports with their birth name and sex assigned at birth will be confidential.
 - **Health Documents:** The School Nurse will create a new folder for the student's medical files with the chosen name and gender identity. Medical files with the student's birth name and sex assigned at birth will be separated and kept in the Health Office
 - **Classroom Documents:** Teachers will change any documents, signs, student accounts, or trackers used in their classroom to reflect the student's chosen name and gender identity. Any materials with the student's birth name and sex assigned at birth should be destroyed or given to the Principal (or designee).
 - **SAC Records:** Student Adjustment Counselors will create a new notes document and/or folder for the student with the chosen name. Any documents with the student's birth name will be separated and given to the Principal (or designee).
 - **College Board** (high school only): College Board profiles can be changed by the student by directly contacting College Board
 - **Naviance** (high school only): Naviance student records update with PowerSchool
- The Principal (or designee) will oversee the records change process and check in with the appropriate people to ensure follow through. All documents with the student's birth name and sex assigned at birth is to be given to the principal (or designee). The Principal (or designee) will compile all documents and keep in a locked file cabinet in the Student Records office apart from general student records.

Restrooms, Locker Rooms, and Changing Facilities

In accordance with Massachusetts law, all students are entitled to have access to restrooms, locker rooms, and changing facilities consistent with the student's gender identity. In meeting with the student and parent/guardian, when applicable, the school and student will address the student's access to the restrooms, locker room, and changing facilities.

Each situation must be reviewed and addressed based on the particular circumstances of the student and the school facilities. In all cases, the student has the right to access the restroom, locker room, and changing facility that corresponds to the student's gender identity. While some transgender and/or gender nonconforming students may want that arrangement, others may not be comfortable with it. Transgender and/or gender non-conforming students that prefer not to use a sex-segregated restroom should be provided with a safe and adequate alternative, such as a single "unisex" restroom or the nurse's restroom. The single-user facility, however, may not be given as the only option for transgender and/or gender nonconforming students.

Some students may feel uncomfortable with a transgender and/or gender nonconforming student using the same sex-segregated restroom, locker room, or changing facility. This discomfort is not a reason to deny access to the transgender and/or gender nonconforming students. School administrators, teachers, and counseling staff will work with students to address the discomfort, foster understanding, and create a school culture that respects and values all students.

Physical Education Classes and Athletic Activities

Where there are sex-segregated classes or athletic activities, including intramural and interscholastic athletics, all students must be allowed to participate in a manner consistent with their gender identity. The Massachusetts Interscholastic Athletic Association will rely on the gender determination made by the student's district; it will not make separate gender identity determinations.

Dress Codes and Uniforms

Transgender and/or gender nonconforming students have the right to dress in a manner consistent with their gender identity and/or expression. The Atlantis Charter School dress code is not gender specific, and students have the choice to choose and wear uniform items consistent with their gender identity and/or expression. School staff must not enforce the dress code more strictly against transgender and/or gender nonconforming students than other students nor make inappropriate comments regarding a student's choice in clothing.

Notification

If students share information with a staff member regarding their gender identity and/or expression, it is important to keep this information confidential and ensure that the student is in control of creating the transition plan at school. It is also important for the student to know their rights and all of the ways that the school can support in the transition. When a student discloses information, Atlantis will consider the following:

- Invite the student's Student Adjustment Counselor (SAC) into the conversation with the student's permission. SACs can be a valuable support for the student, as well as serve as experts on both the policies and school procedures.
- With the student's permission, disclose information to the Principal. The Principal can be the primary administrator to oversee any changes to student records and any issues that may arise with other students and/or staff members.
- Gather information about chosen name and pronouns
- Identify who the student feels safe sharing with (family, peers, teachers, admin, whole school, etc.) and what/how much they feel safe sharing
- Make student aware of their rights at school and the policies and procedures outlined above
- Create a plan for:
 - Change in student records, if applicable
 - Restrooms, locker rooms, and changing facilities
 - Uniform changes
 - Extracurricular activities and/or athletics, if applicable
 - Regular check-ins with a SAC or identified staff member to ensure that the student feels supported and there are opportunities to adapt the student support plan as needed

Gender-Based Activities, Rules, Policies, and Practices

School should evaluate all gender-based policies, rules, and practices, and maintain only those with a clear and sound pedagogical purpose. Gender-based policies, rules, and practices can have the effect of marginalizing, stigmatizing, and excluding students, including gender nonconforming students.

Whenever students are separated by gender in school activities or are subject to an otherwise lawful gender-specific rule, policy, or practices, students must be permitted to participate in such activities or conform to such rule, policy, or practice consistent with their gender identity.

MILITARY CONNECTED STUDENTS POLICY

As a result of the passage of the Valor Act of 2012, Massachusetts became a member of the Military Interstate Children's Compact Commission or MIC3. In accordance with the Valor Act and MIC3, the Massachusetts Department of Elementary and Secondary Education is committed to provide support and assistance to the students of active duty military families. We work to ensure the timely enrollment and graduation of this mobile population. The Atlantis Charter School Military Connected Students Policy addresses the following components.

Eligible Students:

A student qualifies under the Act if, the child is school aged and his or her parent(s) is:

- i. An active duty member of the uniformed services ;(An individual with full time duty status in the active uniformed services of the United States, including members of the National Guard and Reserves on active duty; The Army, Navy, Marines, Air Force, Coast Guard, Commissioned Corps of the National Oceanic and Atmospheric Administration (NOAA), and the Public Health Services)
- ii. Member or veteran of the uniformed services who are severely injured and medically discharged or retired for a period of 1 (ONE) year after medical discharge or retirement; and
- iii. Member of the uniformed services who died on active duty or as a result of injuries sustained on active duty for a period of 1 (ONE) year after death.

Student Transferring Out of Atlantis:

1. Transfer of academic records

- Atlantis will send the records within 10 (ten) days upon request from the school in the receiving state.

2. Transfer of immunization records

- Atlantis will transfer immunization records within 30 (thirty) days from the date of enrollment.

3. Official education records unavailable at the time of transfer

- If official education records cannot be released to the parents for the purpose of the transfer, the Atlantis Records Clerk shall prepare and furnish to the parent a complete set of unofficial education records containing uniform information as required by the Interstate Commission. The receiving state school shall enroll and place the student based on information in the unofficial records, pending the official records.

Student Transferring into Atlantis:

1. Student Enrollment and Placement

- Students should be allowed to continue enrollment in the grade level from the local education agency in the sending state at the time of transition, regardless of age. If the student transfers between school years and has met the prerequisites in the sending school for advancement, he or she shall be placed in the next highest-grade level of the receiving school.
- Atlantis should initially honor placement of the student into educational courses based on the student's enrollment in the sending school or educational assessments conducted at the sending school if courses are offered and space is available. These courses include, but are not limited to:

- i. Honors;
 - ii. International Baccalaureate;
 - iii. Advanced Placement; and
 - iv. Vocational, Technical, and Career Pathway Courses.
- The school must also initially honor placement of like programs to those of the student in the sending state, including, but not limited to:
 - i. Gifted and Talented Programs; and
 - ii. English as a Second Language Programs.
- Atlantis is not precluded from performing subsequent evaluations to ensure the appropriate placement and continued enrollment of the student in courses and programs.
- Students who transfer with special needs must be accommodated within the federal requirements of the Individuals with Disabilities Education Act (IDEA). Under the federal statute, Atlantis must provide comparable services to the student based on:
 - i. Student's current Individualized Education Plan (IEP);
 - ii. Requirements of § 504 of the Rehabilitation Act; and
 - iii. Title II of the Americans with Disabilities Act.
- Atlantis shall make reasonable accommodations and modifications to address the needs of the incoming student with disabilities to provide equal access to education.
- Atlantis is not precluded from performing subsequent evaluations to ensure special needs placements are appropriate.
- Extracurricular activities
 - i. State and local education agencies shall facilitate inclusion in extra- curricular activities regardless of deadlines; to extent the students are otherwise qualified.

Enrolled Student:

1. Role in course/program placement

- Atlantis administrative officials shall have flexibility in waiving course or program prerequisites or other preconditions for placement to ensure continuity.

2. Prolonged Student absences

- Atlantis may grant additional excused absences at the discretion of the District Leader or designee for the student to visit with a parent or legal guardian on leave, preparing for, or returning from deployment.

3. Facilitating on-time graduation

- Atlantis administrative officials shall waive specific courses required for graduation if similar course work has been satisfactorily completed in another local education agency.
- If an Atlantis administrative official denies the waiver, they must provide reasonable justification for denial.
 - i. Should a waiver not be granted to a student who would otherwise graduate from the sending school, Atlantis shall provide an alternative means of acquiring required coursework so that graduation may occur on time.

4. Graduation standards (cannot be met in receiving school)

- If the student transfers in grade 12, the receiving school should ensure the receipt of a diploma from the sending LEA if the student has met those graduation requirements.
- If the sending state is not a member of the interstate compact, best efforts must be used to facilitate graduation.
- If a high school student in a military family **moves from another state** and enrolls in a Massachusetts high school in grade 11 or later, Atlantis may, in lieu of having the student participate in MCAS retests, submit to the Department **alternative evidence** or information that demonstrates that the student has met the Massachusetts CD graduation standard in each required content area—English language arts, mathematics, and science and technology/engineering.

FOSTER CARE TRANSPORTATION PROCEDURES AND GUIDELINES

In an effort to provide greater educational stability for Foster Care students, the provisions of the Every Student Succeeds Act (ESSA) clearly state that a child in Foster Care may remain in his or her school of origin if that is determined to be in the child's best interest. However, if it is determined to be in the child's best interest to be enrolled in a new school, the child must be immediately enrolled, and the new school will promptly contact the school of origin to obtain necessary records. Additionally, the local education agencies (LEAs), the state education agencies (SEAs), and the child welfare agencies must collaborate to develop and implement clearly written procedures for how transportation will be provided, arranged, and funded for the duration of a child's time in Foster Care.

Atlantis Charter School has developed the following procedure for offering transportation to Foster Care students who move from their school of origin to another school/district:

- Designated school personnel have been trained in the district's Foster Care protocols. Appropriate personnel have been given contact information for the Foster Care Liaison. The parent may contact school district personnel or the Foster Care Liaison to inquire about transportation opportunities.
- ESSA ensures that collaborative efforts must be implemented to determine what is best for the Foster student. Ensuring that providing transportation to the Foster student's school of origin is in the *best interest* of the student should be determined by these *best interest* considerations:
 - Time of placement change
 - Type of transportation options available
 - Flexibility in school schedule
 - Impact of extracurricular activities on transportation options
 - Maturity and behavioral capacity of the Foster student

Additional factors when deciding on an appropriate mode of transportation:

- The child's safety
 - The length and distance of the commute
 - All available transportation options
 - Community resources
- After a request for transportation is submitted to the Foster Care Liaison, a committee consisting of appropriate personnel will determine if transportation is in the best interest of the Foster Care student. The committee may consist of, but not limited to, the Foster Care Liaison, a school counselor, a school administrator, and the caseworker or DCS personnel, as deemed appropriate.
 - After transportation requests have been processed, the Foster Care District Liaison will report the decision to the Foster parent. If it is determined by the committee that transportation is in the best interest of the student then the Foster Care District Liaison will put in a transportation request to the Director of Transportation. The Director of Transportation will contact the Transportation Department and set up the transportation by providing them with the necessary information for the student. The Transportation Department will contact the guardian to set up the pickup and drop off times and location.

The Atlantis Charter School's Foster Care District Liaison is Mary-Beth Souza and she can be reached at 508-646-6410, extension 1063.

HOMELESS EDUCATION POLICY AND GUIDELINES

The McKinney-Vento Homeless Assistance Act (McKinney-Vento Act) ensures homeless children and youth have equal access to the same free and appropriate public education, including a public preschool education, as provided to other children and youths. To the extent practical, and as required by law, the district will work with homeless students and their families to provide stability in school attendance and other services. Homeless students will be provided district services for which they are eligible, including Head Start and comparable Pre-School programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs gifted and talented programs and school nutrition programs. It has most recently been reauthorized under the Every Student Succeeds Act of 2015 (ESSA). The Atlantis Charter School's Homeless Education Policy addresses the following key components of the McKinney-Vento Act:

Definition of Homeless Children and Youth

The term "homeless children and youth" are individuals who lack a fixed, regular, and adequate nighttime residence.

This definition shall include:

1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals.
2. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
4. Migratory children (as defined in section 1309 of the Elementary and Secondary Education Act of 1965, as amended) who qualify as homeless because they are living in circumstances described above.

Designation of a Homeless Education Liaison

(A current list of Liaisons is available on the Department of Education (DOE) web site: www.doe.mass.edu)

1. The Atlantis Charter School will designate a staff person whose role will be in part to ensure that homeless students enroll in school and that they receive the educational and other services for which they are eligible and ensure that:
2. homeless students are identified by school personnel and through coordination with other agencies;
3. homeless students enroll in, and have full and equal opportunity to succeed in school and to meet the same challenging state academic standards as other students, and receive educational services for which they are eligible;
4. homeless families, children and youth have access to and receive educational services for which they are eligible, including Head Start, Even Start programs and preschool programs administered by the local educational agency;
5. homeless families, children and youth receive information and referrals for health care, dental services, mental health and other appropriate services in the community;
6. parents or guardians are informed of educational and related opportunities, such as access to school nutrition programs, available to their children, and are provided with meaningful opportunities to participate in the education of their children;
7. public notice of the educational rights of homeless students and the district's adopted Homeless Education Policy are disseminated where children and youth receive services such as schools, family

- shelters, food pantries, health clinics and where families, children, and youth are ordinarily informed of school policies such as student handbooks, school newsletters or school websites;
8. enrollment disputes are mediated and resolved;
 9. parents, guardians, and unaccompanied youth are fully informed of all transportation services, including to and from the school of origin, and are assisted in accessing needed transportation services;
 10. district staff providing services to homeless students receive professional development and other support;
 11. unaccompanied homeless youth are enrolled in school, have opportunities to meet the same challenging state academics standards as other students, are informed of their status as independent students, and are provided with verification of that status for the Free
 12. Application for Federal Student Aid (FASFA);
 13. there is coordination and collaboration with the office of the state coordinator, the local community, service providers and school personnel providing education and related services to homeless families, children and youth;
 14. reliable, valid, and comprehensive data is collected and reported to the state coordinator; and
 15. upon receiving appropriate training, will provide homeless families, children, and youth who meet eligibility requirements for services from the Department of Housing and Community Development, verification of homelessness.

The Atlantis Charter School's Homeless Education Liaison is Mary-Beth Souza and can be contacted at 508-646-6410 extension 1063.

School Placement

In determining the best interest of the child or youth Atlantis shall:

- Presume keeping the student in the school of origin is in the student's best interest except when doing so is contrary to the request of the parent, guardian or unaccompanied youth; and
- Consider student-centered factors related to the student's best interest including factors related to the impact of mobility on achievement, education, health, and safety of homeless students, school placement of siblings, giving priority to the request of the parent, guardian, or unaccompanied youth

Atlantis' Homeless Liaison considers the student's best interest in all meetings that it is involved with.

According to the best interest of the homeless student, the district either

- Continues the student's education in Atlantis Charter School for the duration of homelessness in any case in which a family becomes homeless between academic years or during an academic year; and for the remainder of that academic year, if the child or youth becomes permanently housed during an academic year; or
- If it is decided that student will not remain in the Atlantis Charter School, then the Homeless Liaison or designee will assist in enrolling the student in the district in which the student is residing
- In the case of unaccompanied youth, the Homeless Liaison or designee will assist in placement or enrollment decisions considering the requests of such unaccompanied youth.

Atlantis will continue the education of any student who is deemed in his/her best interest to attend Atlantis Charter School according to the regulations.

Transportation

Homeless students are entitled to transportation at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison) to their school of origin or the school where they are enrolled.

Also, transportation will be provided:

- if the homeless student continues to live in the area served by the district in which the school of origin is located, that district must provide or arrange transportation if needed;
- if the homeless student moves to an area served by another district, though continuing his or her education at the school of origin, the district of origin and the district in which the student resides must agree upon a method to apportion responsibility and costs for transportation to the school of origin; and
- if the districts cannot agree upon such a method, the responsibility and costs must be shared equally.

If the request for transportation is made the Homeless Education Liaison will put in a transportation request to the Director of Transportation. The Director of Transportation will contact the Transportation Department and provide them with the necessary information for the student. The Transportation Department will contact the parent/guardian to set up the pickup and drop off times and locations.

The Homeless Education Liaison will ensure that the parent or guardian of a homeless student, and any unaccompanied homeless youth, is fully informed, in the language of the home, of all transportation services, including transportation to the school of origin, and is assisted in accessing transportation to the school selected.

Enrollment

A homeless student is considered eligible to apply regardless of residency documentation. Based on the charter school enrollment policies if there is an available seat then the school must immediately enroll homeless students in school to provide educational stability and avoid separation from school for days or weeks while documents are located. Therefore, homeless education liaisons must ensure that:

- students who chose to enroll in school where they are temporarily residing must be enrolled immediately, even if they do not bring the records usually required for enrollment with them;
- if a homeless student arrives without records, the previously attended school district is contacted and the required records requested;
- that homeless students are attending school while the records are being requested;
- districts remove barriers to homeless students receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school; and
- information about a homeless student's living situation shall be treated as a student education record and not be deemed to be directory information and therefore cannot be shared with the public including landlords.

Disputes

If there is a school selection or enrollment dispute, the student shall immediately be enrolled in the school in which enrollment is sought, pending resolution of the dispute. Unaccompanied youth will also be enrolled pending resolution of the dispute.

The parent or guardian shall be informed of the district's decision and their appeal rights in writing. The Atlantis Charter School District's Homeless Liaison will carry out dispute resolution as provided by state rule.

Resources:

More information regarding the McKinney-Vento Homeless Education Assistance Act can be found at:

- Department of Education (DOE) website: www.doe.mass.edu
- National Coalition for the Homeless website: www.nationlhomeless.org
- United States Department of Education website:
www.ed.gov/programs/homeless/guidance.pd

SCHOOL INFORMATION IN PARENTS'/GUARDIANS' FIRST LANGUAGE

School information is available in the parents'/guardians' first language upon request. Please contact the Records Clerk at 508-646-6410.

GRADING

A student at Atlantis needs a minimum grade average of 70 [C-] to pass each class. The following scales are used for grading at ACS.

Kindergarten and Grades 1-2

Score	Descriptor
4	Student is exceeding the standard. Student demonstrates in-depth understanding of the material by completing advanced applications of the material.
3	Student is meeting the standard. Student shows independent understanding of the standard.
2	Student is making progress towards the standard but is not yet meeting the standard. Student shows partial understanding of the standard.
1	Student is not yet meeting the standard and struggles to show independent understanding of the standard.

Grades 3 - 12

Letter Grade	Numerical Range
A+	100-98
A	97-94
A-	93-90
B+	89-88
B	87-84
B-	83-80
C+	79-78
C	77-74
C-	73-70
F	0-69

Score	Descriptor
A+ 100-98	Demonstrates comprehensive and in-depth understanding of rigorous subject matter
A 97-94 A- 93-90	Demonstrates an excellent understanding of rigorous subject matter.
B+ 89-88 B 87-84 B- 83-80	Demonstrates a solid understanding of challenging subject matter.
C+ 79-78 C 77-74 C- 73-70	Demonstrates average understanding of subject matter.
F 69-65 F 64-0	Demonstrates limited understanding of subject matter. Does not demonstrate understanding of subject matter.

For updated averages, please refer to the Powerschool Parent Portal. We encourage all families to routinely check Powerschool to remain up to date on their child's grades. If you need support logging in to Powerschool, please contact Vivian Carreiro at vcarr@atlantiscs.org or 508-646-6410. If you have questions or concerns about your child's grades, please contact your child's teacher directly.

For information regarding high school grade point average, course weighting, class rank, transfer credits and/or credits earned at colleges and universities, please refer to the 2023-24 Program of Studies.

HONOR ROLL (PER QUARTER)

Highest Honors:	95 or above in all subjects including specials.
High Honors:	90 or above in all subjects including specials.
Honors:	85 or above in all subjects including specials.

PRESIDENT'S EDUCATION AWARDS PROGRAM

Membership in the President's Education Awards Program, sponsored by the U.S. Department of Education, is one of the highest honors that can be awarded to a student. It was developed to help school leaders recognize and honor students who have shown outstanding educational growth and improvement in their academic subjects. The Atlantis Charter School participates in recognizing students in Grades 4-6 as well as Grade 9 who have attained exemplary academic accomplishments along with good citizenship.

The Presidential Award for Achievement (Grades 4-6) and Excellence (Grade 9) have the following criterion; students must attain a year to date grade of 90 in every subject (including specials, e.g. gym, art, computer classes, etc.) with no grade less than 80 for the first three quarters; students are permitted one administrative detention for the academic year and no instances of an in-school or out-of-school suspension for the entire school year. Please note that the awards ceremony will take place prior to the end of the school year, as such, students are required to adhere to all criterion listed above for the remainder of the school year (including Quarter 4) in order to keep Presidential Award status. Should a student fail to maintain the academic and citizenship standards set forth above, after the awards ceremony takes place, they will be removed from Presidential Award status.

NATIONAL JUNIOR HONOR SOCIETY

The National Junior Honor Society (NJHS) is duly chartered nationally as a prestigious society to recognize students in Grades 7-8 who meet the required standards in five areas of evaluation: scholarship, service, leadership, character, and citizenship. Ten (10) hours of community service is required. Community service hours must be completed by the designated date set forth by the Chapter Adviser. This information will be provided to parents and students upon notification of eligibility. Students not meeting the community service requirements by the deadline will not be inducted.

For entry into the Society, students must attain a scholastic grade of 90 in every subject (including specials, e.g. gym, art, computer classes, etc.) with no grade less than 80 for the first three quarters; students are permitted one administrative detention for the academic year and no instances of an in-school or out-of-school suspension for the entire school year. Qualified candidates will be formally invited to a formal NJHS induction ceremony in their honor; in subsequent years members of NJHS will be participants in this ceremony but will not be inducted once more. For continued participation in NJHS in subsequent years, students must meet all of the stringent requirements for academics and behavior. Please note that the awards ceremony will take place prior to the end of the school year, as such, students are required to adhere to all criterion listed above for the remainder of the school year (including Quarter four) in order to keep NJHS status. Should a student fail to maintain the academic and citizenship standards set forth above, after the awards ceremony takes place, they will be removed from NJHS status.

NATIONAL HONOR SOCIETY

The National Honor Society (NHS) is duly chartered nationally as a prestigious society to recognize students in Grades 10-12 who meet the required standards in four areas of evaluation: scholarship, service, leadership, and character. Ten (10) hours of community service is required. Community service hours must be completed by the designated date set forth by the Chapter Adviser. This information will be provided to parents and students

upon notification of eligibility. Students not meeting the community service requirements by the deadline will not be inducted.

For entry into the Society, students must have a scholastic grade point average of no less than 3.5 on a 4.0 scale with no grade less than 80 for the first three quarters; as well as having only one instance of an administrative detention for the academic year and no instances of an in-school or out-of-school suspension for the entire school year. Qualified candidates will be formally invited to a NHS induction ceremony in their honor; in subsequent years members of NHS will be participants in this ceremony but will not be inducted once more. For continued participation in NHS in subsequent years, students must meet all of the stringent requirements for academics and behavior. Please note that the awards ceremony will take place prior to the end of the school year, as such, students are required to adhere to all criterion listed above for the remainder of the school year (including Quarter 4) in order to keep NHS status. Should a student fail to maintain the academic and citizenship standards set forth above, after the awards ceremony takes place, they will be removed from NHS status.

PARENT-TEACHER CONFERENCES

Conferences are an important part of communicating about a student's progress. One parent-teacher conference is required after the second quarter marking period. Additional conferences with administrative staff or faculty may be arranged at any time. Please call the school to set up an appointment. A teacher or parent may request that the Principal or designee attend a conference.

ACADEMIC SCREENING

Our teachers have many ways to check your child's reading and math development and growth throughout the school year, including a universal math and reading screening assessment called STAR. All students in grades 1-12 participate in these assessments three times throughout the school year (Fall, Winter and Spring) and Kindergarten students participate two times a school year (Winter and Spring). Following the screening assessment, a team at our school will review all students' results to help us understand which students may need additional support to be successful in reading and math.

Early Literacy screening for students in grade K-3 makes it possible to see if a student is at risk of developing reading difficulties, including risk of dyslexia. Screening does not diagnose dyslexia or other disabilities, but it does help us understand which students may need additional support to be successful readers. We are required to assess students in grades K-3 at least twice per year consistent with Massachusetts regulation 603 CMR 28.03(1)(f). All students in grades K-3 will be assessed using the DIBELS.

In Winter and Spring parents/guardians will receive a family report that provides an overview of their child's results. If your child scores "significantly below benchmarks," the school will contact you within 30 school days of testing, to discuss how we can support your child.

Please reach out if you would like additional information.

- For questions about the early literacy universal screening K-3 and Reading/Math screening 3-6, contact, Corrie Marchand, K-6 Principal 508-672-1821 or for grades 7-12, Daniel Bossolt, 7-12 Principal 508-646-6410
- For questions about your child's individual testing results, contact your child's teacher.

PROMOTION REQUIREMENTS

In order to be promoted to the next grade level, students must meet the following requirements for their grade level. Failure to meet these requirements will result in a student being retained in the grade level.

Additionally, the school reserves the right to retain any student who is absent for 20% or more of the academic school year regardless of whether or not the absences are excused or unexcused.

Lower School:

- Grade K - 2: Students receiving a total of six or more 1s in Literacy, six or more 1s in Mathematics, at the end of the academic school year will be considered for retention.
- Grades 3 - 6: Students must receive a passing grade in Literacy and in a minimum of two out of the other three core academic subjects (Mathematics, Science, and Social Studies) to be promoted to the next grade level. Students who fail Literacy or two other major subject areas will be considered for retention.

Upper School:

- Grades 7 - 8: Passing grade in ELA and in a minimum of two out of the other three core academic subjects (Mathematics, Science, and Social Studies)
- Grades 9 - 12: Promotion to the next grade level is determined by the credits received in the previous academic year. Students are placed in the homeroom that is aligned with their status.
 - ❖ Students must have a minimum of 16 credits to achieve sophomore status
 - ❖ Students must have a minimum of 32 credits to achieve junior status
 - ❖ Students must have a minimum of 48 credits to achieve senior status
 - ❖ Students must have a minimum of 64 credits to be eligible for graduation
- Credit recovery will be available for students who are in danger of not meeting graduation requirements within the student's established 4 year timeline and through the school's course progression. If a student fails 3 or more subjects, they will not be eligible to participate in the summer credit recovery program.

Please refer to the 2024-2025 Program of Studies for further information on high school course offerings and specific graduation requirements.

PROGRESS REPORTS

Students in grades 3-12 will receive electronic progress reports every five weeks at the mid-quarter mark. These reports will indicate whether your child is in danger of failing a course (grade less than 70). It is important that the school has a correct email address on file for each student's parent.

REPORT CARDS

Report Cards are issued four times per year to students in grades 1-12 at the end of each Quarter. Kindergarten students will receive three report cards, at the end of quarter 2, quarter 3, and quarter 4. Parents/guardians will receive their child's Report Card electronically. It is important that the school has a correct email address on file for each student's parent.

STUDENT RECORDS POLICIES

Students who have reached their fourteenth (14th) birthday or entered the 9th grade, whichever comes first, may see their student records. The Principal or his/her designee must let such students see their entire student records within two (2) days of the request.

Students who have reached the age of majority (18+) are able to sign all student records on their behalf, including, transferring themselves out of school.

ATTENDANCE POLICY

It is the philosophy of Atlantis Charter School and its staff that regular attendance in all classes is essential to the learning process and establishes good work habits. Therefore, parents/guardians have an ethical and legal responsibility to ensure that their child or children are in attendance and on time. By encouraging attendance and promptness, it will create self-discipline and responsibility that will prepare our students for the demands of the future. It affirms that students will be aware that tardiness, cutting, excessive absence and/or truancy will jeopardize their success in school and beyond.

KEY TERMS

Present: According to DESE's Attendance and Dropout Reporting Guidance, a student must be at school, at a school related activity, or receiving academic instruction for at least half of the school day to be counted as present. "Receiving academic instruction" includes in-person classroom learning as well as tutoring, online or distance learning. "Receiving academic instruction" does *not* include taking home classwork or doing homework.

Absent: A student who is not present is considered absent from school. It is up to the district to determine the way in which absences are identified and recorded (excused or unexcused)

Chronic Absence: DESE reports chronic absenteeism as the percentage of students missing 10 percent or more of their days in school regardless of whether such absences are excused or unexcused.

Habitually Truant: Massachusetts state law (G.L. c. 119, § 21) defines as habitually truant "a school-aged child, not excused from attendance under the lawful and reasonable regulations of such child's school, who willfully fails to attend school for more than 8 school days in a quarter."

Child Requiring Assistance (CRA): Under M.G.L. c. 119, § 21, , a child may be eligible for "Child Requiring Assistance" services through the juvenile court system if the child: repeatedly runs away from the home of a parent or legal guardian; repeatedly fails to obey the lawful and reasonable commands of a parent or legal guardian, thereby interfering with the parent's or legal guardian's ability to adequately care for and protect the child; repeatedly fails to obey lawful and reasonable school regulations; or is "habitually truant." A school aged child is "habitually truant" when not otherwise excused from attendance in accordance with lawful and reasonable school regulations, willfully fails to attend school for more than 8 school days in a quarter. The school can file a CRA in accordance with M.G.L. c. 119, § 21 and/or assist parents with pursuing "CRA" services and supports. Under Chapter 119, section 51A of the Massachusetts General Laws, a report can be filed on behalf of a child under the age of eighteen for educational neglect if a child is not attending school on a regular basis. This report of suspected Child Abuse or Neglect, commonly referred to as a 51A, is filed with the Department of Children and Family Services. By law, school personnel are mandated reporters.

Adult Failure to Cause: Parent or guardian failing to cause school attendance under MGL. ch. 76, section 2, which states in part: "Every person in control of a child described in section one shall cause him to attend school as therein required, and, if he fails so to do for seven day sessions or fourteen half day sessions within any period of six months, he shall, on complaint by a supervisor of attendance, be punished by a fine of not more than twenty dollars". Other consequences may include a 51A investigation or a care and protection action.

51A: Atlantis Charter School staff are considered mandated reporters. Mandated reporters are required to report any suspected child abuse or neglect (51A Reports) to the Department of Children and Families (DCF).

IMPORTANT INFORMATION

Attendance shall be taken in every class and each absence shall be recorded by teachers. It is the responsibility of the student to make up classwork missed during any absence. In accordance with our below make-up work policy, students will have one day for every day absent up to 5 days to make up any missed work. If there are extenuating circumstances it is the responsibility of the parent/student to communicate with administration to discuss the potential for extended time. Excessive absences which have a negative effect on test scores, class participation, or other criteria used by the class-room teacher to establish satisfactory performance often jeopardize a student's promotion, graduation and/or successful course completion.

Parents will be notified of a student absence via automated phone call the day of the absence. In addition, parents will be notified via email when a student reaches 5, 10, 15, 20 absences throughout the school year as well as in the Quarterly Report Cards. Chronic absences (excused or unexcused) may result in the below Attendance Intervention Process. Parents are always welcome to contact the school for an attendance update.

Students who are absent from school will not be allowed to participate in any after school activities, sports, or after school sponsored events on the day of the absence (students absent on Fridays will not participate in any event until being present in school the following week). In extenuating circumstances, the administration has the discretion to override this provision of the policy.

Perfect attendance criteria for awards, or other school related events or matters, refers to a student being in school on time, without dismissals or tardiness, each day that school is in session. A student will not receive perfect attendance if there has been an absence, dismissal, or tardy, even if it is excused.

ABSENCES

The parent/guardian should call ACS between 6:00 a.m. and 7:30 a.m. In the event that the secretary is not available to take the call, parents/guardians should leave a detailed message stating the child's name, the date, and a valid reason for the absence. Please note, an automated phone call stating your child is absent will still be sent to All families regardless if a call was received.

Students absent 5 consecutive scheduled school days due to illness will need to provide the school with proper medical documentation of the absences.

Proper documentation from a physician must be submitted to the school nurse within 5 school days from the last day a student is absent and upon the students return to excuse any absences. In the event of excessive excused absences, (even if physician documentation is provided) it is up to the discretion of the school to determine if the absence will be excused. A child who is chronically and habitually absent, truant, dismissed, or tardy with or without valid cause (excused or unexcused) from school may be subject to the below Attendance Intervention Process.

Excused absences include:

- A. Illness- verified with physician's documentation.
- B. Mandated Court Appearances- verified with copy of summons
- C. Religious Holidays – verified in writing by clergy
- D. Death in the family- note from parent/ guardian along with an obituary notice or funeral card

It is the responsibility of the student to make up all work missed due to any type of absence per below make-up work policy. Please see the make-up policy below for further details.

The school reserves the right to retain any student who is absent for 20% or more of the academic school year regardless of whether or not the absences are excused or unexcused.

TARDINESS

Students who arrive late to school or classes are marked tardy. Proper documentation from a physician must be submitted to the school nurse within 5 school days of the initial tardy to be considered excused. Students arriving to school after the following times: **K-6: 11:38 a.m.; 7-12 11:00 a.m.** will be considered absent for the purposes of the attendance policy. Disciplinary action will be taken in the cases of repeated tardiness. See attendance interventions below.

Students are expected to enter school by 8:30 a.m. at the Lower School (K-6). K-6 students will be issued a tardy slip starting at 8:31 a.m. Upper school (7-12) students are expected to enter school by 7:30 a.m. Students in grades 7-12 will be issued a tardy slip starting at 7:31 a.m. Students who are in the building but who are lingering in the Student Center or hallway may be issued a tardy slip at the discretion of administration. Consistent tardiness results in the loss of valuable class time. Punctuality is an important part of education and a valuable life skill.

Other excused tardiness is constituted by:

- A. Doctor's appointments- verified with physician documentation.
- B. Mandated Court Appearances- verified with copy of summons
- C. Religious Holidays – verified in writing by clergy

It is the responsibility of the student to make-up work missed due to tardiness. Please see make-up work policy below.

EARLY DISMISSALS BY PARENT/GUARDIAN

Parents agree not to request that their child be dismissed from school except in an extreme emergency. It is requested that doctor or dentist appointments be scheduled after school if possible. Permission for dismissal is granted when a note, stating the reason for the request and signed by the parent or guardian, is presented to the office no later than the end of homeroom. If a student needs to leave school because of illness, he/she must have the permission of the nurse and his/her parent/guardian. Dismissals for religious purposes also require a note.

No student under the age of 18 years of age may leave school before the end of scheduled classes for any reason without the express consent of his/her parent or guardian and a school official. Students under the age of 18 who drive themselves to school may be dismissed without a parent or guardian physically coming into the building by providing the school with appropriate documentation (i.e. written note, phone call to the main office, or email from a parent/guardian). As needed, a school administrator may verify proof of the dismissal request. Students under the age of 18 cannot early dismiss their younger siblings. For students 18 years of age and older who are dismissing themselves refer to the Age of Majority section of the Student/Parent Handbook.

If a student is dismissed from school he/she will be considered absent for that day if they are dismissed prior to the following times: **K-6 11:38 a.m.; Grades 7-12 11:00 a.m.** Students will be responsible to make-up any missed work due to an early dismissal according to the below make-up work policy.

We request that you do not early dismiss your student after 2:00 pm as it interferes with other dismissal times. Office staff needs to be alerted to emergency dismissals via telephone call or email prior to parent pick-up. Failure to comply with this protocol may result in delaying student dismissal. The receptionist may ask for photo identification from the individual picking up the student. This individual must be listed on the student enrollment form as an approved contact by the child's parents.

FAMILY VACATION

Family vacations scheduled during the school year are strongly discouraged and are considered unexcused absences. Teachers will not provide make-up work ahead of time for any student who is planning on being absent due to a family vacation. School days missed as a result of a family vacation cannot be appealed.

Any student who is absent from school due to a scheduled family vacation during school time, will have one day for each day absent to make up work not exceeding 5 days as per the below make-up work policy.

If a family vacation coincides during high school finals, the student will not be eligible to make up the final and will receive a failing grade. If there are extenuating circumstances, the student must reach out directly to the principal and/or K-12 Attendance Officer to discuss the situation.

MAKE-UP WORK

Upon return to school from an unexcused or excused absence, students are given one day for each day absent, not to exceed 5 days, to make up any missed work. Any work not completed after the allotted time frame will be counted as a zero. It is the responsibility of the student to collect any missed work from their teachers. Parents must contact the Principal or K-12 Attendance Officer to discuss extenuating circumstances that involve medical absences that exceed 5 days. Communication to the Principal or K-12 Attendance Officer must be done within 2 school days to discuss additional time for make-up work. If the parent does not contact the Principal or K-12 Attendance Officer the student will be held to the standard terms of the make-up policy. If there are extenuating circumstances it is the responsibility of the parent/student to communicate with administration to discuss the potential for extended time.

Students who are determined to be cutting class or missing school on their own accord will not be given an opportunity to make up any tests or other assignments given on the day in question. The student will receive a zero (0) for any assignments or assessments that were missed during the time of the truancy.

ATTENDANCE INTERVENTION PROCESS FOR UNEXCUSED ABSENCES GRADES K-12

All attendance infractions are included in students' permanent record

	School Responsibility	Family Responsibility
Daily Absences	<ul style="list-style-type: none">• Daily automated phone call to inform family of every absence• Upon return to school, teacher will provide make-up work to the student as needed.	<ul style="list-style-type: none">• Contact Secretary to report absence• Share Information with School Nurse regarding any illness/symptoms• Share relevant medical documentation (i.e. COVID Test, Physician's recommendation) with School Nurse• Share relevant documentation (death in the family, court appointment, religious holiday) with Attendance Officer• Ensure students are completing make-up work in a timely manner as per the above make-up work policy• Student/parent will communicate with teacher(s) and/or check Google classroom for any missed assignments
Students Missing 5-10% of school	<ul style="list-style-type: none">• See Above• Parent/Guardian may receive written notification via email of attendance status• Homeroom/Advisory teacher (or designee) will contact family via email, text, or phone call to determine what supports are needed• Upon return to school, teacher will provide make-up work to the student as needed.	<ul style="list-style-type: none">• See Above• Communicate regular updates as needed with Teachers/Staff• Inform Attendance Officer of any obstacles related to student attendance

<p>Students Missing 10%-20% of school</p>	<ul style="list-style-type: none"> • See Above • Intense monitoring by Attendance Intervention Team (AIT), which may include Dean of Students, Attendance Officer, Principals, Student Adjustment Counselors, ACS Family and Community Resource Center, Teacher(s), School Nurse, Director of Special Education, and Guidance Counselors • Parent Communication by Attendance Officer or Dean of Students • Possible Attendance Intervention Plan (AIP) implemented. AIPs can include, but are not limited to: <ul style="list-style-type: none"> ○ School Adjustment Counselor referral ○ Fall River Family Resource Center Referral if needed ○ Lunch/Recess or Afterschool Turn Around Session – Dean's Discretion ○ Restorative actions ○ Possible Retention letter ○ Possible/Regular, Home Visit(s) by Attendance Officer ○ Wellness Check by School Resource Officer as needed ○ Possible court referral (CRA) ○ Possible DCF referral • Attendance infractions will be included with student's permanent record 	<ul style="list-style-type: none"> • See Above • Pursue recommended referrals, explore resources to improve attendance situation if applicable • Attend regular Attendance Meetings if applicable • Communicate regular updates with Attendance Officer if applicable
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**ATTENDANCE INTERVENTION PROCESS FOR UNEXCUSED TARDIES/FREQUENT
DISMISSALS GRADES K-12**

All attendance infractions are included in students' permanent record

	School Responsibility	Family Responsibility
15+ Unexcused Tardies/dismissals	<ul style="list-style-type: none"> ● Parent/Guardian(s) notified of attendance status in writing ● Attendance infractions will be included with student's permanent record 	<ul style="list-style-type: none"> ● Contact Secretary to report late arrival or early dismissal as needed ● Share relevant medical documentation (i.e. Doctor's Appointments, Notes) with School Nurse ● Share relevant documentation (death in the family, court appointment, religious holiday) with Attendance Officer ● Ensure students are completing make-up work in a timely manner as per the above make-up work policy. ● Communicate regular updates as needed with Teachers/Staff ● Inform Attendance Officer of any obstacles related to student arrival and/or dismissal
20+ Unexcused Tardies/dismissals	<ul style="list-style-type: none"> ● Intense monitoring by Attendance Intervention Team (AIT), which may include Dean of Students, Attendance Officer, Principals, Student Adjustment Counselors, ACS Family and Community Resource Center, Teacher(s), School Nurse, Director of Special Education, and Guidance Counselors ● Parent Communication by Attendance Officer ● Possible, Home Visit by Attendance Officer ● Possible Attendance Intervention Plan (AIP) 	<ul style="list-style-type: none"> ● See Above ● Pursue recommended referrals, explore resources to improve tardiness and/or frequent dismissals situation if applicable ● Attend regular Attendance Meetings if applicable ● Communicate regular updates with Attendance Officer if applicable

	<p>implemented. AIPs can include, but are not limited to:</p> <ul style="list-style-type: none"> ○ School Adjustment Counselor referral ○ ACS FRC Referral ○ Lunch/Recess or Afterschool Turn Around Session – Dean's Discretion ○ Restorative actions ○ Possible, Home Visit by Attendance Officer ○ Possible DCF Referral <ul style="list-style-type: none"> ● Attendance infractions will be included with student's permanent record 	
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HEALTH OFFICE GUIDELINES

EXCLUSION AND DISMISSAL CRITERIA FOR HEALTH OFFICE

The following is a list of criteria used to determine dismissal and exclusion from school for medical issues. Dismissals and exclusions of a medical nature are decided by the school nurse based on nursing judgment and assessment; and in accordance with The Comprehensive School Health Manual, The Massachusetts Department of Public Health and Massachusetts General Law governing School Health. Students are assessed on a case by case basis.

A student will be excluded if:

- 1) Immunization requirements are not met
- 2) Not in compliance with the physical examination policy
- 3) Pose a risk to the public health due to a communicable disease
- 4) Pose a health risk to themselves or others
- 5) Have a fever over 100 degrees Fahrenheit

A student will be dismissed from school for any of the above reasons and for:

- 1) Injuries that occur in school that require medical assessment and intervention
- 2) Severe illnesses that may include vomiting & diarrhea

Any student out of school for five consecutively scheduled school days must have a physician's note to return to school.

PHYSICAL EXAMINATIONS AND IMMUNIZATIONS

PHYSICAL EXAMS:

A periodic physical examination is critically important for all children and adolescents. Massachusetts General Law c. 71 s. 57 and related amendments and regulations (105 CMR 200.00-200.920) requires physical examinations of school children within six months before entry into school or during the first year after entrance.

- Atlantis Charter School requires physical examinations for Kindergarten entry as well as for third, seventh, and eleventh grades, as mandated by the state due to immunization requirements. Yearly physical examinations should be forwarded to school health offices for student health files.
- Physical examinations are required for students who participate in after school sports. Physicals are to be dated within 13 months of the start of sports season and have clear documentation the student is cleared for participation in sports.
- Students out of compliance with this policy will be excluded from school and/or sports at the discretion of the school nurse and Principal.

SPORTS EXAMINATION REQUIREMENTS

As noted above, physical examinations with clear documentation of student's ability to participate in sports is required by

Atlantis Charter School before a student can practice or play in a game. These must be dated within 13 months of the start of a particular sports season. It is the responsibility of the parent/guardian to obtain and forward physical examination copies to the health office.

IMMUNIZATIONS

Massachusetts immunization regulations specify minimum immunization requirements for enrollment in school (105 CMR 220.00). These regulations are revised periodically to incorporate any changes in requirements. Some required immunizations may be added to, or eliminated accordingly. The law and regulations provide for exclusion of students from school if immunizations are not up to date, but do permit for exemptions for medical and religious reasons.

Atlantis Charter School will follow the Massachusetts regulations as noted above, including excluding students from school. Required immunizations for entry to school may be found on the Massachusetts Department of Public Health website.

PHYSICIAN NOTES

ABSENCE AND TARDY EXCUSES:

In accordance with the Atlantis Charter School attendance policy, physician documentation is required to verify absences and/or tardiness. All documentation must be received within five (5) school days of the last day of the absence in order to excuse the absence.

Any student who is absent for five consecutive scheduled school days, is required to provide documentation from a physician, concerning an illness, before returning to school.

PHYSICAL EDUCATION EXCUSES

Medical excuses are required for those students who cannot participate in physical education classes. A note from the physician, with documentation specifying the diagnosis, length and extent of the excused absence must be submitted to the health office.

STUDENTS REQUIRING ASSISTIVE DEVICES AT SCHOOL

Any student arriving at school with an assistive or immobilizing device, such as crutches, slings, braces, air casts or any other assistive device, should have a doctor's note accompanying them specifying diagnosis, activity restrictions and duration of need for the assistive device. The doctor's note must be submitted to the health office. If the student does not have a doctor's note, the parent/guardian will be contacted to obtain the doctor's note or to pick up the student until the proper documentation is received. This is keeping with the health office's prerogative to exclude a student for the safety of themselves and others. Atlantis Charter School needs to ensure student safety and limit liability in these cases and assure that students are being seen and properly treated.

ILLNESS AND INJURIES AT SCHOOL

In case of an injury, the school nurse will administer first aid. It is the parents' responsibility to pick up their child at school and transport him/her to an appropriate facility, if medical attention is indicated. IF EMERGENCY MEDICAL RESPONSE is needed, every effort will be made to contact parent/guardian. Students are not to leave the school building for reasons of illness or injury unless dismissed by the nurse or by an administrator. Parents are responsible for providing accurate and up to date emergency information to the school. Emergency contact persons must be accessible and able to provide transportation for the student.

Students who leave school because of illness or injury without following this dismissal procedure, will be marked as unexcused from all missed classes. Parents should not remove students from school for reasons of illness or injury unless the nurse or his/her designee has dismissed the student. NO student should appear at the health office without a pass from his/her period teacher unless it is an EMERGENCY.

In the case of suspected or actual head injuries, the Atlantis Charter School Head Injury Policy will be followed.

MEDICATIONS IN SCHOOL

It is extremely important for parents to be aware that **NO medication** will be administered to any student **unless both forms are completed** - Parent/Guardian Authorization for Prescription Medication Administration and the Medication Order Form (completed by a licensed prescriber).

Students, who must receive medication during the school day, are required to have the following forms on file before the medication can be administered at school:

- 1) Signed consent by the parent or guardian.
- 2) Signed licensed provider medication form.

The parent/guardian or responsible designated adult must deliver the medications to the school's nurse in a pharmacy or manufacturer-labeled container. Medication must be in a stapled pharmacy bag. Please ask your pharmacist to provide separate bottles for school and home. No more than a thirty-day supply of medication should be delivered to the school.

NO over-the-counter-medication or prescription medication will be given without all required forms being completed. No students should be carrying over the counter medications on their person.

UPPER SCHOOL STUDENTS ONLY: The only two medications that students are allowed to carry in school are Epi-Pens and inhalers, provided the nurse has doctor's orders and parental permission forms updated each year.

Students in violation of the medication policy are subject to disciplinary action.

ACS HEAD INJURY POLICY

Purpose: The policy applies to all elementary, middle and high school students who attend Atlantis Charter School with a documented head injury that occurred either at or from a school sanctioned activity. This policy provides the procedures and protocols for Atlantis Charter School in the management of head injuries within the school setting.

Training: School Nurses and Physical Education teachers will complete the head injury safety training programs provided by the Massachusetts Department of Health. Training should be completed annually.

Procedure:

- Any student who sustains a head injury or suspected concussion, or exhibits signs and symptoms of a concussion or loss of consciousness even briefly shall be removed from the activity/situation immediately and may not return to activity for the day.
- The student will be assessed by a School Nurse/PE teacher for signs and symptoms of a possible concussion.
- Parents/guardians of the student will be notified that the child has had an injury to their head.
- If symptoms of possible concussion are present, the student should be referred to a health care provider with a copy of concussion signs/symptoms checklist to be sent with the child.
- The student's parent/guardian is required to bring them to either the pediatrician or a medical doctor at a hospital emergency room before the student returns to school.
- If the student is referred to a doctor or Emergency Department, the Principal will be notified verbally and in writing, in the form of the Student Accident report,
- If symptoms are not present upon assessment and observation, the child may return to class, but is to refrain from sports/activities for the day.

- The School Nurse will consult with the classroom teacher about any precautions or advisories about symptoms.
- Parents are to receive a copy of signs & symptoms checklist and are to be asked to continue to observe the child at home, as signs & symptoms may develop later.

Please note: Principals are notified as soon as possible if there is a “serious” (i.e. hospitalization/MD referral involved) injury, by the nurse and/or PE teacher; an accident report will be completed within one school day, by the nurse and the teacher, who witnessed or was in charge when the injury occurred and given to the Principal for signature.

All other injuries are documented by the nurse in PowerSchool, by the end of day or if not possible, by the end of the next school day.

Return to School:

- If a concussion has been diagnosed by a healthcare professional, then the student will require written medical clearance by a physician prior to return to school.
- Upon return to school, School Nurse is to review medical clearance documentation and assess any physical/academic accommodations recommended by a healthcare professional.
- If physical and/or academic accommodations are recommended then a 504 meeting will be scheduled to implement accommodations.
- School nurse notifies the Principal and the teacher of the student’s medical status and recommendations before the student returns to class.
- Updated medical follow-up and clearance are to be provided by parents/guardians to school for clearance to participate in physical activity and for return to previous academic participation.

DRUG, ALCOHOL, & TOBACCO POLICY

Drugs, Alcohol, Tobacco, Opioids, and Steroids

It is the responsibility of the Atlantis Charter School (ACS) to safeguard the health, character, citizenship, and personality development of the students in its school. As such, ACS must maintain that the use of drugs and the unlawful possession and use of alcohol is wrong and harmful and that the misuse of drugs, alcohol, tobacco, opioids, or steroids threatens the positive development of the student and the welfare of the entire school community. ACS is committed to the prevention of drug, alcohol, tobacco, opioid, and anabolic steroid abuse, and the rehabilitation of identified abusers.

ACS prohibits the use, possession and/or distribution of any drug, alcohol, tobacco, opioids, or anabolic steroids on school premises, and at any event away from the school sponsored by the ACS. Compliance with a drug-free standard of conduct at all schools and school functions is mandatory for all students. A student who uses, possesses, or distributes drugs, alcohol, tobacco, opioids, or anabolic steroids on school premises, or while attending a school-sponsored activity, will be subject to discipline that may include suspension or expulsion, and may be reported to appropriate law enforcement personnel.

ACS shall prepare a comprehensive curriculum on the topics of drug, alcohol, and tobacco which shall be integrated and implemented within the ACS Health Curriculum.

ACS shall annually review the effectiveness of its alcohol and other drug policies and shall solicit community input as well as consult with local agencies recommended by the state department of health in the review process. Alcohol and other drug policies and procedures for discipline, evaluation, and treatment of students shall be made available annually to all school staff, students and parents/guardians.

Any staff member who reports a student to the Principal and/or District Leader or his/her designee in compliance with the provisions of this subsection shall not be liable for civil damages as a result of making

such a report as provided for under St. 2016, c. 52, s. 15. All policies and procedures must comply with the confidentiality requirements established in federal regulations found at 42 CFR Part II.

Substance abuse in ACS is considered a health risk. It is the expressed position of ACS that when school rules have been violated, and when a student's health is at risk, we must notify the student's parents/guardians and attempt to involve family in the rehabilitation plan subject to the confidentiality restrictions per federal regulations 42 CFR Part II. Refusal or failure by a parent/guardian to comply with the provisions of St. 2016, c. 52, s. 15 shall be deemed a violation of the compulsory education and/or child neglect laws per Mass. Gen. Laws c. 71, s. 96.

Enforcement of Drug-Free School Zones

ACS recognizes its responsibility to ensure continuing cooperation between school staff and law enforcement authorities in all matters relating to the use, possession, and distribution of controlled dangerous substances and drug paraphernalia on school property. ACS further recognizes its responsibility to cooperate with law enforcement authorities in planning and conducting law enforcement activities and operations on school property. ACS will record and maintain formal Memorandum of Agreement with the appropriate law enforcement authorities.

Undercover Operations

ACS is authorized to request that law enforcement authorities conduct an undercover operation in the school if he/she has reason to believe that drug use and/or drug trafficking is occurring in the school and that a less intrusive means of law enforcement intervention would be ineffective.

ACS recognizes that law enforcement authorities may contact the Executive Director/designee to request that an undercover operation be established in ACS schools.

The Executive Director/designee, District Leader, and/or Principals shall cooperate with law enforcement authorities in the planning and conduct of undercover school operations. The Executive Director/designee, District Leader, Principals, or any other school staff or district board member who may have been informed about the undercover operation is required to immediately communicate information to law enforcement or designee if the integrity of the undercover school operation has been compromised in any way.

Summoning Law Enforcement Authorities onto School Property for the Purpose of Conducting Investigations, Searches, Seizures and Arrests

Any school employee who has reason to believe a student or a staff member is using or distributing controlled dangerous substances, including opioids, anabolic steroids, or drug paraphernalia on school premises, shall bring that information to the school Principal and/or District Leader. This information will be immediately reported to the appropriate law enforcement agency. If, after consultation with the law enforcement official, it is determined that further investigation is necessary, ACS will cooperate with the law enforcement authorities in accordance with the law and administrative code. He/she will provide the officials with an area away from the general student population in which to conduct their law enforcement duties. If law enforcement officials do not choose to investigate the incident, the Executive Director/designee may continue the investigation to determine if any school rules have been broken and whether any school discipline is appropriate.

If an arrest is necessary, and no urgent circumstances exist, the Executive Director/designee, District Leader, and/or Principals and staff will cooperate with the law enforcement officials. Every effort shall be made to enable law enforcement personnel to carry out the arrest in a manner that is least disruptive to the educational environment. The Executive Director/designee, District Leader, and/or Principals shall immediately notify the student's parent/guardian whenever a student is arrested for violating any laws prohibiting the possession, use, sale, or distribution of any controlled substance or drug paraphernalia.

Student Searches and Securing Physical Evidence

The Dean of Students, Principals, District Leader or his/her designee may conduct a search of a student's person or belongings if school officials have reasonable suspicion that the student is concealing a weapon, contraband and/or in possession or under the influence of illegal or controlled substances. All searches and seizures conducted by designated school officials shall comply with the standards prescribed by the United States Supreme Court in and covered by the protections of the Fourth Amendment to the United States Constitution and Article 14 of the Massachusetts Declaration of Rights which includes all public schools.

If, as a result of the search, a controlled substance or drug paraphernalia is found, or if a controlled substance or drug paraphernalia is by any means found on school property, school officials shall then notify the appropriate law enforcement agency. School officials shall ensure that the controlled or dangerous substance and/or drug paraphernalia is labeled and held in a secure location until law enforcement officials retrieve it. School officials shall then contact the student's parents/guardians to inform them of the occurrence.

If, and when, law enforcement officials are called into the school, and a search of a student's person or belongings is necessary, or an interrogation is to be conducted, school officials may request that law enforcement officials participate in conducting the search, seizure or interrogation. ACS continues to reserve the right to search school property in cases where there is reason to believe that a student may have violated the substance abuse policy through consumption, possession, and/or distribution prior to law enforcement notification.

Police Presence at Extracurricular Activities

School officials may contact the appropriate law enforcement agency and arrange for the presence of an officer(s) in the event of an emergency or when school officials believe that uniformed police presence is necessary to deter illegal drug use or trafficking or to maintain order or crowd traffic control at a school function.

Confidentiality of Student Involvement in Intervention and Treatment Programs

Nothing in this policy shall be construed in any way to authorize or require the transmittal of any information or records that are in the possession of a substance-abuse counseling or treatment program. All information concerning a student's involvement in a treatment program shall be kept strictly confidential. See 42 CFR Part II and St. 2016, c. 52, s. 15.

SCHOOL INSURANCE FOR STUDENTS

Atlantis provides a free school insurance plan for all students. In the event of an accident in school, or on the way from school, the student must report the accident to the school nurse who will report it to the Business Office staff who handles all insurance claims. The school insurance plan will supplement the family's primary insurance plan coverage according to the terms of the contract. This plan is not designed to serve as a primary source of insurance.

ACCIDENT POLICY FOR STUDENTS AND STAFF

Each time a student, parent, or teacher is injured in the school building or at a school-sponsored function on or off school property, an accident report must be filed in the office no later than 24 hours after the incident. All questions concerning insurance should be referred to the Business Office. This includes members of intramural athletic teams.

STUDENT CRISIS PROTOCOL

The goal of the Atlantis Charter School is to create and maintain a positive and safe learning environment for all students and staff. The following protocol will be adhered to when any staff member at ACS has a concern that a student may be at risk to harm him/herself or others.

The school adjustment counselor assessing the student at risk is responsible for ensuring that the protocol is followed, and coordination with the Student Crisis Team, (SCT), is carried through.

1. Upon observation of at-risk behaviors or suspicion of risk for self-injury or injury or safety of others, the school staff member will immediately contact the school adjustment counselor in person or through a direct phone call whenever possible (avoid e-mail or voice message).
2. The identified student will be accompanied by an adult to the office of the School Adjustment Counselor. A member of administration will be contacted immediately. The student will then be interviewed by the School Adjustment Counselor and the student's level of risk will be assessed. When necessary, a second member of the Student Crisis Team will be asked to join the interview. Whenever possible, this second SCT member should be someone the student is familiar with and will not increase the student's anxiety. If a student is deemed to be at risk and needing further assessment for safety, the School Adjustment Counselor will contact the student's parent/guardian and make them aware of the following:
 - The circumstances surrounding their child's situation.
 - The parent/guardian will be asked to immediately pick up their child and bring them directly to an appropriate licensed medical or mental health professional, outside of the school setting, for further evaluation and intervention. If a parent/guardian cannot be reached, the SCT will determine appropriate next steps.
 - The School Adjustment Counselor will review the options available for their child to be appropriately evaluated. If the student is insured by Mass Health, or is receiving services from Mass Health, the parent will have the option of having the Mobile Crisis Unit come to the school to assess the student.
 - The parent is requested to provide the school documentation that states that the student is safe to return to school.
 - A signed Release of Information Form will be obtained for the professional/agency conducting the crisis evaluation.
3. The school may inform the School Resource Officer, (SRO), of a student safety concern if the SCT feels it is appropriate. Once the SRO is made aware, the SRO will then make a determination as to whether a Section 12, or involuntary safety evaluation, is needed for the student. If this occurs, the SRO will notify the parent or guardian of this decision and an ambulance will automatically be called to transfer the student to the hospital. The SRO will ride with the student to the hospital. Parents are still asked to provide the school with documentation that the student has been evaluated and is safe to return to the school setting.
4. In the event that the at-risk student is experiencing a medical emergency, 911 will be called and the nurse and SRO will be contacted immediately. The SCT will follow the school's medical emergency policy. In the event the student is taken by ambulance, the SRO, or other member of the SCT, shall accompany the student and remain with them in the Emergency Room until a parent or guardian arrives. If a member of the SCT is told by an EMT that they cannot physically go in the back of the ambulance, the SCT will follow the ambulance by car.
5. The at-risk student will be directly supervised by a member of the SCT at all times in school until the parent has arrived to take responsibility for ensuring the student's safety.

6. A Student Crisis Intervention Form will be completed by the School Adjustment Counselor and parent/guardian's signature will be obtained.

7. If a student presents with a potential safety concern after school hours which includes athletic events, school dances, clubs, etc., the following will occur:

- The staff member should alert their immediate supervisor of the situation. The staff member or supervisor will immediately contact a Principal or K-12 District Leader to make them aware of the current student concern.
- If there is a concern for a student's immediate safety, the Principal or K-12 District Leader will contact the police for further intervention.
- After assessing the student concern, the police may decide that a Section 12 is needed and will follow procedures under a Section 12.
- If the police feel that a Section 12 is not needed, the police will review an immediate plan with the parent/guardian. The Principal or K-12 District Leader will communicate with the appropriate school adjustment counselor the next school day and the school adjustment counselor will follow up on the matter.

In the event a parent/guardian fails to follow through with the school's Student Crisis Protocol, the SCT may consider the following actions:

- Filing a 51A with the Department of Children and Families
- Notification to the local police authorities
- Referral to Juvenile/Family Court for a Child in Need of Services (CRA)

DISCIPLINE OVERVIEW AND GUIDELINES

Philosophy of Discipline

Atlantis Charter School Atlantis is committed to cultivating a diverse, equitable, and inclusive school community. We are UNITED in creating a welcoming learning environment for students, staff, and families of all races, genders, ethnicities, religions, abilities, sexual orientation, and nationalities. Atlantis implements a restorative practice model of discipline that is grounded in the belief that all students and staff have the right to come to school in a safe learning environment and that all students, staff and parents have a responsibility to ensure that Atlantis Charter School is a positive and productive learning environment. Behavior that is deemed to go against a healthy learning environment will be addressed with the student and parent. The expectation is that students take accountability for their behavior, learn from the situation, and move forward with corrective action. Whenever possible, the school strives to use education as a tool to address and change inappropriate behavior.

A restorative practice model serves to accomplish the following:

1. Builds school community and sense of school pride
2. Increases healthy communication skills between all stakeholders
3. Builds healthy relationships between educators and students
4. Intrinsically motivates students to make positive choices
5. Repairs harm and restores positive relationships
6. Helps to resolve conflict and hold individuals and groups appropriately accountable

It should be noted that Atlantis Charter School is a K-12 public educational institution. As such, the school must follow all discipline policies, procedures, and regulations set forth by the Department of Elementary and Secondary Education (DESE). This includes all policies involving suspension, due process hearings, and expulsion.

Code of Conduct

Any member of the faculty observing a student committing an act that goes against a healthy learning environment will take action and follow the disciplinary guidelines. Administration has the authority to suspend a student either externally or internally, for disciplinary reasons.

Discipline Procedure

School officials have the authority to handle all disruptive behavior in a developmentally appropriate manner. If a student does not accept his/her responsibilities to respect the rights of others in our school community and commits an infraction of the discipline code, he or she will be assigned consequences as listed below. School officials reserve the right to contact the appropriate authorities when deemed necessary. It should be noted that it is impossible to list all possible infractions; therefore, the administration retains the right to impose consequences for all acts contrary to appropriate behavior not expressly stated within.

School Wide Interventions to address inappropriate behavior may include:

1. Verbal Warning
2. Parent/Guardian Contact
3. One-on-one conversations between teacher and student
4. Classroom harm circles and small group harm circles
5. Mediation
6. Conflict Resolution
7. Restitution
8. Social probation/ Loss of Privileges
9. Administrative harm circles
10. In-School Suspension
11. Out-of-School Suspension
12. Reintegration Circles upon entering school community
13. Expulsion

DISCIPLINARY GUIDELINES

The following guidelines apply for grades K-12. These guidelines also apply to in-school and extracurricular activities, field trips, and home and away athletic events. As noted above, these are general guidelines. The length of disciplinary action can be adjusted based upon the discretion of the school administration.

In every case of student misconduct for which suspension may be imposed, a Principal shall exercise discretion in deciding the consequence for the offense; consider ways to re-engage the student in learning; and avoid using long-term suspension from school as a consequence until alternatives have been tried. Alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive interventions and supports. (603 CMR 53.05. Alternatives to suspension under M.G.L. c. 71, § 37H¾)

OFFENSE	DESCRIPTION	RANGE OF ADMINISTRATIVE ACTION
Abusive Language/Profanity/Obscenities/Slander	Verbal and/or written comments directed to any individual in our school community that brings ridicule, embarrassment, or harm to that individual and may disrupt the learning environment	Consequences can range from detention to suspension from school. Parental contact. Student to process with staff member/administration the impact of harm due to language offense.

Accidental Damage	Unintentional damage to school property.	Restitution will be required. Other consequences may be imposed if damage was caused by reckless or otherwise unacceptable behavior.
Alcohol-Possession, distribution, or use of alcohol	The consumption, possession, and/or distribution of any type of alcohol on school grounds or any school sponsored event.	Possible research on minor use of alcohol and presented in a written essay. SAC check in with support of psychoeducation around substance-ranging from one time weekly to a month check in - possible outside community referrals. Up to ten (10) days suspension from school. Possible referral to police.
Arson	A student sets fire to any part of the school building or grounds.	Support of SAC check ins with outside resources to be made. Up to ten (10) days suspension from school. Referral to police.
Assault	A student commits assault by: <ul style="list-style-type: none"> • attempting to use physical force against another, or • demonstrating an intention to use immediate force against another. A person does not need to inflict injury or even make physical contact with another to commit an assault.	Student to engage in research and writing around assault and consequences of actions. Support of SAC check-ins to process assault and harm. Up to ten (10) days suspension from school with possible referral to police and long-term suspension
Assault and Battery	A student commits assault and battery by deliberately touching the victim: <ul style="list-style-type: none"> • in a way that is likely to cause bodily harm, or • without the victim's consent. 	Student to engage in research and writing around assault and consequences of actions. SAC to support with appropriate referrals. Up to ten (10) days suspension from school with possible referral to police and long-term suspension. Potential expulsion in cases of assault and battery on a staff member and/or felony conviction.
Bullying/ Cyberbullying	Any overt acts by a student or a group of student directed against another student with the intent to ridicule, humiliate, or intimidate the other student(s) while on school grounds, at a school sponsored activity, or over social media which impacts the school environment and is repeated against student(s) over time.	Engage in psycho education on bullying and harm caused. Restorative circle (both parties comfortable) Scheduled check-ins with SAC BPIT Team to recommend disciplinary consequences after investigation. Consequences can range from detention to suspension and possible referral to police.

Cheating/ Plagiarism	Student copying another student's work or using cheat sheets or an electronic device to get answers.	Document to be rewritten to reflect student's own words. Informative essay to be written on harm of plagiarism. Grade of zero (0) on assignment or assessment. Consequences can range from detention to suspension from school. Parental contact.
Cutting Administrator's Office Detention	Failing to attend detention/turn around as assigned by the administrator.	Two (2) administrative detentions/turn around sessions. Progressive discipline to follow for repeated offense that may include suspension. Parental contact.
Discriminatory Language	Written/verbal comments and gestures directed at an individual or group of individuals that can be considered offensive or inappropriate to a person's race, color, sex, religion, national origin, gender identity, sexual orientation or disability.	Consequences can range from administrative detention/turn around session(s) to in-school or out-of-school suspension(s). Student to engage in psycho education on discriminatory language.
Not meeting teacher or school expectations	Behavior that goes against the rules/expectations established within the classroom or school (gestures, tone, language, actions) that displays a lack of regard for others	Student and the whole class participate in a peacemaking circle. Depending on the severity of the incident and frequency of this type of behavior, up to ten (10) day suspension from school.
Disruptive Behavior that impedes the learning of others or presents with safety concerns	Student acting in a manner that is detrimental to the school environment.	Consequences will be based on frequency and severity. Consequences may range from detention to out-of-school suspension of up to ten (10) days.
Dress Code Violation	Student exhibits disregard for the ACS dress code by not adhering to the ACS Dress Code Policy, including Dress Down days.	When possible, parent contacted to bring in appropriate clothing. Consequences can range from loss of privileges to detention/turn around session(s) and suspension(s).
Drugs Possession/Distribution / Use of Drugs to include vaping	Students in possession of, use of, or distributing drugs anywhere on school grounds, on a school bus, or at a school sponsored activity at any time.	Consequences may range from up to ten (10) day suspension from school to expulsion. Possible referral to police.

Electronic Devices—Inappropriate Use	Use or possession of a cellular phone, headphones, air pods or electronic device without specific medical or other authorized permission is prohibited during the school day. Students and parents should refer to respective grade level cell phone policies located in the Handbook	Consequences are as defined in the separate cell phone policy.
Elopement or student out of location	Leaving the designated area where a student is supposed to be without permission.	Whenever possible, student will be returned to appropriate location. Student will need to make-up work missed or receive a 0. Repeated elopement may result in a detention or up to three (3) days suspension (in-school or out-of-school).
False Alarm or False 911 call	Student sets off the fire alarm system or makes a 911 call without probable cause or collaborates with other student(s) in setting a false alarm.	Up to five (5) days suspension (in-school or out-of-school). Possible referral to the police
Fighting	Escalation of a verbal encounter that results in aggressive physical contact with the intent to do bodily harm.	Students will participate in a restorative circle. Consequences will range from 3 day suspension from school to up to 10 day suspension pending history of repeated offenses. Possible referral to police and/or court.
Fireworks –Possession, Use, or Distribution of Fireworks or Explosives	Students may not have in their possession any types of explosives including fireworks. Students will not sell explosives or fireworks to other students.	Consequences will range from 5 day suspension from school to potential expulsion pending history of repeated behavior and/or severity of explosive device. Referral to police
Forgery, Alteration or Misuse of Official School Documents or Parental Communication Forgery	The falsification of written information, the changing of information or use of such documents beyond defined purpose of documents would include but not be limited to: building passes, parental notes for early dismissal, parental notes for tardiness or absence, academic documents, and discipline forms.	Consequences will range from administrative detention/turn around session to 3 days of in-school or out of school suspension pending history of repeated offenses.

Hazing	<p>“Hazing” shall mean any conduct or method of initiation into any student organization, whether public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug, or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.</p>	<p>Up to ten (10) days suspension from school. Possible referral to police and/or courts.</p>
Morning Supervision	<p>K-6 students that are siblings of students in grades 7-12 who are receiving supervised before school care. Appropriate and safe behavior is expected at all times.</p>	<p>Consequences for student behavior will range from turn around session to in school or out of school suspensions. Physical altercations can result in not being allowed to return to morning supervision.</p>
Physical contact	<p>Hitting, pushing, kicking, biting, spitting or any other potentially harmful physical contact with another student regardless of intent</p>	<p>Consequences can range from administrative detention/turn around session to 5 days of in school or out of school suspension pending history of repeated offenses.</p>
Inciting/ Attempting to Incite Other Students to Create Disturbance	<p>Encouraging other students to participate in unacceptable behavior either through verbal comments or physical actions (e.g. group fighting, throwing food, or yelling loudly to encourage others).</p>	<p>Out-of-school suspension of up to ten (10) days. Consideration of long-term suspension from school if behavior is repeated and causing a detriment to the school environment. Possible referral to police.</p>
Leaving School Property Without Permission Prior to Dismissal	<p>Students may not exit school grounds prior to their authorized dismissal time without permission from an administrator, school nurse, or an approved note from a parent.</p>	<p>Possible community service</p> <p>Administrative detention/turn around sessions(s), or up to three (3) days of in-school or out of school suspension pending Police will be notified for safety.</p>

Sexual Harassment	Any unwelcome sexual advances, comments, touching or other inappropriate verbal or physical gestures or behavior that makes any member of the school community feel uncomfortable. This includes, but not limited to, pressure for sexual activity or remarks with sexual or demeaning implications.	Up to ten (10) days out-of-school suspension. Possible referral to police. Student to engage in education on sexual harassment.
Smoking/Chewing Tobacco/Vaping Tobacco/ Electronic cigarettes	Student smoking, using, possessing, or distributing any type of tobacco products anywhere on school grounds, on a school bus, or at a school sponsored activity at any time.	Consequences range from 3 days of suspension, in school or out of school, up to 10 days pending repeated history of behavior. Possible referral to police.
SRTA Bus Line Violation (7-12 Bus)	Student uses disrespectful language in the bus line or when bus is on school property does not listen to staff instructions, or causes the bus line to be unsafe.	Consequences can range from administrative detention to loss of privilege for waiting for the SRTA bus on school property.
School Issued Technology	Student not complying with ACS Acceptable Use Policy, to include any misuse or damage to school issued technology	Consequences can range from an Administrative Detention/Turn Around Session up to five (5) days Out-of-School suspension along with removal of access to chromebook and other school issued technology.
Theft, Petty Theft, or Violation of Personal Property	Theft of any material owned by another student, staff member, or the school system or looking through someone's personal belongings.	Up to ten (10) days suspension. Possible referral to police.
Threatening Staff or Student(s)	Written or verbal expression of intent to harm or otherwise cause injury to another person or his/her possessions.	Up to ten (10) days suspension. Possible referral to police.
Transportation (K-6 Bus)	Violation of K-6 bus expectations including inappropriate usage of phone.	Consequences can range from detention/turn around session to possible suspension/expulsion from the bus.
Vandalism	Intentionally damaging, in any way, property belonging to the school system and/or others during school hours, e.g. field trips, gym classes, recess.	Up to ten (10) days suspension from school. Possible police referral. Restitution, which may be financial, will be required.
Violation of school or court issued Safety/Separation Plan	Student violates or attempts to violate a school or court issued safety/separation plan.	Consequences can range from targeted education, community service, loss of privileges to up to 5 days of in-school suspension depending on the

		severity of the incident and repeated nature of behavior.
Weapons—Use of/Possession of	Students using or possessing any instrument, article or substance, or facsimile of, which is capable of causing death or bodily injury.	Consequences can range from up to ten (10) days out-of-school suspension to long term suspension and potential for expulsion. Referral to police.

STUDENT CONDUCT

MASSACHUSETTS GENERAL LAWS, CH. 71, S. 37H:

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

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

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

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

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

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

(g) Under the regulations promulgated by the department, for each school that suspends or expels a significant number of students for more than 10 cumulative days in a school year, the commissioner shall investigate and,

as appropriate, shall recommend models that incorporate intermediary steps prior to the use of suspension or expulsion. The results of the analysis shall be publicly reported at the school district level.

MASSACHUSETTS GENERAL LAWS, CH. 71, S. 37H½:

Felony Complaint or Conviction of Student; Suspension; Expulsion; Right to Appeal Notwithstanding the provisions of Section eighty-four and Sections sixteen and seventeen of Chapter seventy-six:

(a) Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the Principal or Headmaster of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said Principal or Headmaster if said Principal or Headmaster 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 the reason for such suspension prior to such suspension taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in effect prior to any appeal hearing conducted by the Executive Director.

The student shall have the right to appeal the suspension to the Executive Director. The student shall notify the Executive Director in writing of his request for an appeal no later than five calendar days following the effective date of the suspension. The Executive Director shall hold a hearing with the student and the student's parent or guardian within three 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 behalf, and shall have the right to counsel. The Executive Director shall have the authority to overturn or alter the decision of the Principal or Headmaster, including recommending an alternate educational program for the student. The Executive Director shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town, or regional school district with regard to the suspension.

(b) Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the Principal or Headmaster of a school in which the student is enrolled may expel said student if such Principal or Headmaster 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 right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the Executive Director.

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

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

MASSACHUSETTS GENERAL LAWS, CH. 71, S. 37H³/₄: *Suspension or expulsion on grounds other than those set forth in Secs. 37H or 37H¹/₂*

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

(b) Any Principal, Headmaster, Executive Director or other person acting as a decision-maker at a student meeting or hearing, when deciding the consequences for the student, shall exercise discretion; consider ways to re-engage the student in the learning process; and avoid using expulsion as a consequence until other remedies and consequences have been employed.

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

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

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

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

STUDENT DISCIPLINE AND DUE PROCESS RIGHTS:

Consistent with the Massachusetts student discipline law (Chapter 222 of the Acts of 2012) and the student discipline regulations (603 CMR 53.00), Atlantis Charter School's student discipline policy includes specific procedures related to student suspensions and expulsions and is designed to provide students who are suspended or expelled the opportunity to make academic progress. Our goals are:

- (a) To keep schools safe and supportive for all students while ensuring fair and effective disciplinary practices;
- (b) To promote engagement of a student and a student's parent or guardian in discussion of the student's misconduct, and the options for responding to it;
- (c) To assure that every student who is expelled or suspended, regardless of the reason for suspension or expulsion, has the opportunity to receive education services to make academic progress during the period of suspension or expulsion; and
- (d) To limit the use of long-term suspension as a consequence for student misconduct until other consequences have been considered and tried as appropriate.

1. Due Process

Except in cases of emergency or when the student's continued presence poses a danger to person or property, the Principal may not impose a suspension without first providing the student and the parent or guardian oral and written notice of the offense, the basis for the charge and the potential consequences, and providing the student an opportunity for a hearing on the alleged offense and the parent or guardian an opportunity to participate in the hearing. The Principal shall make reasonable efforts to notify the parent or guardian orally of the opportunity to attend the hearing. A hearing may be conducted without the parent or guardian present if, after reasonable, good faith efforts to include the parent or guardian, the Principal is unable to secure their participation. This section does not apply to the suspension of a student for: (a) possession of a dangerous weapon; (b) possession of a controlled substance; (c) assault on a member of the educational staff; or (d) a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if the Principal determines that the student's continued presence in school would have a detrimental effect on the general welfare of the school, as provided in G.L. c. 71, §§37H or 37H½.

Principal's Hearing

The Principal shall determine the extent of the rights afforded to a student at a disciplinary hearing based on the anticipated consequences for the offense. Students facing a long-term suspension will be afforded greater minimum rights than students facing a short-term suspension. For additional information refer to 603 CMR 53.08.

- a. **Short-term Suspension:** At a minimum, the Principal shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student shall have an opportunity to present information, including mitigating facts that the Principal should consider in determining whether other remedies or consequences (other than suspension) may be sufficient and appropriate. If present, the parent or guardian shall be provided an opportunity to discuss the student's conduct and other information, including mitigating circumstances that the Principal should consider in determining consequences for the student.

Following the hearing, the Principal shall notify the student and parent or guardian of the determination, the reasons for the determination, and length of any suspension being imposed. The determination shall be in writing. Students shall be provided with the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal.

603 CMR 53.10: In-School Suspension under M.G.L. c. 71, § 37H^{3/4}

(1) The principal may use in-school suspension as an alternative to short-term suspension for disciplinary offenses.

(2) The principal may impose an in-school suspension for a disciplinary offense under 603 CMR 53.10, provided that the principal follows the process set forth in 603 CMR 53.10(3) through (5) and the student has the opportunity to make academic progress as set forth in 603 CMR 53.13(1).

(3) The principal shall inform the student of the disciplinary offense charged and the basis for the charge, and provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident. If the principal determines that the student committed the disciplinary offense, the principal shall inform the student of the length of the student's in-school suspension, which shall not exceed ten days, cumulatively or consecutively, in a school year.

(4) On the same day as the in-school suspension decision, the principal shall make reasonable efforts to notify the parent orally as soon as possible of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The principal shall also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the principal is unable to reach the parent after making and documenting at least two attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.

(5) The principal shall send written notice to the student and parent about the in-school suspension, including the reason and the length of the in-school suspension, and inviting the parent to a meeting with the principal for the purpose set forth in 603 CMR 53.10(4), if such meeting has not already occurred. The principal shall deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or other method of delivery agreed to by the principal and the parent.

- b. **Long-term Suspension:** At a minimum, a student facing a long-term suspension shall be afforded all of the rights afforded a student in a short-term suspension hearing. In addition, a student facing a long-term suspension shall have the following additional rights:
- (i) In advance of hearing, the opportunity to review the student's record and the documents upon which the Principal may rely in making his/her determination;
 - (ii) The right to be represented by counsel or a lay person at the student's choice and at the student's/parent's or guardian's expense;
 - (iii) The right to produce witnesses on his or her behalf;
 - (iv) The right to cross examine witnesses presented by the school district; and
 - (v) The right to request that the hearing be recorded, a copy of which shall be provided to the student and parent upon request and the right of all parties to

be informed before the hearing that an audio copy will be made of the hearing. The Principal's determination shall be in writing and sent to the student and parent or guardian. If the Principal decides to suspend the student, the written determination shall:

- (vi) Identify the offense, the date on which the hearing took place and the participants at the hearing;
- (vii) Set out the key facts and conclusions reached by the Principal;
- (viii) Identify the length and effective date of suspension;
- (ix) Include notice of the student's opportunity to receive education services to make academic progress during the suspension;
- (x) Inform the student of the right to appeal the decision to the Executive Director (or designee). Appeal to the Executive Director is only provided in those cases where the Principal has imposed a long-term suspension. In every case of misconduct for which suspension may be imposed, the Principal shall exercise discretion in deciding the consequence for the offense.

Executive Director's Hearing

A student placed on long-term suspension following a hearing with the Principal shall have the right to appeal the Principal's decision to the Executive Director. The appeal must be filed within five (5) calendar days of the effective date of the long-term suspension. If the student's or parent's notice of appeal is not timely the Executive Director may deny the appeal or allow the appeal at his or her discretion. The Executive Director shall hold the hearing within three (3) school days of the student's request, unless the student or parent or guardian request an extension of up to seven (7) additional calendar days, in which case the Executive Director shall grant the extension. A good faith effort will be made to include the parent or guardian in the hearing.

The Executive Director shall send written notice to the parent or guardian of the date, time, and location of the hearing. The Executive Director shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parents or guardian upon request and the right of all parties to be informed before the hearing that an audio copy will be made of the hearing. The student shall have all of the rights afforded at the Principal's hearing for long-term suspension. The Executive Director shall issue a written decision within five (5) calendar days of the hearing. While the Executive Director may modify the Principal's decision to reduce the suspension or consequence imposed on the student, under no circumstances may the Executive Director impose a suspension which is greater than that imposed by the Principal's decision. The decision of the Executive Director shall be the final decision of the school district.

Emergency Removal

Nothing in these rules and regulations shall prevent the Principal from removing a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially alters and substantially disrupts the order of the school, and, in the Principal's judgment, there is no alternative available to alleviate the danger or disruption. The Principal shall immediately notify the Executive Director in writing of the removal and the reason for it, and describe the danger presented by the student. The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the Principal shall:

- (xi) Make immediate and reasonable efforts to notify the student and the student's parent or guardian of the emergency removal, the reason(s) for the removal and other matters set forth in 603 CMR 53.06(2);
- (xii) Provide written notice to the student and parent or guardian pursuant to 603 CMR 53.06(2);

- (xiii) Provide the student with an opportunity for a hearing and the parent or guardian an opportunity to attend the hearing, before the expiration of two (2) school days, unless an extension of time for the hearing is agreed to by the Principal, student and parent or guardian and
- (xiv) A decision must be rendered (orally) on the same day as the hearing, and in writing no later than the following school day. A student may not be removed from school on an emergency basis for a disciplinary offense until adequate provisions have been made for the student's safety and transportation.

EXPULSION

Although suspension is limited to no more than 90 school days in a school year under M.G.L. c. 71 s. 37H³/₄, Principals continue to have discretion under M.G.L. c. 71, sections 37H and 37H¹/₂ to impose a longer suspension or expulsion on a student for one of the statutory offenses, such as possession of a dangerous weapon or a controlled substance on school grounds, or assault on school staff.

The student shall receive written notification of the charges and the 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.

EDUCATION SERVICES AND ACADEMIC PROGRESS UNDER M.G.L. c.71 §§ 37H, 37H ¹/₂, and 37H ³/₄

- 1) Any student who is serving an in-school suspension, short-term suspension, long-term suspension, or expulsion shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. The principal shall inform the student and parent of this opportunity in writing when such suspension or expulsion is imposed.
- (2) Any student who is expelled or suspended from school for more than ten consecutive days, whether in school or out of school, shall have an opportunity to receive education services and to make academic progress toward meeting state and local requirements, through the school-wide education service plan.
- (3) The principal shall develop a school-wide education service plan describing the education services that the school district will make available to students who are expelled or suspended from school for more than ten consecutive days. The plan shall include the process for notifying such students and their parents of the services and arranging such services. Education services shall be based on, and be provided in a manner consistent with, the academic standards and curriculum frameworks established for all students under M.G.L. c 69, §§ 1D and 1F.
- (4) Notice of Education Services for Students in Long-Term Suspension and Expulsion; Enrollment Reporting.
 - (a) The principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in 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 education services that are available to the student and contact information for a school district staff member who can provide more detailed information.
 - (b) For each student expelled or suspended from school for more than ten consecutive days, whether in school or out of school, the school district shall document the student's enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department.

The student's Principal is the parent's contact person to provide detailed information and answer questions pertaining to a student's Education Service Plan. The student's team, which may consist of teachers, parents, administrators, counselors, nurses, and outside providers when appropriate, will work together to develop an individualized plan that allows the student to make academic progress toward meeting state and local requirements. The specific education services that are available to your child include tutoring services, alternative placement, or online and distance learning.

DISCIPLINE OF SPECIAL EDUCATION STUDENTS

All students are expected to meet the requirements for behavior as set forth in this handbook. However, students eligible for Special Education are entitled to certain additional protections under state and federal law. Specifically, these laws include M.G.L. c. 71B and its implementing regulations (603 CMR 28.00) and 20 USC 1401 et seq. ("the IDEA") and its implementing regulations (34 CFR 300 et. seq.).

Students eligible for Special Education who violate school rules are subject to removal from their current educational placement for up to ten school days per school year, to the extent that such removal would be applied to students without disabilities, without prior determination as to whether the misconduct is related to the student's disability.

Anytime school personnel seek to remove a student from his or her current educational placement for more than ten school days in a school year, this constitutes a "change of placement" and invokes certain procedural rights including, but not limited to, a review by the IEP Team of the relationship between the student's disability and the behavior subject to the disciplinary action, which is referred to as a Manifestation Determination.

If the behavior is a manifestation of the student's disability, the student's Team will conduct a functional behavior assessment and develop a behavior intervention plan, provided that such an assessment was not already conducted before the behavior occurred. In the situation where an assessment was already conducted and a behavior intervention plan is already in place, the Team will review the plan and revise it accordingly. The student will also be returned to his/her educational placement unless the parent and the school agree otherwise.

If the behavior is not a manifestation of the student's disability, then the student may be removed from his/her educational placement to the same extent that a regular education student would be removed, provided that the special education student must continue to receive appropriate educational services set out in the student's IEP. Additionally, the student should receive, as appropriate, a functional behavioral assessment and behavior intervention plan to prevent the behavior from happening again.

When appropriate, the Principal, or designee, may seek an order from the Department of Education, Bureau of Special Education Appeals (BSEA) placing a student in an interim alternative educational setting (IAES) for up to forty-five (45) school days. An interim alternative educational setting is a program identified by the team that allows a child access to the general curriculum, provides IEP services, and addresses the behavior involved in the incident.

The Principal, or designee, may unilaterally order a change in educational placement of a child with a disability to an appropriate interim alternative educational setting for up to forty-five school days if the student:

- Carries or possesses a weapon to or at school, on school premises, or to or at a school function; or
- Knowingly possesses or uses illegal drugs at school, a school function, or school sponsored event; or
- Sells or solicits the sale of a controlled substance while at school, a school function, or school sponsored event.

For a copy of the Massachusetts Department of Education brochure on Special Education Parents' Rights, available in many languages, visit www.doe.mass.edu/sped/parents or can be requested from the Special Education Director at (508) 646-6410.

DISCIPLINE OF STUDENTS NOT YET ELIGIBLE FOR SPECIAL EDUCATION

A child who has not been determined to be eligible for Special Education and related services and who has engaged in behavior that violates a code of student conduct, may assert any of the protections provided for Special Education students if the school had knowledge (as determined by the IDEA) that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred.

The school district may be considered to have prior knowledge if, before the behavior that resulted in the disciplinary action occurred:

- The parent/guardian of the student expressed concern in writing to supervisory or administrative personnel of the student's school or to a teacher of the student that the student is in need of Special Education and related services; or
- The parent/guardian requested an evaluation of the student; or
- District staff expressed, directly to the Special Education director or other supervisory personnel, specific concerns about a pattern of behavior demonstrated by the student.

The district may not be deemed to have had knowledge if the parent has not consented to an evaluation of the student or has refused Special Education services, or if an evaluation of the student was completed and resulted in a determination of ineligibility.

If the district had no knowledge that the student is a student with a disability prior to taking disciplinary action, the student may be subjected to disciplinary measures applied to students without disabilities. However, if an evaluation is requested during the time period in which the student is subjected to these disciplinary measures, the district must conduct the evaluation in an expedited manner.

DISCIPLINE OF STUDENTS ON 504 PLANS

School personnel may not suspend a student on a 504 plan for more than ten consecutive school days without a manifestation determination. Procedural protections for eligible 504 students are the same as those afforded to special education students. Please contact the Student Services Coordinator/Principal of the High School.

For the purpose of Atlantis Charter School and following Massachusetts General Law, "Principal" refers to Principal or District Leader and "Superintendent" refers to Executive Director.

PERMANENT WITHDRAWAL

Pursuant to M.G.L. c. 76, § 18, No student who has not graduated from high school shall be considered to have permanently left public school unless an administrator of the school which the student last attended has sent notice within a period of 5 days from the student's tenth consecutive absence to the student and the parent or guardian of that student in both the primary language of the parent or guardian, to the extent practicable, and English. The notice shall initially offer at least 2 dates and times for an exit interview between the superintendent, or a designee, and the student and the parent or guardian of the student to occur prior to the student permanently leaving school and shall include contact information for scheduling the exit interview. The notice shall indicate that the parties shall agree upon a date and time for the exit interview, and that interview shall occur within 10 days after the sending of the notice. The time for the exit interview may be extended at the request of the parent or guardian and no extension shall be for longer than 14 days. The Executive Director, or a designee, may proceed with any such interview without a parent or guardian if the Executive Director, or a designee, makes a good faith effort to include the parent or guardian. The exit interview shall be for the

purpose of discussing the reasons for the student permanently leaving school and to consider alternative education or other placements. M.G.L. c. 76, § 18

ANTI-HAZING POLICY

Atlantis Charter School abides by the laws and regulations set forth in MGL Chapter 269, Sections 17, 18, and 19 in regards to Anti-Hazing.

Section 17. Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

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

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

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

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

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

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

Each institution of secondary education and each public or private institution of post-secondary education shall file, at least annually, a report with the board of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with

appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its students. The board of higher education and, in the case of secondary institutions, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such report.

AGE OF MAJORITY

Any student reaching the age of 18 has age of majority status. Age of majority allows the student to be recognized by the school as an adult so that he/she may be accorded the privileges of an adult signing attendance records to include dismissal notes, requesting records, and/or other similar type activities.

Students with age of majority requesting an early dismissal must provide a note to the main office upon arrival to school stating the reason for the dismissal, the date, and time of the request. Dismissals, tardies, and absences are subject to approval by administration. A student with age of majority must call himself/herself out sick between the hours of 6:00 and 8:30. In the event that the secretary is not available to take the call, the student should leave a detailed message stating his/her name, the date, and a valid reason for the absence. As stated in the above make-up work policy, students will have one day for each absence not exceeding five days to make up any missed work. Work not completed within the allotted time frame will result in a zero. Any student missing 5 consecutive scheduled school days will be required to obtain documentation from a physician before returning to school.

The administration reserves the right to take corrective measures if the age of majority student is using this status to abuse the rules and regulations of the school, including requiring the parent/custodian to sign any needed consent forms. Age of majority status may be revoked if the student abuses this right. The school reserves the right to inform parent/guardian of the use of age of majority by the students for each tardy, dismissal, absence or any other school related activity. The school also reserves the right to contact parent/guardian regarding academic and behavioral issues. Students with age of majority are required to abide by all ACS policies and procedures.

BULLYING PREVENTION AND INTERVENTION PLAN

I. Leadership

Atlantis Charter School ("ACS") implements a Bullying Prevention and Intervention Plan that promotes a positive school climate through in-school, out-of-school and community-wide efforts. ACS leadership has a primary role in teaching students to be civil to one another and promoting an understanding of and respect for diversity and difference. ACS leadership is responsible for setting priorities and for staying up-to-date with current research on ways to prevent and effectively respond to bullying and to continually involve representatives from the greater school and local communities in developing and implementing the Atlantis Charter School Bullying Prevention and Intervention Plan.

II. Priority Statements

Atlantis Charter School complies with all current anti-bullying legislation (as required by M.G.L. c. 71, § 37O and amended on April 24, 2014). The Bullying Prevention and Intervention Plan has been developed in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents, and guardians. The plan shall apply to students and members of school staff, including, but not limited to, educators, administrators, school nurses, cafeteria workers, bus drivers, athletic coaches, advisors to an extra-curricular activity and paraprofessionals. The consultation shall include, but not be limited to, notice and a public comment period; provided, however, that a non-public school shall only be required to give notice to and provide a comment period for families that have a child attending the school. The plan shall be updated at least biennially.

Atlantis Charter School's Bullying Prevention and Intervention Plan is a comprehensive approach to addressing bullying (including cyber bullying), and to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence. In consultation with these constituencies, we have established this plan for preventing, intervening, and responding to incidents of bullying and retaliation. The K-12 District Leader, Principals and the Dean of Students are responsible for the implementation and oversight of the plan.

ACS will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyber bullying, or retaliation, in our school buildings, on school grounds, or in school-related activities. ACS will promptly investigate all reports and complaints of bullying, cyber bullying, and retaliation, and take prompt action to end that behavior and restore the target's sense of safety. ACS will support this commitment in all aspects of our school community, including curricula, instructional programs, staff development, extracurricular activities, and parent or guardian involvement.

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

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

ACS is committed to providing all students with a safe learning environment that is free from bullying and cyber bullying. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process.

III. Definition of Bullying

Atlantis Charter School recognizes the following definition of bullying as defined in M.G. L. c.71 § 370:

The repeated use by one or more students or a member of a school staff of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

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

For the purposes of this section, bullying shall include "cyber-bullying." Cyber-bullying, bullying through the use of technology or any electronic communication, which shall include, but shall 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 shall also include:

- (i) the creation of a web page or blog in which the creator assumes the identity of another person or
- (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 in clauses (i) to (v), inclusive, of the definition of bullying.

Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying.

Please see **APPENDIX A** for a more complete and detailed list of definitions pertaining to bullying and retaliation.

IV. ACS Procedure for Reporting Suspected Bullying Harassment or Retaliation

Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing (**Please see APPENDIX B**). When a witness becomes aware of bullying, harassment, or retaliation, he or she is required to report immediately to the Principal or designee the details of the incident witnessed. Reports made by students, parents or guardians, or other individuals who are not school or district staff members may be made anonymously. The school or district will make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form, which will be available in the schools' main offices, Dean of Students office, school adjustment counselor offices, and in each Principal's office, the school's main telephone lines and voicemail, and Bullying Prevention and Intervention Team member emails (found on the school's web site).

The requirement to report to the Principal or designee does not limit the authority of a staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline.

If the Principal is not available, you may contact any member of the Bullying Prevention and Intervention Team (BPIT):

Bullying Prevention Intervention Team Members

K-12 District Leader
Principals
Dean of Students
Student Adjustment Counselor

BPIT members will meet to determine the appropriate action. A full investigation report will be documented through interviews with all students and staff involved including the suspected target and/or aggressor. Not all team members need to be present before a decision is reached.

Confidentiality is an absolute priority. ACS requires that all parties involved in an investigation remember the following important points:

- This information is highly confidential.
- No discussion about the student should take place with anyone else other than the BPIT Members and in a secure location.

Please refer to **APPENDIX B** to view the ACS bullying incident report form and follow up procedure. (The incident report form will be available on the ACS website, in the main offices, and in the student adjustment counselor offices.)

A. Responding to a report of bullying or retaliation: Procedure for Atlantis Charter School staff members once a report is made:

1.) Responding to the report

After the Principal has determined a formal investigation will be conducted, they will promptly forward the report to the Dean of Students. Before fully investigating an allegation of bullying or retaliation, the Dean of Students or designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. Responses to promote safety may include (but are not limited to) creating a safety plan (within 24 hours, but typically before the end of the day); pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a “safe person” for the target; and altering the aggressor’s schedule (if needed) and access to the target. The Dean of Students or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

2.) Obligations to Notify Others

- a. Notice to parents or guardians. Prior to conducting interviews, the Dean of Students or designee will promptly notify the parents or guardians of the target. The aggressor’s parents or guardians are promptly notified after he/she has been interviewed. There may be circumstances in which the Dean of Students or designee contacts the aggressor’s parents or guardians prior to an investigation. Notice will be consistent with state regulation 603 CMR 49.00.
- b. Notice to another school or district. If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the Dean of Students or designee first informed of the incident will promptly notify by telephone the District Leader or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, including 603 CMR 49.00.

3.) Investigation

The Dean of Students or designee will promptly investigate all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved. During the investigation, the Dean of Students or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The Dean of Students or designee will remind the alleged aggressor, target, and witness(es) that retaliation is strictly prohibited and will result in disciplinary action.

If there is clear and sufficient evidence of physical assault, the school will address the student committing the violation in accordance with its practice regarding physical altercations, including, but not limited to, suspending the student once a suspension hearing is held.

Parents/guardians are assured that staff will proceed with a fair and equitable process. In order to accomplish this, students will have an opportunity to have their statements and/or complaints heard by the Dean of Students or designee who has been trained in this process. Students will also be asked to put their statements in writing.

The Dean of Students or designee assigned by the Principal will interview the students involved.

- a. The Dean of Students interviews individuals involved in an effort to document statements, gather information, and report findings to the Bullying Prevention Intervention Team. Students meet individually with the Dean of Students.
- b. The BPIT reviews the documents from the Dean of Students or designee investigating the report.
- c. A determination is then made.

B. Determinations

Upon a determination by the BPIT, the Dean of Students or designee will notify parents or guardians to review the findings and recommendations. Each student's confidentiality will be of paramount concern. Documentation is maintained in the student's discipline file and monitored.

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

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

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

1.) Disciplinary Actions

If the BPIT decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the BPIT, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with this plan and with the ACS code of conduct.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which will be read in cooperation with state laws regarding student discipline. Please see APPENDIX E

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

A range of possible disciplinary actions may be taken against an aggressor for bullying or retaliation OR someone who knowingly makes a false accusation of bullying or retaliation, including, but not limited to:

- An in-school or out-of-school suspension

- An apology of action
- Community service
- Research paper related to the action to be presented on the topic to increase awareness
- Detention
- Mediation
- Youth Court
- Referral to local law enforcement (to be made by the Principal if deemed necessary)
- Behavior management plan and monitoring

2.) Promoting Safety for the Target and Others

The BPIT will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well. One strategy that the BPIT may use is to increase adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the Dean of Students or designee will follow up with the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the Dean of Students or designee will work with appropriate school staff to implement them immediately. The Dean of Students will also follow up with the aggressor to review any expectations moving forward.

3.) Reporting by Students, Parents or Guardians, and Others

ACS expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the Principal or designee. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. It should also be noted that anonymous reports may hinder the school's ability to obtain the information needed to appropriately investigate the concern. Students, parents or guardians, and others may request assistance from a staff member to complete a written report. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member or with the Principal or designee.

4.) Notice to Law Enforcement.

At any point after receiving a report of bullying or retaliation, including after an investigation, if the Principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the Principal or designee will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21, the Principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

In making this determination, the Principal will, consistent with this plan and with applicable school or district policies and procedures, consult with the Dean of Students, if any, and other individuals the Principal or designee deems appropriate.

5.) Notice to Parents or Guardians

At the beginning of each school year, ACS will provide the school community, including administrators, staff, students, and parents or guardians, with written notice of its policies for reporting acts of bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the K-12 District Leader, Principals, Dean of Students, or designee, will be incorporated in student and staff handbooks, on the school or district website, and in information about this plan that is made available to parents or guardians.

6.) Legal Counsel

If necessary, the K-12 District Leader, Principal, Dean of Students, or designee will consult with legal counsel about an investigation.

7.) Problem Resolution System

Any parent wishing to file a claim/concern or seeking assistance outside of the district may do so with the Department of Elementary and Secondary Education Program Resolution System (PRS). That information can be found at www.doe.mass.edu/pqa, e-mails can be sent to compliance@doe.mass.edu or individuals can call 781-338-3700. Hard copies of this information is also available through the Executive Director's Office.

V. Professional Development

As required by M.G.L. c. 71, § 37O, the content of Atlantis Charter School's professional development will be informed by research and will include the following:

In August, before each school year begins, Atlantis Charter School conducts annual training for all school staff (teachers, paraprofessionals, support staff, custodians, administrative staff, school nurses, counselors, athletic coaches, etc.). Each year, this will include training on the Bullying Prevention and Intervention Plan that consists of:

- A review of staff responsibilities;
- A step by step overview of the process that the Principals and the BPIT will follow upon receipt of a report of bullying or retaliation;
- An overview of the bullying prevention curricula to be offered at all grades throughout the district.
- A hardcopy of the full Bullying Prevention and Intervention Plan

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.

Ongoing district-wide professional development includes but is not limited to:

1. **Restorative Practice Model** Focus is on building a positive school community where all students feel like they belong and are safe; engaging students in school or classroom planning and decision-making; communicating with families; fostering an understanding of and respect for diversity and difference; applying disciplinary practices that are logical and whenever possible focus on restoring harm
2. **Ongoing staff needs assessment.** The school will conduct ongoing needs assessments to gauge teacher and support staff professional development needs around preventing and responding to bullying.

VI. Access to Resources and Services

Although Atlantis Charter School is committed to bullying prevention, early intervention and building capacity to utilize the available supports such as those cited above, assertive steps are taken to understand the dynamics of bullying and provide approaches to address the needs of targets and aggressors.

Counseling and/or appropriate referral to services for aggressors, targets, and family members of those students assists in ensuring that the underlying emotional needs of targets, aggressors, families, and others are addressed.

A. Identifying Resources

1. Counseling and other sources

Student Adjustment Counselors are a critical part of our Bullying Prevention Intervention Team to ensure counseling support can focus on prevention and early intervention, including services for families. When a report of bullying is made, a referral to counseling support services may be initiated from the Principal, Dean of Students, or designee for the student adjustment counselors to carry out.

Resources include appropriate referrals to:

- a. Clinicians, psychologists, therapists, or counselors in the community
- b. Community Service Agencies (CSAs) for Medicaid eligible students provides assistance with medical support; referral to pediatricians' offices or specialists in the area;
- c. In school counseling support (group or individual counseling on social skills to prevent or address bullying for both the target and aggressor);
- d. Family therapy;
- e. Psychological, emotional assessments and/or testing;
- f. Court interventions for truancy or parent support;
- g. Youth Court
- h. Adult Mentor – offers target and/or aggressor support by providing weekly meetings with adult mentors to work on building strengths and positive relationships;
- i. Behavior Management Plans – development of plans to establish behavioral goals and a system of monitoring;
- j. In School Monitoring support – designs and develops a system of monitoring students through daily/weekly check-ins, support groups, behavior or safety plans.
- k. Anti-Bullying Student Contract;

2. Students with Disabilities

As required by M.G.L. c. 71B, § 3, as amended by Chapter 92 of the Acts of 2010, when the IEP Team determines the student has a disability that affects social skills development or the student may participate in or is vulnerable to bullying, harassment, or teasing because of his/her disability, the Team will consider what should be included in the IEP to develop the student's skills and proficiencies to avoid and respond to bullying, harassment, or teasing.

During the IEP Team meeting if a student is identified as being on the Autism spectrum or has reported being a target or aggressor, the team is notified by the student adjustment counselor or other appropriate staff member.

The team may choose to utilize the following resources in addition to those listed above:

- a. Mentor for Community Outreach Program (PreEts) - Students with transition goals can be referred to this program, which provides them with a mentor (teacher) who will work with the student towards their transition goals. Referrals to community-based programs such as hospitals, tutoring experiences, animal shelters etc. engage the students in experiences designed to help them explore meaningful community services and positive self-worth.
- b. Social Skills Groups – Students are included in groups that teach social skills to students with pragmatic social language deficits, difficulty reading social cues or body language, or other social deficits that may cause them to become a target for bullying and harassment.
- c. Safety Plans – the IEP team will develop a safety plan for the student that will include both in and out of school plans to insure the student’s safety beyond the school day.
- d. Individually Focused Curricula – based on the students’ disability the IEP team will ensure that any of the Social Emotional curriculum is meeting the student’s individual level of needs.

B. Curricular and Instructional Resources

Atlantis Charter School provides age-appropriate instruction on bullying informed by the following:

- a. Restorative Practice Model - The main focus is to build an inclusive community where all students feel a sense of belonging in school and that school is a safe place that respects diversity. Morning Meeting and Advisory provide dedicated times for education and skills to be provided to our students.
- b. Wayfinder- The district wide social emotional curriculum that includes education around positive social skills, healthy communication, respecting differences, dealing with peer pressure. etc. This curriculum is embedded weekly in Morning Meeting and Advisory time.
- c. Health class- standards in social skills, healthy relationships, and effective communication are covered in Health classes

The Atlantis Charter School strongly believes in the educational value of Internet resources. Our goal in providing this access is to support administration, enhance instruction and promote student learning. ACS has an Internet Acceptable Use Policy for Students, Faculty & Staff users. **Please refer to internet user policy above.**

VII. General Teaching Approaches, Academic and non-academic Activities that Support Bullying Prevention Efforts

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

- Setting clear expectations for students and establishing school and classroom routines;
- Creating safe school and classroom environments for all students, including for students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students;
- Using appropriate and positive responses and reinforcement, even when students require discipline;
- Using positive behavioral supports;
- Encouraging adults to develop positive relationships with students;

- Modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;
- Using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development;
- Providing diversity training to all students through multiple instructional resources;
- Providing education around internet safety; and
- Supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

VIII. Planning and Oversight

Atlantis Charter School's Bullying Prevention Intervention Team (BPIT) includes the Dean of Students, Student Adjustment Counselors, Principals, and K-12 District Leader. The BPIT is responsible for:

- Review reports on bullying;
- Collect and analyze building- and/or school-wide data on bullying to assess the present problem and to measure improved outcomes;
- Utilize a data sheet to record and track incident reports
- Access information related to targets and aggressors;
- Planning for the ongoing professional development that is required by the law;
- Plan supports that respond to the needs of targets and aggressors on an ongoing basis;
- Review curricula that the school or district will use;
- Develop new or revise current policies and protocols under the Plan, including an Internet safety policy,
- Designate key staff to be in charge of implementation of them;
- Amend student and staff handbooks and codes of conduct;
- Leading the parent or family engagement efforts and drafting parent information materials; and
- Review and update the Plan each year, or more frequently.

Atlantis Charter School's Bullying Prevention and Intervention Plan is a comprehensive approach to addressing bullying (including cyber bullying), and affords all students the same protection regardless of their status under the law, and will continue working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence.

TITLE IX POLICY

Definitions

In the employment context, sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment under Massachusetts law when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's advancement (quid pro quo harassment);
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions;
- Such conduct interferes with an individual's job duties; or
- The conduct creates an intimidating, hostile or offensive work environment.

In the educational context, sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct ("quid pro quo harassment");
- 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 recipient's education program or activity ("hostile environment harassment"); or
- "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30)

The District will promptly investigate all allegations of sexual harassment of which it has actual knowledge and which are alleged to occur in the school's programs and activities, including locations, events, and/ or circumstances in which the school district exercises substantial control, in a way that is not deliberately indifferent.

The following additional definitions apply:

"Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to any employee of the district, except that this standard is not met when the only official of the district with actual knowledge is the respondent (where the respondent is an employee). Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. Complaints will be addressed whenever the district has actual knowledge of the allegation.

"Administrative leave" means placing an employee on leave pursuant to state law. Nothing in the Title IX regulations precludes a recipient from placing a non-student employee respondent on administrative leave during the pendency of a grievance process, provided that Massachusetts laws are followed.

"Consent" means cooperation in act or attitude pursuant to an exercise of free will of a conscious person with informed knowledge of the nature of the act or actions. A current or previous relationship shall not be sufficient to constitute consent. Consent will not be found when submission to the act or actions is undertaken due the influence of fear, fraud, forcible compulsion, threats, and/ or the complainant possessed any legal incapacity to consent at the time of the act or actions. Consent is a defense to all types of sexual harassment.

"Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

"Deliberate indifference" means a response to sexual harassment that is clearly unreasonable in light of the known circumstances.

"Emergency removal" means the suspension or expulsion of a student on an emergency basis, consistent with state law. Nothing in the Title IX regulations precludes a district from removing a respondent from the district's education program or activity on an emergency basis, provided that the district follows all procedures under Massachusetts law, undertakes an individualized safety and risk analysis, 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 provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

Formal complaint means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment and requesting that the district investigate the allegation of sexual harassment.

“Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

“Supportive measures” means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient’s educational environment, or deter sexual harassment. Supportive measures may include 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 or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures

Complaints and Reports of Sexual Harassment

Upon receiving actual notice of alleged sexual harassment without a formal complaint, staff members must notify the Title IX Coordinator. The Title IX Coordinator must then contact the complainant within two school days of receiving the complaint and do the following:

- Discuss and offer supportive measures;
- Consider the complainant’s wishes with respect to supportive measures;
- Explain that supportive measures may be received with or without filing a formal complaint;
- Determine whether the complainant wishes to file a formal complaint; and
- Explain to the complainant the purpose of filing a formal complaint.

The Title IX Coordinator must document in writing the supportive measures offered/provided or why no supportive measures were offered/provided. Complainant and respondents must be offered supportive measures even if they do not file a formal complaint.

If the complainant declines to file a formal complaint, the Title IX Coordinator must consider whether to sign a formal complaint and start an investigation despite the complainant’s preferences. This decision may be appropriate when safety or similar concerns lead the district to conclude that a non-deliberately indifferent response to actual knowledge of Title IX sexual harassment could reasonably require the school district to investigate and potentially sanction a respondent. A Title IX Coordinator’s decision to override the

complainant's decision not to file a formal complaint must be documented in writing along with an explanation of why this decision was necessary in order to avoid deliberate indifference.

Formal complaints may also be filed directly with the Title IX Coordinator by a complainant in person, by mail, by email, or by telephone at any time, including during non-business hours.

The contact information for the Title IX Coordinators are:

Gabriela Birmingham
District Leader
Title IX Coordinator
Atlantis Charter School
991 Jefferson St.
Fall River, MA 02721
508-646-6410
Gbirm@Atlantiscs.org

Kristi Oliveira
Human Resources Director
Title IX Coordinator
Atlantis Charter School
991 Jefferson St.
Fall River, MA 02721
508-646-6410 x1361
OliveiraK@atlantiscs.org

The complaint may be written by the complainant, or it will be reduced to writing by either the school employee who receives the complaint, the Principal, or the Title IX Coordinator. Whether the complaint is reduced to writing by a student, parent, or staff member, the written complaint should include the name of the complainant, the name of the alleged victim (if different), the name of the respondent, the location of the school/department where the alleged discriminatory action occurred, the basis for the complaint, witnesses (if any), and the corrective action the complainant is seeking. This information will be made on or transferred to a discrimination/ harassment complaint form maintained by the District.

There is no time limit or statute of limitation on timing to file a formal complaint. However, at the time of filing a formal complaint, an alleged victim must be participating or attempting to participate in a program or activity of the school district. Additionally, the district has discretion to dismiss a formal complaint where the passage of time would result in the district's inability to gather evidence sufficient to reach a determination regarding responsibility, or when the district loses responsibility for the respondent (e.g., the respondent no longer attends or is employed by the district).

If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in this policy even if proved, did not occur in the school district's education program or activity, or did not occur against a person in the United States, then the school district must dismiss the formal complaint under these procedures, but could investigate it under other policies and procedures. The school district must send written notice of any dismissal.

Investigations to allegations of sexual harassment will be prompt and the formal process will be completed within a sixty-day timeframe where feasible. There may be a temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

Written Notice

Before any investigation can begin, the district must send written notice to both parties including sufficient details. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice must include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice must inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence. The written notice must inform the parties that the District's code of conduct prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If additional allegations are added during the course of the investigation, additional written notice must be provided.

Informal Resolution

Where appropriate, after notice has been issued, the Title IX Coordinator should also consider offering the parties an option for informal resolution (e.g., mediation). Informal resolution may only be offered after a formal complaint is filed, and the parties must give written consent to engage in this process. Informal resolution may not be used if the allegation is against an employee respondent. Facilitators of informal resolution will be designated by the Title IX Coordinator and must not be biased against any of the parties.

Informal resolution is entirely voluntary. Complainants may elect to pursue formal procedures at any step in the process of making their complaint, even if informal resolution has already begun. Similarly, respondents may elect to follow formal procedures and decline informal resolution.

If the complainant and the respondent feel that their grievances have been sufficiently addressed via informal resolution, then no further action needs to be taken. This voluntary conversation must occur within five (5) school days after receiving the complaint of discrimination or harassment, unless both parties agree otherwise. The results of an informal resolution shall be maintained by the facilitator, in writing.

If the complainant is not satisfied with the resolution from the informal process, or if he/she does not choose informal resolution, then he/she can begin the formal complaint procedure described below.

Investigation

If informal resolution is not offered to or accepted by the parties, the Title IX Coordinator will designate an investigator and a decision maker, who may not be the same person. The Title IX Coordinator is free to cast himself/ herself in either role, where appropriate.

The investigator must not be biased against any of the parties at the outset of the investigation. The investigator will be responsible for interviewing parties and witnesses, finding facts, and making determinations related to credibility, all of which will go into a written report. The investigator must avoid all questions that are protected by legal privilege, unless the privilege has been waived, and should avoid asking about the complainant's sexual history unless it is directly relevant to prove consent to the conduct at issue or to prove that the conduct was committed by someone other than the respondent.

Prior to completion of the investigative report, the school district will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.

The investigator must avoid making any final determinations of responsibility for sexual harassment.

Findings should be written in a factual way in an investigative report. Credibility determinations may not be based on an individual's status as complainant, witness, or respondent.

During the investigative process and any further hearings, complainants and respondents have a right to have advisors of their choice participate in all aspects of the proceedings. The district will provide both parties with written notice of investigative interviews, meetings, and hearings, with sufficient time to prepare.

Findings of Responsibility

After the investigator has completed the investigation, the designated decision-maker will be assigned to determine final responsibility or lack thereof for violating Title IX. The decision-maker must not be biased against any of the parties at the outset of this process.

Before the district can determine responsibility, an investigative report will be sent to the parties and the decision-maker will offer both the complainant and respondent the opportunity to submit proposed relevant, written questions to ask of any party or witness, to respond to questions posed by another party, and to offer additional limited follow-up. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant'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. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

After this process is complete, the decision-maker will create a written determination regarding whether sexual harassment has occurred using a preponderance of the evidence standard.

A "preponderance of the evidence" means that it is more likely than not that the alleged conduct occurred. The decision-maker shall further recommend what action, if any, is required. If it is determined that sexual harassment occurred, the District will take steps to prevent the recurrence of the harassment and correct its discriminatory effect on the complainant and others if appropriate. Such remedies may include supportive measures.

The written determination must be issued to both parties simultaneously and must include:

- (A) Identification of the allegations potentially constituting sexual harassment;
- (B) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- (C) Findings of fact supporting the determination;

(D) Conclusions regarding the application of the recipient's code of conduct to the facts;

(E) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and

(F) The district's procedures and permissible bases for the complainant and respondent to appeal (a copy of, or direct reference to, this policy will suffice).

Formal disciplinary actions may be imposed in the event that the preponderance of the evidence indicates a violation of this policy, up to and including expulsion or termination. Any disciplinary action will be in accordance with due process rights under State law and any applicable collective bargaining agreement.

As indicated above, these procedures do not limit the District from removing a student or employee from a program or activity on an emergency basis based on immediate threats to people's physical health or safety or placing an employee on administrative leave during the pendency of the investigation.

Records

A record will be maintained for a period of seven years of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment and district staff will document the basis for the district's conclusion that its response was not deliberately indifferent.

Training

The district will ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment, the scope of the recipient's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

The district will ensure that decision-makers receive training on any technology to be used in interviews and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

The district also must ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Any materials used to train Title IX 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 adjudications of formal complaints of sexual harassment.

These training materials will be posted on the school district's website.

Appeals

Any party may appeal the decision in writing to the Executive Director within fifteen (15) school days of receipt of the findings of the formal procedure or a dismissal on the following bases:

(A) Procedural irregularity that affected the outcome of the matter;

(B) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

(C) The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

The school district will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties. Both parties will have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The Executive Director or designee, as a further impartial decision-maker, will review the comprehensiveness and accuracy of the investigation and the conclusions, and issue written findings to both the complainant and respondent within thirty (30) school days of the appeal.

Contact information for the Executive Director:

Robert Beatty
Executive Director
Atlantis Charter School
991 Jefferson St.
Fall River, MA 02721
508-646-6410
robert.beatty@atlantiscs.org

External Grievance Procedure

Any student, parent or employee who chooses not to use the District's internal grievance procedures or who is not satisfied with the District's internal grievance procedures may file a complaint of discrimination or harassment with an appropriate state or federal agency.

For complaints related to discrimination/harassment of students:

The Office for Civil Rights, US Department of Education
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172

OR

For complaints related to discrimination/harassment of parents:

The Office for Civil Rights, US Department of Education
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172

For complaints related to discrimination/harassment of employees:

The Office for Civil Rights, US Department of Education
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172

OR

The Massachusetts Commission Against Discrimination
One Ashburton Place
Sixth Floor, Room 601
Boston, MA 02108
Phone 617-994-6000, TTY: 617-994-6196

OR

The Equal Employment Opportunities Commission
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
Phone: 1-800-669-4000

Referral to Law Enforcement, Other Agencies

Some alleged conduct may constitute both a violation of District policies and criminal activity. The K-12 District Leader or Executive Director will refer matters to law enforcement and other agencies as appropriate under the law or District policy, and inform the complainant/ alleged victim of the right to file a criminal complaint.

Retaliation

Complainants and those who participate in the complaint resolution process or who otherwise oppose in a reasonable manner an act or policy believed to constitute discrimination are protected from retaliation by law and District policy. The coordinator or designee will inform all involved individuals that retaliation is prohibited, and that anyone who feels that they have experienced retaliation for filing a complaint or participating in the resolution process should inform the coordinator. The coordinator will investigate reports of retaliation and, where retaliation is found, take separate remedial and disciplinary action.

GRIEVANCE PROCEDURE

Title IX of the Education Amendment of 1972

Title II of the Americans with Disabilities Act of 1990

Section 504 of the Rehabilitation Act of 1973

Any person believing that the Atlantis Charter School or any part of the school's organization has inadequately applied the principles and/or regulations of (1) Title IX of the Education Amendment Act of 1972, (2) Section 504 of the Rehabilitation Act of 1973, (3) Title II of the Americans with Disability Act of 1990, may bring forward a complaint, which has been referred to as a grievance, to the Atlantis Charter School Civil Rights Coordinator at the following address:

ACS Civil Rights Coordinator, Section 504, and Title II- Jessica Lee
Title IX- Gabriela Birmingham & Kristi Oliveira
Atlantis Charter School
991 Jefferson St., Fall River, MA 02721

The person who believes s/he has a valid basis for grievance shall discuss the grievance informally and on a verbal basis with the Atlantis Charter School Title IX, Section 504, and Title II Coordinator who shall in turn investigate the complaint and reply with an answer to the complainant. She/he may initiate formal procedures according to the following steps:

Step 1: A written statement of the grievance signed by the complainant shall be submitted to the Atlantis Charter School Title IX, Section 504, and Title II Coordinator within five (5) business days of receipt of answers to the informal complaint. The Coordinator shall further investigate the matters of grievance and reply in writing to the complainant within five (5) business days.

Step 2: If the complainant wishes to appeal the decision of the local Atlantis Charter School Title IX, Section 504, and Title II Coordinator, she/he may submit a signed statement of appeal to the District Leader at Atlantis Charter School within five (5) business days after receipt of the Coordinator's response. The District Leader shall meet with all parties involved, formulate a conclusion, and respond in writing to the complainant within ten (10) business days.

Step 3: If the complainant remains unsatisfied, she/he may appeal through a signed written statement to the Executive Director and the Board of Trustees within five (5) business days of his/her receipt of the District Leader's response in step two. In an attempt to resolve the grievance, the Board of Trustees shall meet with the concerned parties and their representative within forty (40) days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of the Board meeting during which the appeal was deliberated.

Step 4: If at this point the grievance has not been satisfactory settled, further appeal may be made to the US Department of Education, Office of Civil Rights, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921.

Inquiries concerning the nondiscriminatory policy may be directed to Director, Office for Civil Rights, Department of Education, Washington, D.C. 20201.

Atlantis Charter School ("District") does not discriminate against students, parents, employees, or the general public on the basis of race, color, national origin, sex, sexual orientation, gender identity, disability, religion, or age. Additionally, Atlantis Charter School does not discriminate against the individuals on the basis of homelessness in a manner consistent with the McKinney-Vento Act.

PROCEDURE FOR PARENT/GUARDIAN GRIEVANCES

Atlantis faculty and administration encourages parents/guardians to freely communicate with the school about important matters. You may do so by bringing information, issues, or complaints forward within a reasonable time period so that they can be handled in an efficient and timely manner. Whenever possible, parents/guardians should communicate with the staff person most directly involved or responsible for the situation in question. If an understanding or resolution is not reached, the parent/guardian is encouraged to meet with the Principal of the appropriate grade level. If necessary, the Principal will schedule a meeting with the parties involved and gather information, including conducting interviews, in order to resolve the situation. If the action(s) taken by the Principal does not result in a clear resolution, the parent/guardian may contact the K-12 District Leader within five (5) business days of said resolution for further investigation. Should the parent/guardian remain unsatisfied with the school's findings, the parent/guardian may submit a formal complaint in writing within ten (10) business days to the Executive Director and Board of Trustees.

LOCK DOWN PROCEDURES

Code Yellow Lockdown

A Code Yellow Lockdown will be announced when:

- A potential threat inside or outside of the building
- An emergency situation within the school is occurring which requires adherence to Code Yellow procedures

How to implement a Code Yellow Lockdown:

- Security is increased in around the building
- No visitors are allowed access in the building
- Lock all interior doors
- Shades on the windows should be closed
- Students and staff remain in current designated area/ No passing of classes/No bathroom
- Classroom instruction and work continue within current location
- Administrators will communicate updates to staff as needed via Google chat app

Outside Procedures during a Code Yellow Lockdown:

- Member of Administration will communicate if it is safe to enter the building
- If access to the building is compromised, seek shelter at Spectrum Lighting (primary designated location) or Market Basket (alternate)

Code Red Lockdown

A Code Red Lockdown will be announced when:

- An immediate threat is inside or outside of the building

How to implement a Code Red Lockdown:

- No access allowed into the building
- Staff will quickly sweep hallway in immediate surrounding area for students
- Staff with rooms/offices across from bathrooms will quickly check and bring all students into classrooms/offices
- Lock all interior doors
- Close shades
- NO ONE is allowed access into or out of classrooms/offices

To the Greatest Extent Possible:

- Stay out of sight away from windows and doors in the nearest securest location

- Administrator will communicate any necessary communication via ACS Staff Code Red Group
- Be silent, remain calm, and wait for further direction

Outside Procedures during a Code Red Lockdown:

- Stay OUTSIDE; do not attempt to enter the building
- Seek shelter at Spectrum Lighting (primary designated location) or Market Basket (alternate)
- Communicate location via text

Code Green 991 – All Clear

A Code Green 991 – All Clear will be announced when:

- The building is safe and clear of danger
- Do not come out of lockdown status until you hear an announcement stating Code Green 991-All Clear

ACCEPTABLE USE POLICY - SCHOOL ISSUED DEVICES TO STUDENTS

Please read and review the following Acceptable Use Policy (AUP). When signed, **it becomes a legally binding contract. All students and parents must sign the AUP in order to be assigned a Chromebook to be used for educational purposes.**

Introduction

The Atlantis Charter School (ACS) believes in the educational value of students having access to technology. Our goal in providing technology resources is to support instruction and promote student learning.

It is important for students and parents to note that all Chromebooks, associated power cords, and accessories that are distributed to students are the exclusive property owned by Atlantis Charter School. Chromebooks and associated accessories are not, at any point, to be considered student property.

User Responsibility

Students are responsible for the care of the loaned device, and all accompanying accessories, they have been issued by the school. The use of school technology is a privilege and should be treated as such. All students are expected to follow the Acceptable and Unacceptable Use policies identified below. Loss or damage to a device or its accompanying accessories, as a result of failing to abide by all the policies listed below, will result in the student, and his or her family, being financially responsible for the full repair or replacement cost of the device or accessories. This includes loss or damage to a device that has occurred while left unattended, unlocked, or while someone else is using your device. Students are not to allow other students to use or borrow their school issued device at any time.

Acceptable Use Policies

- I am expected to bring the device that has been assigned to me to class fully charged each day.
- I will carry my device carefully at all times throughout the school day.
- I will keep my device with me or in a secure location at all times.
- I will keep the device in its protective case at all times.
- I will take care to remove all objects before closing the device lid.
- I will keep my device away from all food or drinks.
- I will use my device for school related assignments or activities only and during appropriate times in approved locations.
- I will only participate in and encourage positive, constructive discussion if allowed to use communicative or collaborative technologies.
- I will cite sources when using online sites and resources for research.
- I will back up important data accordingly so that it is not stored on just my device.
- I will keep all personal passwords confidential.
- I will always engage school technologies in a manner that is safe and respectful for myself and others.
- I will alert a teacher, staff member or administrator immediately if I see inappropriate, threatening, or harmful content. This may include images, messages, posts, etc.
- I will report any problems with my device to the Atlantis Charter School's technology department via e-mail immediately at techsupport@atlantiscs.org or bring the device to the technology office to be evaluated. If this is not possible, due to device damage, I will alert an administrator of damage before the end of the school day.
- I will report my device stolen or missing to the IT department as soon as I am aware of the device missing or stolen.

Unacceptable Use Policies

- I will not allow others to use my school issued device or accessories at any time.

- I will not alter or remove any identification labels on school issued devices.
- I will not add stickers, decals, or any other personalized decorations to my school issued device or accessories.
- I will not expose my Chromebook to extreme cold or hot temperatures (do not leave near a heater or in a car overnight for example).
- I will not load, download, or alter any software or hardware on any school issued device.
- I will not use any school technology illegally in ways that violate federal, state, or local laws and statutes or to pursue information on such activities using any school technology.
- I will not attempt to bypass the school's filtering mechanisms.
- I will not damage, or do anything that may damage school technology devices, school networks, or school data.
- I will not attempt to buy, sell, or advertise anything using a school device.
- I will not violate copyright laws by posting or distributing unauthorized copyrighted material.
- I will not plagiarize content I find online.
- I will not share my password with others or ask others to share their passwords.
- I will not use school technology to send or receive spam or chain mail.
- I will not engage in any behavior using school technologies that could be construed as inappropriate, disrespectful, bullying, or harassment.
- I will not use inappropriate, obscene, or derogatory language on any school device.
- I will not attempt to access, send, or display any offensive or inappropriate images or content.
- I will not post personally identifying information about myself or others.
- I will not bring any school technology to an outside computer service for repair or replacement.

I understand that information accessed or stored on the network is NOT private. Network administrators or their designee has the right to access information stored in any user directory, hard drive, disk/flash memory, or electronic mail. Network management and monitoring software will be used for access to individual accounts to review educational progress and for security purposes. Students should always remember that the school has the right to access content at any time on any school device or technologies.

Chromebook Audits

The IT department, in conjunction with Administration, will perform Chromebook audits at various times throughout the school year. Students will know in advance when audits will take place. Students must present their own school-provided device, protective case, and charger at the time of audit. Failure to present the device and/or charger that was given to the respective student, or if there is damage to a device or charger, will result in the family being charged the full cost of replacing the device and charger or the full cost of repair.

Transferring/Withdrawing Students

Students that transfer or withdraw from ACS must turn in all school issued devices and accompanying accessories prior to leaving. Failure to turn in a device will result in the student and family being financially charged the full replacement cost of the device or accessories. ACS may also file a report of stolen property with the Fall River Police Department for equipment not returned.

Graduating Seniors

12th grade students are expected to turn in all school issued technology at the designated time prior to graduation. Students are financially responsible to pay for any missing or damaged devices and/or accessories prior to graduation. Failure to do this, or make agreed upon arrangements with the IT department, may result in loss of participation in senior week activities or participation in the graduation ceremony.

CELL PHONE/ELECTRONIC POLICY

K-4 Cell Phone Policy

Students are not allowed to have cell phones on them while on campus. If a student brings a cell phone to school, it will be collected by staff during homeroom and returned to the student at the end of the school day.

- Students are not allowed to use their phone on campus prior to turning it in during homeroom. Phones should be turned off while on campus.
- If a student is found to have a phone on them during the school day or is using a phone on campus, it will be turned in to the office and returned to the student at the end of the day (first offense). For all subsequent offenses, the phone will be turned in to the office and a parent/guardian will be required to collect the phone at the end of the day. The school reserve the right to ask students not to bring phones to school if they are not able to follow this policy.

Grade 5-6 Cell Phone Policy

Students in grades 5th and 6th are not allowed to use personal cell phones and other types of electronic devices, including Apple watches, airpods, and other personal electronic devices, during the academic school day at any time. Students may possess and carry cell phones on their person; however, the cell phone must be completely turned off (not simply on silent or vibrate mode) and locked in a Yondr pouch during the academic school day, this includes during lunch. At the start of the school day, each student will be expected to place their cell phone, and all electronic devices, in a magnetized Yondr pouch that is provided by the school. At the end of the academic school day, students will be able to unlock the Yondr pouch and use their cell phone freely once the academic school day is over. The school will provide each student with a Yondr pouch at the start of the day and upon dismissal, the student will return the Yondr pouch to the school.

The “academic school day” is defined as walking into the building at the start of the school day, which begins at 7:45am, and throughout the day until school is over at 3:00pm. Students are permitted to use cell phones before and after school hours inside or outside the school building. Students are also allowed to use their cell phone at school sponsored events which include sports, clubs, or other activities.

The purpose of our policy is to ensure that academics remain our focus while also promoting the most positive school climate that we possibly can. In order to reach this goal, we must minimize the social and behavioral disruptions and interference that comes with allowing cell phones in the academic setting. We are committed to creating an environment where each student has the best possible chance of being successful.

Process for Pouch Use

Start of School Day:

1. Students will turn off phones, airpods/earbuds, and smart watch off (not simply on silent or vibrate mode) when entering the annex at the start of school prior to walking to homeroom.
2. Students will be provided an unlocked Yondr pouch upon arriving in the homeroom.
3. Students will place their phone, airpods/earbuds, and smart watch inside the pouch, securely close it, and store it in their backpack, purse, or pocket.

During the School Day:

1. Students are to keep their phone, airpods/earbuds, and smart watch inside their locked Yondr pouch for the duration of the school day.

2. If a student leaves school grounds for an approved appointment, the student will be allowed to unlock their Yondr pouch with an administrator/main office upon leaving. If the student is returning to school, the student will lock the phone and/or electronic devices upon re-entry.
3. Students are not permitted to access their phone during the school day anywhere on school grounds unless the student is leaving school grounds for an approved appointment or if there is an extenuating circumstance that has been approved by a member of administration.

End of School Day:

1. Students will unlock the Yondr pouch using the unlocking bases on their way out of school.
2. Students will remove their phone from the Yondr pouch.
3. Students will leave the Yondr pouch at school in the Yondr bins provided by the school.
4. Students are free to use their phones on school grounds after school ends at 3:00 pm **UNLESS** they are required to attend a teacher or administrative after-school detention.

Violations & Consequences

It is the expectation that each student upholds the cell phone policy each day. The following violations will result in the school enforcing the consequences shown in the chart below.

1. A student's phone or other electronic devices are visible at all during the school day (a student is found using their phone, a phone is not in a Yondr pouch, etc.)
2. Physical damage to the pouch in an attempt to circumvent its intended purpose. (ex. inappropriate markings, holes, bent pin, stripped lock, etc.)
3. Losing the pouch.
4. Damaging or taking someone else's pouch.
5. Using a phone anywhere on school grounds during the academic school day.

First Offense	<ul style="list-style-type: none"> • Confiscation of the cell phone/electronic device to be returned to the student at the end of the school day. • Student's parent or guardian will be called • Students can retrieve phone/electronic devices upon dismissal at the end of the day.
Second Offense	<ul style="list-style-type: none"> • Same day Lunch Detention. If the offense occurred during or after lunch, the student will attend lunch detention the next school day. • Administration will schedule a conference with the parent/guardian. • The confiscated device will be returned to the parent/guardian after the parent conference.
Third Offense	<ul style="list-style-type: none"> • Student has to turn in the phone to a building administrator for 5 consecutive school days • Phone/electronic device is returned to the student at the end of each school day • Student must complete reflection sheet addressing breach in behavior • Parent communication

	<ul style="list-style-type: none"> After one week, the student resumes regular usage of the Yondr pouch. If another offense occurs, the student will no longer be allowed to bring their phone to school.
Damaged Pouch	<p>First Offense:</p> <ul style="list-style-type: none"> Parent communication Phone/electronic device is confiscated and returned to student at the end of the day 1 after school detention Student/family will be required to pay a \$25 fee to the school for a replacement pouch <p>Second Offense</p> <ul style="list-style-type: none"> Phone/electronic device is confiscated and returned to student at the completion of second detention 2 after school detentions Student must complete reflection sheets addressing breach in behavior Parent Communication Student/family will be required to pay a \$25 fee for the replacement pouch

*Note: The progression of consequences will “reset” in January through the remainder of the school year

EMERGENCY PROTOCOL

In the event of an emergency at home, parents or guardians can contact their student during the school day by calling the Main Office at (508) 672-1821.

Should there be circumstances during the school day that requires a student to speak with their parent, the student will be allowed to do so via a school phone from the Main Office, an administrator’s office, or the Nurse’s office.

In the event of a school emergency that requires a lockdown, students will be required to follow the school’s Code Red lockdown procedures. The school’s main priority is to ensure the safety of all students and staff. Parents will receive notification of a Code Red lockdown via the school’s information communication system

7-12 Cell Phone Policy

Students in grades 7-12 are not allowed to use personal cell phones and other types of electronic devices, including Apple watches, airpods, and other personal electronic devices, during the academic school day at any time. Students may possess and carry cell phones on their person; however, the cell phone must be completely turned off (not simply on silent or vibrate mode) and locked in a Yondr pouch during the academic school day, this includes during lunch. At the start of the school day, each student will be expected to place their cell phone, and all electronic devices, in a magnetized Yondr pouch that is provided by the school. At the end of the academic school day, students will be able to unlock the Yondr pouch and use their cell phone freely once the academic school day is over. Unlike the previous school year, students will not be given a personalized Yondr

pouch to take home and back and forth to school each day. The school will provide each student with a Yondr pouch at the start of the day and upon dismissal, the student will return the Yondr pouch to the school.

The “academic school day” is defined as walking into the building at the start of the school day, which begins at 7:30am, and throughout the day until school is over at 2:30pm. Students are permitted to use cell phones before and after school hours inside or outside the school building. Students are also allowed to use their cell phone at school sponsored events which include sports, clubs, or other activities.

The purpose of our policy is to ensure that academics remain our focus while also promoting the most positive school climate that we possibly can. In order to reach this goal, we must minimize the social and behavioral disruptions and interference that comes with allowing cell phones in the academic setting. We are committed to creating an environment where each student has the best possible chance of being successful.

Process for Pouch Use

Start of School Day:

1. Students will turn off phones, airpods/earbuds, and smart watch off (not simply on silent or vibrate mode) in the Main Office lobby at the start of school prior to walking to first period class.
2. Students will be provided an unlocked Yondr pouch upon arriving to school.
3. Students will place their phone, airpods/earbuds, and smart watch inside the pouch, securely close it, and store it in their backpack, purse, or pocket.
4. This process may take a few minutes. **Students are responsible for getting to class on time with a locked pouch each day.**

During the School Day:

1. Students are to keep their phone, airpods/earbuds, and smart watch inside their locked Yondr pouch for the duration of the school day.
2. If a student leaves school grounds for an approved appointment, or Atlantis sponsored event, the student will be allowed to unlock their Yondr pouch with an administrator upon leaving. If the student is returning to school, the student will lock the phone and/or electronic devices upon re-entry.
3. Students are not permitted to access their phone during the school day anywhere on school grounds unless the student is leaving school grounds for an approved appointment or if there is an extenuating circumstance that has been approved by a member of administration.

End of School Day:

1. Students will unlock the Yondr pouch using the unlocking bases located near the Main Office lobby on their way out of school.
2. Students will remove their phone from the Yondr pouch.
3. Students will leave the Yondr pouch at school in the Yondr bins provided by the school.
4. Students are free to use their phones on school grounds after school ends at 2:30pm **UNLESS** they are required to attend a teacher or administrative after-school detention.

Violations & Consequences

It is the expectation that each student uphold the cell phone policy each day. The following violations will result in the school enforcing the consequences shown in the chart below.

1. A student's phone or other electronic devices are visible at all during the school day (a student is found using their phone, a phone is not in a Yondr pouch, etc.)
2. Physical damage to the pouch in an attempt to circumvent its intended purpose. (ex. inappropriate markings, holes, bent pin, stripped lock, etc.)
3. Losing the pouch.
4. Damaging or taking someone else's pouch.
5. Using a phone anywhere on school grounds during the academic school day.

First Offense	<ul style="list-style-type: none">• Confiscation of the cell phone/electronic device to be returned to the student at the end of the school day.• Student's parent or guardian will be called• Student can retrieve phone/electronic device upon dismissal at the end of the day.
Second Offense	<ul style="list-style-type: none">• Same day Lunch Detention. If the offense occurred during or after lunch, the student will attend lunch detention the next school day.• Administration will schedule a conference with the parent/guardian.• The confiscated device will be returned to the parent/guardian after the parent conference.
Third Offense	<ul style="list-style-type: none">• 2 after school detentions• Phone/electronic device is confiscated and returned to student at the completion of the second detention• Student must complete reflection sheets addressing breach in behavior• Parent communication

<p>Damaged Pouch</p>	<p>First Offense:</p> <ul style="list-style-type: none"> • Parent communication • Phone/electronic device is confiscated and returned to student at the end of the day • 1 after school detention • Student/family will be required to pay a \$25 fee to the school for a replacement pouch <p>Second Offense</p> <ul style="list-style-type: none"> • Phone/electronic device is confiscated and returned to student at the completion of second detention • 2 after school detentions • Student must complete reflection sheets addressing breach in behavior • Parent Communication • Student/family will be required to pay a \$25 fee for the replacement pouch
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*Note: The progression of consequences will “reset” in January through the remainder of the school year

EMERGENCY PROTOCOL

In the event of an emergency at home, parents or guardians can contact their student during the school day by calling the Main Office at (508) 646-6410.

Should there be circumstances during the school day that requires a student to speak with their parent, the student will be allowed to do so via a school phone from the Main Office, and administrator’s office, or the Nurse’s office.

In the event of a school emergency that requires a lockdown, students will be required to follow the school’s Code Red lockdown procedures. The school’s main priority is to ensure the safety of all students and staff. Parents will receive notification of a Code Red lockdown via the school’s information communication system

PERSONAL BELONGINGS

Students should not bring large sums of money or valuable personal belongings to school. The school is not responsible should money or other personal belongings be stolen from lockers or classrooms, or articles of clothing taken that have been left in any area of the school. No book bags/backpacks or large hand bags are allowed in the classroom. However, small handheld purses, which do not disrupt instruction, are permitted in the classroom setting.

A student’s personal belongings may be searched whenever a school authority has reasonable suspicion to believe that the student is in possession of illegal or unauthorized materials, or any material that could be deemed a safety concern to the educational setting.

SCHOOL PROPERTY

ACS takes pride in its academic resources, and buildings and grounds. We possess many textbooks, trade book literature, technical and electronic equipment. We must demonstrate pride and care in their use. Funds are not available to repair or replace equipment damaged by vandalism. Writing on or, in any way, destroying walls, bathrooms, ceilings, woodwork, furniture, windows, textbooks or any other school property will not be tolerated. Consequences for vandalism will follow the discipline policy. Atlantis reserves the right to contact law enforcement for vandalism.

The student's parents/guardians are financially responsible for the full cost of all repairs and/or replacement of damaged or destroyed school property.

FAMILY COMMUNITY RESOURCE CENTER

The Atlantis Family and Community Resource Center (FCRC) provides ongoing support to ACS families and faculty as well as promotes activities/events to build a solid educational foundation for all ACS students. FCRC framework is a road map for progress in achieving the kinds of outcomes that lead to positive and enduring change for children, families and the community. When parent, family, and community engagement activities are systemic and integrated across program foundations and program impact areas, family engagement outcomes are achieved, resulting in children who are healthy and ready for school. Parent and family engagement activities are grounded in positive, ongoing, and goal-oriented relationships with families. Because parent, family, and community engagement practices cross into different service areas, FCRC goals, plans and community activities are systemic, integrated, and comprehensive across the entire Atlantis organization.

The FCRC framework was developed in partnership with programs, families, experts, and the National Center on Parent, Family, and Community Engagement. It is a research-based approach to program change that shows how Atlantis can work together as a whole—across systems and service areas—to promote parent family, and community engagement and children's learning and development.

FCRC Coordinator: Donalda A. Silva Ext. 1281

Families/Events Liaison: Edymariel Cortes Ext. 1283

JUNIOR TRITONS EXTENDED DAY PROGRAM

Description of Program: Atlantis Charter School offers after school child care to K-6 students. The Junior Triton program will focus on providing each student a safe, well-structured, educational environment that will help develop and strengthen their academic, physical, and social/emotional well-being through individual and team building activities, interactive social groups, and enrichment programs. The Program will also provide each child with a snack each day. Space is limited and the program will operate on a first come first serve basis. Students will be placed on a wait list if they are not able to be enrolled in the program.

Hours: The Junior Tritons Program will run Monday-Friday from 2:45PM-5:30PM. The program will only run on full school days. Junior Tritons will not run on early dismissal days.

Cost: The extended day program will cost \$10 per day, per child. Payment must be made in advance every Friday, the week before the child attends the program, for the exact days the child is signed up to be in attendance. Refunds will not be given for day(s) the child is not in attendance, including days the child is out

sick. Payment can be made in cash, money order, or check payable to Atlantis Charter School. Please put Junior Tritons in the memo line.

Child Pick-Up: Each child will be picked up from the Lower Site Main Office. All adults authorized for pick up will need to show a photo ID at the time of pick-up. The Junior Tritons Program will use the in-school emergency contact list as the authorized pick-up list for the extended day program. For the child's safety, absolutely no exceptions will be made. It is the parent's responsibility to keep the emergency contact list up to date. If a parent wishes to add or change the emergency contact list for a child, they should call the Lower Site Main Office at 508-646-6410. All students must be picked up by 5:30 pm.

Student Behavior: All students are expected to demonstrate respect and kindness towards Junior Tritons staff and students at all times. Student behavioral concerns will be proactively addressed with the parent/guardian. Repeated student behavior issues may result in a suspension from the Junior Tritons Program or loss of placement in the program.

AFTER-SCHOOL ACTIVITIES

1. Students will be reminded regularly that they must leave the premises each day at the official dismissal time unless they have an appointment with a teacher or are engaged in an extra-curricular activity.
2. Advisors and coaches are responsible for those students involved in their specific activity. They are required to supervise their team members at all times. Students have a responsibility to follow all imposed after-school rules. Students will be held responsible for any school property damage that results in failing to abide by school rules including failure to be at designated supervised locations.
3. All afterschool activities and approved rentals will be restricted to the area of the building designated for the activity.
4. In cases of damage, school administration will submit all charges to the offending party in order to recoup cost(s) incurred by Atlantis Charter School to repair said damages.

CAFETERIA-LUNCH PERIOD

Each student has a daily lunch period. Students are escorted and monitored by school staff to the cafeteria at their assigned lunch periods. Students are to enter the cafeteria in an orderly manner and are expected to stay in their assigned seats during this time (is applicable). Students may not leave the cafeteria without permission of staff member(s) supervising lunch. All food/drink must remain in the cafeteria. Students are responsible to discard any waste in the appropriate receptacles upon completion of lunch.

FREE/REDUCED LUNCH

Atlantis Charter School participates in the Community Eligibility Provision which allows high needs schools to serve free meals to all students while alleviating the administrative burden to collect paper applications. All Atlantis students, regardless of family income, are eligible to receive free breakfast and lunch. Community eligibility allows for a healthier student body and healthier school meal budget. Community eligibility will:

- Increase participation of children in school meal programs.
- Reduce administrative costs related to collecting and processing applications and tracking students based on their meal eligibility status. As a result of expanded student participation and reduction in administrative work, there will be stronger school nutrition programs overall.
- Afford schools the ability to no longer collect payments or use swipe cards or other systems during the meal service.

- Requires schools to serve universal free school breakfast and is a great way to facilitate the adoption of innovative breakfast models, such as Breakfast in the Classroom.
- Help students because families no longer have to complete meal applications and it can reduce stigma because all students are eating meals at no charge, regardless of their income status.

Proper behavior in the cafeteria is essential. While lunch is a time for students to relax and socialize, it is primarily a time for students to get the proper nutrition they need to be healthy and to succeed in the classroom. Students must make sure to clean their lunch area before leaving and maintain good lunchroom behavior. Students who consistently disturb others or refuse to follow the directions of the school staff during lunch will be referred to the administration for possible disciplinary action.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages others than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) Mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) Fax: (202) 690-7442; or
- (3) Email: program.intake@usda.gov

This institution is an equal opportunity provider.

FIELD TRIPS

All school rules apply on field trips. Field trips are approved by the Principal and K-12 District Leader. Payments for field trips will not be refunded if students are unable to attend due to an absence or disciplinary consequences.

LOCKERS

Lockers are provided to the students by Atlantis Charter School, and are the sole property of Atlantis Charter School, and are to be utilized by Students for the purpose of storage, books, school-related equipment and personal belongings. Contraband items (including weapons, drugs of any kind, alcohol, tobacco, stolen property, etc.) shall not be stored in school lockers at any time and are subject to confiscation by school officials and disciplined through the policies of the Handbook. Students are expected to keep the lockers locked and in good orderly condition. Lockers are not to be shared by students unless otherwise directed by school administration. For security, locker combinations are not divulged to any other student.

It is important to note that unannounced or announced locker inspections or searches may be conducted at any time, for any reason without notice, by a school administrator or his or her designee. Students shall not have any expectation of privacy with regard to school lockers.

Atlantis Charter School reserves the right to contact the Fall River Police Department to coordinate the use of canine units to assist in addressing potential illegal activity.

Students are expected to empty lockers of all personal belongings on the last day of school.

LOST AND FOUND

Any items that are found by students should be brought to the main office. Students seeking lost items should check with the secretary in the main office. Lost and found will be donated on a regular basis if items are not retrieved.

RESTRICTED AREAS OF THE BUILDING

Students are not allowed in the Faculty Kitchenette Area or Faculty Rest Rooms. Students are not to enter custodial areas, storage rooms, or food preparation areas without direct staff supervision. Classroom areas are also restricted outside of normal class time. Students are never to enter or ride in the elevator without adult supervision.

STUDENT PUBLICATIONS

We respect the rights of freedom of speech, petition, and assembly as long as they do not interfere with the educational process. School newspapers, yearbooks, literary magazines, and other publications have the right of freedom of the press, subject to the existing laws of libel and obscenity. The K-12 District Leader has the right to view and review, reject any or all articles in any school publication.

CANCELLATION OF SCHOOL & EARLY DISMISSALS BY ACS

School cancellation for severe weather or other emergencies will be announced on the following radio and television stations by 6:30 a.m. whenever possible:

TV Stations:

WLNE Channel 6 WJAR Channel 10 WPRI Channel 12 WFXT Channel 25 FOX
Channel

AM Radio:

1480 WSAR 630 WPRO 920 WHJJ

FM Radio:

94.1 WHJY 101.5 WWBB 105.1 WWLI

Notification will also be sent via SchoolMessenger, the school's automated messaging system. In case of school cancellations or early dismissals, parents or guardians will receive notification through SchoolMessenger.

In order for you to receive this service, the school must always have your current telephone numbers: home, work, and cell. In addition, please also provide your main e-mail address.

If you have Internet access, you may wish to register at this website: <http://www.turnto10.com/closings> and you will also receive email alerts as soon as Atlantis cancels school.

EARLY DISMISSAL: In the event of an emergency situation, schools may be required to dismiss earlier than the regularly scheduled time. Announcements will be made on the stations listed above, as well as an automated notification through SchoolMessenger.

Please do not telephone the stations or school personnel. If a decision is made to cancel school it will be announced.

DRESS CODE

	Lower School Grades K-6	Upper School Grades 7-12
Bottoms Gr. K-6	<ul style="list-style-type: none"> • Navy, khaki, and gray (no black) uniform style pants, shorts, skirts, and jumpers. Bottoms may have elastic waist. • Plain, Uniform Style (no cargo, graphics, stripes, etc) • Belt optional • Tucked shirts optional 	<ul style="list-style-type: none"> • Only Navy, khaki, and gray (no black) color uniform style pants, shorts, and skirts • Plain Uniform Style (no cargo, no graphics, no stripes, no sweatpants, etc) • Joggers are allowed but must be of khaki material • Belt optional • Tucked shirts optional • No jeans or jean-like materials (ex: gray-washed jeans) • No leggings
Gr. K-2	<ul style="list-style-type: none"> • Grades K-2 only, are allowed to either wear uniform style pants or navy, khaki or gray sweatpants everyday (no black). 	
Tops	<ul style="list-style-type: none"> • White, powder blue, golden yellow short-sleeved and long-sleeved polo shirts • Iron on logo for sale by the school or local vendors (vendor list provided by ACS) • Logo to be on the left-hand side over the heart. • Crewneck, collared, and quarter zip sweatshirts in white, powder blue, golden yellow, and gray are allowed. No hooded sweatshirts are allowed in school at any time • Note: Navy Crewneck, collared and quarter zip sweatshirts are allowed. 	<ul style="list-style-type: none"> • White, powder blue, golden yellow, navy, and gray short-sleeved and long-sleeved polo shirts (must have collar). • Iron on logo for sale by the school or by local vendors (vendor list provided by ACS) • Logo to be on the left-hand side over the heart. • Approved ACS Spiritwear (ex: class t-shirts, UNITED t-shirts, extracurricular organizations, athletics) • Spirit wear must be obtained through the school. You cannot make your own spirit wear. • Crewneck, collared, and quarter zip sweatshirts in white, powder blue, golden yellow, and gray are allowed. No hooded sweatshirts are allowed in school at any time • Note: Navy Crewneck, collared and quarter zip sweatshirts are allowed.

PE Gr. 3-6	<ul style="list-style-type: none"> • On physical education days only • Navy, khaki or gray (no black) shorts and sweatpants • White, powder blue, and golden yellow t-shirts with school logo on left hand side over the heart and sweatshirts (optional) No hooded sweatshirts are allowed in school at any time • Sneakers 	<u>7-12</u> <ul style="list-style-type: none"> • All students change for PE • Sneakers • School appropriate gym clothing must be worn. Can be any color.
Footwear	<ul style="list-style-type: none"> • Shoes must be enclosed, fastened/tied properly, and have rubber soles (ex: sneakers, boots, flats) • Heels are to be no higher than 1”. • No shoes with wheels or lights • No type of slippers are allowed • No slides or backless shoes allowed • Any color socks and tights are allowed • Crocs must have back strap around heel 	<ul style="list-style-type: none"> • Shoes must have rubber soles and must be enclosed, fastened/tied properly (ex: sneakers, boots, flats) • Heels are to be no higher than 1”. • No shoes with wheels or lights • No type of slippers are allowed • No slides or backless shoes allowed • Any color socks and tights are allowed • Crocs must have back strap around heel
	Lower School Grades K-6	Upper School Grades 7-12
Outerwear	<ul style="list-style-type: none"> • Navy and gray sweaters, vests, sweatshirts, and fleece jackets with ACS logo on the left-hand side over the heart. Solid Navy, no graphics or designs or stripes. • Students can wear outerwear of choice if engaging in/transitioning to outdoor activities 	<ul style="list-style-type: none"> • Students are to leave jackets in lockers and are not to wear jackets in school. • Students can wear outerwear of choice if engaging in/transitioning to outdoor activities
Accessories	<ul style="list-style-type: none"> • No hats, caps, sunglasses in the building. 	<ul style="list-style-type: none"> • No hats, caps, hair covering, bandanas, sunglasses in the building. • No blankets • No backpacks of any size, messenger bags, or handbags of any kind with straps are allowed to be carried during the school day.

Dress Down Days - Students Can Wear:	Dress Down Days - Students Can't Wear:
Jeans/Sweatpants (no rips, tears, or holes) or uniform pants	Hooded sweatshirts, tank tops, belly shirts, or crop tops
Skirts and shorts of appropriate length	Clothing with any cut outs including ripped jeans
Relaxed tops which include appropriate t-shirts, long sleeve shirts or spirit wear	Clothing with any inappropriate graphics or text (no reference to swears, violence, drugs, alcohol, tobacco, or offensive language)
Standard uniform shoes	See-through clothing
	Hats of any kind
	Open-toed shoes, sandals, or slides

ACS-Iron on Logo Instructions:

Logo can only be applied to 100% cotton, or Polyester/Cotton Blend or 100% Polyester

Heat Iron w/steam

Place logo on clothing on the upper left side of the garment – See picture

Make sure to read the following before beginning the next steps

1. Heat the area where you will be applying the logo.
2. Put the Iron on transfer on the clothing – the white backer should be facing you. **You should not see the logo.**
3. To protect the clothing since you need to apply heat for a while to ensure the logo adheres to the garment, place another piece of material over the logo to avoid scorching/burning the material.
4. Place the hot iron on the white backer firmly and
5. press/iron for at least 35-45 seconds. Polyester requires less time-due to the fact that the iron will leave a mark.
6. Remove the white backing while hot – do not allow to cool
7. Turn the garment over and iron over area logo was applied. This will help with adhering the logo to the garment.



Logos must be applied to tops being worn in the building during the school day which include shirts, t-shirts for gym/PE in grades K-8, jumpers, shirt dresses and sweatshirts

Atlantis is not responsible for damaged clothing due to applying the Iron on Logo.

APPENDIX A: DEFINITIONS

Several of the following definitions are copied directly from M.G.L. c. 71, § 37O, as noted below.

Aggressor is a student or member of a school who engages in bullying, cyberbullying, or retaliation towards a student.

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

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

Cyberbullying, is bullying through the use of technology or any electronic communication, which shall include, but shall 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 shall also include:

- (i) the creation of a web page or blog in which the creator assumes the identity of another person or
- (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 in clauses (i) to (v), inclusive, of the definition of bullying.

Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying.

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

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

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, cyberbullying, or retaliation has been perpetrated

APPENDIX B: ACS BULLYING INCIDENT REPORT FORM



Principal: _____

Date: _____

BULLYING PREVENTION AND INTERVENTION INCIDENT REPORTING FORM

1. Name of Reporter/Person Filing the Report: _____

(Note: Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report.)

2. Check whether you are the: Target of the behavior ☐ Reporter (not the target) ☐

3. Check whether you are a: ☐ Student ☐ Staff member (specify role) _____
☐ Parent ☐ Administrator ☐ Other (specify) _____

Your contact information/telephone number: _____

4. If student, state your school: _____ Grade: _____

5. If staff member, state your school or work site: _____

6. Information about the Incident:

Name of Target (of behavior): _____

Name of Aggressor (Person who engaged in the behavior): _____

Date(s) of Incident(s): _____

Time When Incident(s) Occurred: _____

Location of Incident(s) (Be as specific as possible): _____

7. Witnesses (List people who saw the incident or have direct information about it. Please attach list if there are more than 3 names)

Name: _____ • Student • Staff • Other _____

Name: _____ • Student • Staff • Other _____

Name: _____ • Student • Staff • Other _____

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

9. Signature of Person Filing this Report: _____ Date: _____

10: Form Given to: _____ Position: _____ Date: _____
Signature: _____ Date Received: _____

FOR ADMINISTRATIVE USE ONLY

II. INVESTIGATION

1. Investigator(s): _____ Position(s): _____

2. Interviews:

a. <input type="checkbox"/> Interviewed aggressor	Name: _____	Date: _____
b. <input type="checkbox"/> Interviewed target	Name: _____	Date: _____
c. <input type="checkbox"/> Interviewed witnesses	Name: _____	Date: _____

3. Any prior documented incidents by the aggressor? ☐ Yes ☐ No

- i. If yes, have incidents involved target or target group previously? ☐ Yes ☐ No
- ii. Any previous incidents with findings of BULLYING, RETALIATION ☐ Yes ☐ No

Summary of Investigation:

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

III. CONCLUSIONS FROM THE INVESTIGATION

1. Date of BPIT meeting _____

2. Finding of bullying or retaliation:

☐ YES

☐ NO

☐ Bullying

☐ Incident documented as _____

☐ Retaliation

☐ Discipline referral only _____

3. Contacts:

☐ Target's parent/guardian Date: _____ ☐ Aggressor's parent/guardian Date: _____

☐ District Equity Coordinator (DEC) Date: _____ ☐ Law Enforcement Date: _____

4. Action Taken:

☐ Loss of Privileges ☐ Detention ☐ STEP referral ☐ Suspension

☐ Community Service ☐ Education ☐ Other _____

5. Describe Safety Planning: _____

Follow-up with Target: scheduled for _____ Initial and date when completed: _____

Follow-up with Aggressor: scheduled for _____ Initial and date when completed: _____

6. Completed Final Report forwarded to Student Records Office: Date _____

Signature and Title: _____ Date: _____

APPENDIX C: FORMS BULLYING MAY TAKE

Actions meant to hurt another person's feelings or to put a person down are called **bullying/harassing** behaviors. Bullying is a form of harassment.

In this section, we will be using the words "bullying/harassment" for behaviors such as:

- saying hurtful things to someone about their appearance, their intelligence, or their abilities;
- posting hurtful comments about someone online;
- hurting someone by hitting, kicking, or pinching them, or in some other physical way;
- Leaving someone out or treating them badly because of who they are.

The same person or group of people is often bullied or harassed over and over again. This can happen on or off school grounds. Bullying/harassment is not an accident. Even though students may sometimes feel pressured by other students to bully or harass someone, they are still acting in a way that is meant to hurt or upset that person. And behavior that is hurtful to others is unacceptable behavior. Different forms and types of bullying/harassment are described on the following pages. The information provided there will help you answer the questions in this section.

Forms That Bullying/Harassment Might Take:

Physical

- pushing, tripping, hitting
- taking or breaking someone's belongings on purpose
- making comments or jokes about someone's body
- touching, pinching, or grabbing part of someone's body in a way that makes them feel uncomfortable

Verbal

- calling someone names, teasing, or making fun of them
- insulting, humiliating, or threatening someone
- calling someone names in a way meant to upset them
- calling someone names because of their choice of activities, hobbies, or clothing
- making fun of someone who has parents who are of the same gender

Social

- leaving someone out of "the group" or refusing to play with them
- saying bad things about someone
- making someone look silly
- telling others not to talk to someone
- showing pictures or other things that are rude or insulting
-

Forms That Bullying/Harassment Might Take:

Electronic

- using the Internet or a cell phone to e-mail or send text messages or pictures in order to threaten someone, hurt their feelings, embarrass them or make them look bad, or spread rumors or tell secrets about them

Racial

- treating someone badly because of their race, culture, or skin color
- saying bad things about someone's race, culture, or skin color
- telling racist jokes

Gender Role-Based

- treating someone badly because they are a boy or a girl
- leaving someone out or treating them hurtfully – for example, telling a girl she cannot play a sport because she is a girl
- making hurtful comments about someone's hobby – for example, calling a boy a "sissy" because he likes a hobby you think only girls should like

Religion-based

- treating someone badly because of their religion or place of worship, example: church, mosque or temple
- saying bad things about someone's religion or place of worship, example; church, mosque or temple

Disability-based

- treating someone badly because of a disability they have – for example, making jokes about a person who uses a wheelchair (visible disability) or calling a person names because he or she learns in a different way than you do (invisible disability) – or spreading rumors about someone because of a disability you think that person may have
- making someone feel left out because of a disability they have (visible or invisible) or a disability you think they may have

Income-based

- treating someone badly because of the type of housing or the neighborhood they live in
- making jokes about someone because they do not appear to have a lot of money (e.g., because they may not have name-brand clothing, or because of where they live)

APPENDIX D: EXAMPLE OF STEP BY STEP REPORTING AND FOLLOW-UP SUPPORT

1. The targeted student and/or witness(es) report bullying or harassment.
2. The Principal reviews initial report;
3. The Principal will assign the incident report to a Dean of Students for formal investigation;
4. Within 24 hours of receiving the report, the Dean of Students or designee will implement a safety plan. All staff that has contact with the involved students will be informed of the plan;
5. Dean of Students, or designee, contacts the targeted students, parents, and/or guardians;
6. A formal investigation into the report is conducted by the Dean of Students or designee;
7. If needed, Student Adjustment Counselor will meet with the targeted student to ensure his/her safety, assess for follow up supportive measures;
8. Interviews are typically completed in the following order:
 - a. Targeted Student
 - b. Witness(es)
 - c. Aggressor(s)
9. Upon completing the initial interview with the aggressor, the aggressor's parents and/or guardians are notified;
10. BPIT meets to review the bullying investigation summary and witness statements;
11. BPIT makes a determination and recommends disciplinary action, mediation and/or community service;
12. Principal assigns an appropriate disciplinary action and/or community service;
13. The Dean of Students or designee contacts the targeted student's and aggressor's parent(s), and/or guardians to inform them of the determination and next steps, which may include but is not limited to:

- a. A documented monitoring plan in place with specific plan of action (identifies who and what will occur) to insure the bullying or harassment doesn't reoccur
- b. Give the parent a resource list for supporting positive youth development;
- c. Counseling referrals
- d. Provide parent with notification of all steps taken



APPENDIX E: BULLYING OF STUDENTS WITH DISABILITIES LETTER
UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS
THE ASSISTANT SECRETARY

October 21, 2014

Dear Colleague:

While there is broad consensus that bullying is wrong and cannot be tolerated in our schools, the sad reality is that bullying persists in our schools today, and especially so for students with disabilities.¹ In recent years, the Office for Civil Rights (OCR) in the U.S. Department of Education (Department) has received an ever-increasing number of complaints concerning the bullying of students with disabilities and the effects of that bullying on their education, including on the special education and related services to which they are entitled. This troubling trend highlights the importance of OCR's continuing efforts to protect the rights of students with disabilities through the vigorous enforcement of Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (Title II). It also underscores the need for schools to fully understand their legal obligations to address and prevent disability discrimination in our schools.

Today's guidance follows a long history of guidance issued by the Department in this critical area of disability discrimination. In 2000, OCR and the Office of Special Education and Rehabilitative Services (OSERS) issued joint guidance informing schools that disability-based harassment may deny a student equal educational opportunities under Section 504 and Title II.² The 2000 guidance also noted the responsibilities of schools under Section 504 and the Individuals with Disabilities Education Act (IDEA) to ensure that students receive a free appropriate public education (FAPE),

¹ These students are bullied or harassed more than their nondisabled peers. See Office of Special Education and Rehabilitative Services (OSERS) 2013 Dear Colleague Letter on Bullying of Students with Disabilities, <http://www.ed.gov/policy/speced/guid/idea/memosdcltrs/bullyingdcl-8-20-13.doc>, at page 2 ("Students with disabilities are disproportionately affected by bullying."). That letter explains that, "[b]ullying can involve overt physical behavior or verbal, emotional, or social behaviors (e.g., excluding someone from social activities, making threats, withdrawing attention, destroying someone's reputation) and can range from blatant aggression to far more subtle and covert behaviors. Cyberbullying, or bullying through electronic technology (e.g., cell phones, computers, online/social media), can include offensive text messages or e-mails, rumors or embarrassing photos posted on social networking sites, or fake online profiles." Id. Throughout this guidance, the terms "bullying" and "harassment" are used interchangeably to refer to these types of conduct. See Office for Civil Rights (OCR) 2010 Dear Colleague Letter on Harassment and Bullying, <http://www.ed.gov/ocr/letters/colleague-201010.pdf>, at page 3 ("The label used to describe an incident (e.g., bullying, hazing, teasing) does not determine how a school is obligated to respond. Rather, the nature of the conduct itself must be assessed for civil rights implications.").

² OCR-OSERS 2000 Dear Colleague Letter: Prohibited Disability Harassment, <http://www.ed.gov/ocr/docs/disabharassltr.html>.

and alerted schools that harassment of a student based on disability may adversely impact the school's provision of FAPE to the student.³ In 2010, OCR issued a Dear Colleague Letter on Harassment and Bullying that provided further guidance concerning when a school's inappropriate response to bullying or harassment of a student based on disability constitutes a disability-based harassment violation under Section 504 and Title II.⁴ In 2013, OSERS issued a Dear Colleague Letter on Bullying of Students with Disabilities that, in turn, provided additional guidance to schools that the bullying of a student with a disability on any basis can result in a denial of FAPE under IDEA that must be remedied.⁵

Building on OSERS's 2013 guidance, today's guidance explains that the bullying of a student with a disability on any basis can similarly result in a denial of FAPE under Section 504 that must be remedied; it also reiterates schools' obligations to address conduct that may constitute a disability-based harassment violation and explains that a school must also remedy the denial of FAPE resulting from disability-based harassment. Following an overview of the federal protections for students with disabilities in schools, the guidance elaborates on the elements of a disability-based harassment violation and a FAPE violation, discusses how OCR generally analyzes complaints involving bullying of students with disabilities on each of these bases, and then concludes with a series of hypothetical examples that illustrate varying circumstances when conduct may constitute both a disability-based harassment violation and FAPE violation, a FAPE violation, or neither. Although by no means exhaustive, in the context of this discussion, the guidance also offers some insight into what OCR might require of a school to remedy instances of bullying upon a finding of disability discrimination. OCR urges schools to consider these hypothetical resolution agreement provisions in proactively working to ensure a safe school environment, free from discrimination, for all students.⁶

I. Overview of Federal Protections for Students with Disabilities in Schools

OCR enforces Section 504 and Title II, both of which prohibit disability discrimination. Section 504 prohibits disability discrimination by recipients of Federal financial assistance.⁷ OCR enforces Section 504 against entities that receive Federal financial assistance from the Department, including all public schools and school districts as well as all public charter schools and magnet schools. Under Section 504, recipients that operate a public elementary or secondary education program must

³ The terms "school" and "school district" are used interchangeably in this letter and refer to public elementary and secondary schools that receive financial assistance from the Department. ⁴ OCR 2010 Dear Colleague Letter on Harassment and Bullying, <http://www.ed.gov/ocr/letters/colleague-201010.pdf>. ⁵ OSERS 2013 Dear Colleague Letter on Bullying of Students with Disabilities, <http://www.ed.gov/policy/speced/guid/idea/memosdcrltrs/bullyingdcl-8-20-13.doc>. ⁶ This guidance addresses only student-on-student bullying and harassment. Under Section 504 and Title II, students with disabilities are also protected from bullying by teachers, other school employees, and third parties. Such bullying can trigger a school's obligation to address disability-based harassment, remedy a denial of FAPE, or both. See 34 C.F.R. §§ 104.4, 104.33; 28 C.F.R. pt. 35. OCR recommends that States and school districts consult with legal counsel regarding their responsibilities and duties in cases of bullying that involve school personnel. ⁷ 29 U.S.C. § 794; 34 C.F.R. pt. 104.

provide students with disabilities equal educational opportunities. Among other things, this means they must ensure that students with disabilities receive FAPE, defined as the provision of regular or special education and related aids and services that are designed to meet the individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met and that satisfy certain requirements concerning educational setting, evaluation, placement, and procedural safeguards.⁸ Schools also have an obligation under Section 504 to evaluate students who need or are believed to need special education or related services. Further, schools have an obligation to ensure that Section 504 FAPE services are provided in an educational setting with persons who do not have disabilities to the maximum extent appropriate to the needs of the student with a disability.⁹ Schools often document these services in written plans, sometimes referred to as Section 504 plans, or, if the child is receiving IDEA FAPE services, through the required individualized education program (IEP).¹⁰

Title II prohibits disability discrimination by public entities, including all public schools and school districts, as well as all public charter schools and magnet schools, regardless of whether they receive Federal financial assistance.¹¹ OCR, along with the U.S. Department of Justice (DOJ), enforces Title II in public elementary and secondary schools. Title II is generally construed to provide no less protection than Section 504. Therefore, violations of Section 504, including the failure to provide needed regular or special education and related aids and services to students with disabilities, also constitute violations of Title II.¹²

IDEA is another key Federal law addressing the needs of students with disabilities. OSERS, not OCR or DOJ, administers IDEA.¹³ OCR, however, enforces the Section 504 and Title II rights of IDEA-eligible students.¹⁴ Under Part B of IDEA, the Department provides Federal funds to State educational agencies and through them to local educational agencies (school districts), to assist

⁸ For Section 504 and Title II, the term “disability” means a physical or mental impairment that substantially limits one or more major life activities of an individual; a record of such an impairment; or being regarded as having such an impairment. 29 U.S.C. § 705(9)(B), (20)(B); 42 U.S.C. § 12102. The Americans with Disabilities Act Amendments Act (Amendments Act), Pub. Law No. 110-325, amended the disability definition for Section 504 and Title II. Most notably, the Amendments Act required that “disability” under these statutes be interpreted broadly. More information about the Amendments Act is available from OCR’s website at

<http://www2.ed.gov/about/offices/list/ocr/letters/colleague201109.html> and <http://www.ed.gov/ocr/docs/dcl-504faq-201109.html>.

⁹ In this letter, the term “Section 504 FAPE services” is used to refer to the regular or special education and related aids and services provided to students with disabilities as specified in 34 C.F.R. § 104.33(b). The term “IDEA FAPE services” is used in this letter to refer to the special education and related services provided to students with disabilities that meet the requirements of 34 C.F.R. pt. 300, as specified in 34 C.F.R. §§ 300.17 (FAPE), 300.39 (special education), and 300.34 (related services).

¹⁰ Students with disabilities who are IDEA-eligible also have rights under Section 504 and Title II. The Department’s Section 504 regulations provide that implementation of an IEP developed in accordance with IDEA is one means of providing Section 504 FAPE services. 34 C.F.R. § 104.33(b)(2).

¹¹ 42 U.S.C. §§ 12131-12134; 28 C.F.R. pt. 35.

¹² 42 U.S.C. § 12201(a). To the extent that Title II provides greater protection than Section 504, covered entities must comply with Title II’s requirements.

¹³ For more information about OSERS, please visit <http://www.ed.gov/osers>.

¹⁴ This letter only addresses Federal law; other State or local laws and policies may apply.

school districts in providing FAPE to eligible children with disabilities through the provision of special education and related services.¹⁵ School districts must ensure that IDEA FAPE services in the least restrictive environment are made available to all eligible children with disabilities through a properly developed IEP that provides a meaningful educational benefit to the student. In addition, school districts must locate, identify, and evaluate children suspected of having disabilities who may need special education and related services.

II. Schools' Obligations to Address Disability-Based Harassment

Bullying of a student on the basis of his or her disability may result in a disability-based harassment violation under Section 504 and Title II.¹⁶ As explained in OCR's 2010 Dear Colleague Letter on Harassment and Bullying, when a school knows or should know of bullying conduct based on a student's disability, it must take immediate and appropriate action to investigate or otherwise determine what occurred.¹⁷ If a school's investigation reveals that bullying based on disability created a hostile environment—i.e., the conduct was sufficiently serious to interfere with or limit a student's ability to participate in or benefit from the services, activities, or opportunities offered by a school—the school must take prompt and effective steps reasonably calculated to end the bullying, eliminate the hostile environment, prevent it from recurring, and, as appropriate, remedy its effects. Therefore, OCR would find a disability-based harassment violation under Section 504 and Title II when: (1) a student is bullied based on a disability; (2) the bullying is sufficiently serious to create a hostile environment; (3) school officials know or should know about the bullying; and (4) the school does not respond appropriately.¹⁸

As explained in Section III, below, for the student with a disability who is receiving IDEA FAPE services or Section 504 FAPE services, a school's investigation should include determining whether

¹⁵ 20 U.S.C. §§ 1400-1419; 34 C.F.R. pt. 300. IDEA establishes 13 disability categories: autism, deaf-blindness, deafness, emotional disturbance, hearing impairment, intellectual disability, multiple disabilities, orthopedic impairment, other health impairment, specific learning disability, speech or language impairment, traumatic brain injury, and visual impairment. 34 C.F.R. § 300.8(c).

¹⁶ These legal protections extend to all students with disabilities, including students who are regarded as having a disability or who have a record of a disability and students with disabilities who are not receiving services under Section 504 or IDEA. In addition to being protected from harassment on the basis of disability, students with disabilities, like all students, are entitled to protection from harassment on the basis of race, color, national origin, sex (including sexual violence), and age under the Federal civil rights laws that OCR enforces. For more information about other types of discriminatory harassment, see [OCR's 2010 Dear Colleague Letter](#), referenced in note 4.

¹⁷ Schools know or should know about disability-based harassment when, for example, a teacher or other responsible employee of the school witnesses the conduct. For more information about how to determine when knowledge of such conduct will be imputed to schools, refer to the OCR 2001 Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, <http://www.ed.gov/ocr/docs/shguide.pdf> at page 13; and [OCR 2010 Dear Colleague Letter on Harassment and Bullying](#), at page 3 and note 11.

¹⁸ This is the standard for administrative enforcement of Section 504 and in court cases where plaintiffs are seeking injunctive relief. It is different from the standard in private lawsuits for money damages, which, many courts have held, requires proof of a school's actual knowledge and deliberate indifference. See *Long v. Murray Cnty. Sch. Dist.*, 522 Fed. Appx. 576, 577 & n. 1 (11th Cir. 2013) (applying the test enunciated in *Davis v. Monroe Cnty. Bd. of Ed.*, 526 U.S. 629, 643 (1999)).

that student's receipt of appropriate services may have been affected by the bullying.¹⁹ If the school's investigation reveals that the bullying created a hostile environment and there is reason to believe that the student's IDEA FAPE services or Section 504 FAPE services may have been affected by the bullying, the school has an obligation to remedy those effects on the student's receipt of FAPE.²⁰ Even if the school finds that the bullying did not create a hostile environment, the school would still have an obligation to address any FAPE-related concerns, if, for example, the school's initial investigation revealed that the bullying may have had some impact on the student's receipt of FAPE services.

III. Bullying and the Denial of a Free Appropriate Public Education

The bullying on any basis of a student with a disability who is receiving IDEA FAPE services or Section 504 FAPE services can result in the denial of FAPE that must be remedied under Section 504. The OSERS 2013 Dear Colleague Letter clarified that, under IDEA, as part of a school's appropriate response to bullying on any basis, the school should convene the IEP team²¹ to determine whether, as a result of the effects of the bullying, the student's needs have changed such that the IEP is no longer designed to provide a meaningful educational benefit. If the IEP is no longer designed to provide a meaningful educational benefit to the student, the IEP team must determine the extent to which additional or different IDEA FAPE services are needed to address the student's individualized needs and then revise the IEP accordingly. Any decisions made by the IEP team must be consistent with the IDEA provisions addressing parental participation and should keep the student with a disability in the original placement or setting (e.g., the same school and classroom) unless the student can no longer receive FAPE in that placement or setting. Under IDEA, schools have an ongoing obligation to ensure that a student with a disability who is the target of bullying continues to receive FAPE in accordance with his or her IEP—an obligation that exists whether the student is being bullied based on his or her disability or is being bullied based on other reasons.

Similarly, under Section 504, schools have an ongoing obligation to ensure that a qualified student with a disability who receives IDEA FAPE services or Section 504 FAPE services and who is the target of bullying continues to receive FAPE—an obligation that exists regardless of why the student

¹⁹ As stated in [OCR 2010 Dear Colleague Letter on Harassment and Bullying](#) at page 2, "The specific steps in a school's investigation will vary depending upon the nature of the allegations, the source of the complaint, the age of the student or students involved, the size and administrative structure of the school, and other factors." When a student with a disability who receives Section 504 FAPE services is being bullied, an appropriate "other factor" is whether that student's receipt of services has been affected by the bullying.

²⁰ When a student with a disability has engaged in misconduct that is caused by his or her disability, the student's own misconduct would not relieve the school of its legal obligation to determine whether that student's civil rights were violated by the bullying conduct of the other student. For example, if a student, for reasons related to his disability, hits another student and other students then call him "crazy" on a daily basis, the school should, of course, address the conduct of the student with a disability. Nonetheless, the school must also consider whether the student with a disability is being bullied on the basis of disability under Section 504 and Title II.

²¹ The IEP team is the group of persons specified in IDEA that determines the appropriate IDEA FAPE services for an IDEA-eligible student. 34 C.F.R. § 300.321(a).

is being bullied. 22 Accordingly, under Section 504, as part of a school's appropriate response to bullying on any basis, the school should convene the IEP team or the Section 504 team²³ to determine whether, as a result of the effects of the bullying, the student's needs have changed such that the student is no longer receiving FAPE. The effects of bullying could include, for example, adverse changes in the student's academic performance or behavior. If the school suspects the student's needs have changed, the IEP team or the Section 504 team must determine the extent to which additional or different services are needed,²⁴ ensure that any needed changes are made promptly, and safeguard against putting the onus on the student with the disability to avoid or handle the bullying.²⁵ In addition, when considering a change of placement, schools must continue to ensure that Section 504 FAPE services are provided in an educational setting with persons who do not have disabilities to the maximum extent appropriate to the needs of the student with a disability.

Although there are no hard and fast rules regarding how much of a change in academic performance or behavior is necessary to trigger the school's obligation to convene the IEP team or Section 504 team, a sudden decline in grades, the onset of emotional outbursts, an increase in the frequency or intensity of behavioral interruptions, or a rise in missed classes or sessions of Section 504 services would generally be sufficient.²⁶ By contrast, one low grade for an otherwise straight-A student who shows no other changes in academic progress or behavior will generally not, standing alone, trigger the school's obligation to determine whether the student's needs are still being met. Nonetheless, in addition to addressing the bullying under the school's anti-bullying policies, schools should promptly convene the IEP team or Section 504 team to determine whether FAPE is being provided

22 At the elementary and secondary educational level, a "qualified student with a disability" is a student with a disability who is: of an age at which students without disabilities are provided elementary and secondary educational services; of an age at which it is mandatory under State law to provide elementary and secondary educational services to students with disabilities; or a student to whom a State is required to provide FAPE under IDEA. 34 C.F.R. § 104.3(l). In addition to the provision of regular or special education and related aids and services pursuant to 34 C.F.R. § 104.33, FAPE protections extend to educational setting, evaluation and placement, and procedural safeguards. 34 C.F.R. §§ 104.34-36.

23 The Section 504 team is the group of knowledgeable persons that determines the appropriate Section 504 FAPE services for a qualified student with a disability under Section 504.

24 A reevaluation would not be needed unless there is a reason to believe the student's underlying disability or disabilities have changed or the student has an additional disability.

25 OCR would expect that schools address bullying behavior to ensure that the burden does not fall on the student with a disability. Along these lines, and consistent with the OSERS 2013 Dear Colleague Letter, schools should exercise caution when considering a change in placement, or the location of services (including classroom) provided to the student with a disability who is the target of bullying and should keep the student in the original placement unless the student can no longer receive Section 504 FAPE in that placement. OCR also urges schools to allow for parental participation when considering any change in placement or location of services (including classroom). See 34 C.F.R. pt. 104, app. A (discussion of Subpart D).

26 In light of schools' ongoing obligation to ensure that students with disabilities are receiving FAPE, adverse changes in the academic performance or behavior of a student receiving FAPE services could trigger the school's obligation to convene the IEP team or Section 504 team regardless of the school's knowledge of the bullying conduct. See, e.g., Section V, Hypothetical Example B, below. As a best practice, schools should train all staff to report bullying to an administrator or school official who can promptly convene a meeting of knowledgeable people (e.g., the student's Section 504 team or IEP team) to ensure that the student is receiving FAPE and, as necessary, address whether the student's FAPE needs have changed.

to a student with a disability who has been bullied and who is experiencing any adverse changes in academic performance or behavior.

When bullying results in a disability-based harassment violation, it will not always result in a denial of FAPE. Although all students with disabilities are protected from disability-based harassment, the requirement to provide FAPE applies only to those students with disabilities who need or may need FAPE services because of their disability.²⁷ This means that if a student is the target of bullying resulting in a disability-based harassment violation, but that student is not eligible to receive IDEA or Section 504 FAPE services, there could be no FAPE violation.

When a student who receives IDEA FAPE services or Section 504 FAPE services has experienced bullying resulting in a disability-based harassment violation, however, there is a strong likelihood that the student was denied FAPE. This is because when bullying is sufficiently serious to create a hostile environment and the school fails to respond appropriately, there is a strong likelihood both that the effects of the bullying included an impact on the student's receipt of FAPE and that the school's failure to remedy the effects of the bullying included its failure to address these FAPE-related concerns.

Ultimately, unless it is clear from the school's investigation into the bullying conduct that there was no effect on the student with a disability's receipt of FAPE, the school should, as a best practice, promptly convene the IEP team or the Section 504 team to determine whether, and to what extent: (1) the student's educational needs have changed; (2) the bullying impacted the student's receipt of IDEA FAPE services or Section 504 FAPE services; and (3) additional or different services, if any, are needed, and to ensure any needed changes are made promptly. By doing so, the school will be in the best position to ensure the student's ongoing receipt of FAPE.

IV. How OCR Analyzes Complaints Involving Bullying of Students with Disabilities

When OCR evaluates complaints involving bullying and students with disabilities, OCR may open an investigation to determine whether there has been a disability-based harassment violation, a FAPE violation, both, or neither, depending on the facts and circumstances of a given complaint.

²⁷ The FAPE requirement to evaluate applies to all students who are known or believed to need special education or related services, regardless of the nature or severity of the disability. 34 C.F.R. §§ 104.33, -.35. For a student who is suspected of having a disability but who is not yet receiving IDEA or Section 504 services, OCR may consider whether the school met its obligation to evaluate the student. 34 C.F.R. § 104.35. For example, if a student suspected of having a disability was missing school to avoid bullying, OCR may consider whether the student's evaluation was unduly delayed (e.g., if the school knew or should have known of the bullying and failed to act) in determining whether there was a denial of FAPE under the circumstances.

When investigating disability-based harassment, OCR considers several factors, including, but not limited to:

- Was a student with a disability bullied by one or more students based on the student's disability?
- Was the bullying conduct sufficiently serious to create a hostile environment?
- Did the school know or should it have known of the conduct?
- Did the school fail to take prompt and effective steps reasonably calculated to end the conduct, eliminate the hostile environment, prevent it from recurring, and, as appropriate, remedy its effects?

If the answer to each of these questions is "yes," then OCR would find a disability-based harassment violation under Section 504 and, if the student was receiving IDEA FAPE or Section 504 FAPE services, OCR would have a basis for investigating whether there was also a denial of FAPE under Section 504.

Even if the answers to one or more of these questions is "no," for a student who was receiving IDEA FAPE or Section 504 FAPE services, OCR may still consider whether the bullying resulted in a denial of FAPE under Section 504 that must be remedied.

When investigating whether a student receiving IDEA FAPE or Section 504 FAPE services who was bullied was denied FAPE under Section 504, OCR considers several factors, including, but not limited to:

- Did the school know or should it have known that the effects of the bullying may have affected the student's receipt of IDEA FAPE services or Section 504 FAPE services? For example, did the school know or should it have known about adverse changes in the student's academic performance or behavior indicating that the student may not be receiving FAPE?

If the answer is "no," there would be no FAPE violation.²⁸ If the answer is "yes," OCR would then consider:

- Did the school meet its ongoing obligation to ensure FAPE by promptly determining whether the student's educational needs were still being met, and if not, making changes, as necessary, to his or her IEP or Section 504 plan?

If the answer is "no," and the student was not receiving FAPE, OCR would find that the school violated its obligation to provide FAPE.

²⁸ Where a student is suspected of having a disability but is not yet receiving IDEA FAPE services or Section 504 FAPE services, OCR could consider whether the student's evaluation was unduly delayed in determining whether there was a denial of FAPE under the circumstances. See fn. 27, above.

V. Hypothetical Examples

The following hypothetical examples illustrate how OCR would analyze a complaint involving allegations of the bullying of a student with a disability who only receives Section 504 FAPE services.

A. Disability-Based Harassment Violation and FAPE Violation

At the start of the school year, a ten-year-old student with Attention Deficit Hyperactivity Disorder (ADHD) and a speech disability is fully participating in the classroom, interacting with his peers at lunch and recess, and regularly attending speech therapy twice a week. In addition to providing for speech services, the student's Section 504 plan also provides for behavior supports that call for all his teachers and other trained staff to supervise him during transition times, provide constructive feedback, and help him use preventative strategies to anticipate and address problems with peers.

Because of the student's disabilities, he makes impulsive remarks, speaks in a high-pitched voice, and has difficulty reading social cues. Three months into the school year, students in his P.E. class begin to repeatedly taunt him by speaking in an exaggerated, high-pitched tone, calling him names such as "weirdo" and "gay," and setting him up for social embarrassment by directing him to ask other students inappropriate personal questions. The P.E. teacher witnesses the taunting, but neither reports the conduct to the appropriate school official, nor applies the student's behavior supports specified in his 504 plan. Instead, she pulls the student aside and tells him that he needs to start focusing less on what kids have to say and more on getting his head in the game. As the taunting intensifies, the student begins to withdraw from interacting with other kids in P.E. and avoids other students at lunch and recess. As the student continues to withdraw over the course of a few weeks, he misses multiple sessions of speech therapy, but the speech therapist does not report his absences to the Section 504 team or another appropriate school official.

In this example, OCR would find a disability-based harassment violation. The student's peers were making fun of him because of behaviors related to his disability. For OCR's enforcement purposes, the taunting the student experienced, including other students impersonating him and calling him "weirdo" and "gay," was therefore based on his disability.²⁹ The school knew about the bullying because the P.E. teacher witnessed the conduct.³⁰ Yet upon witnessing the taunting, the P.E. teacher not only failed to provide the student behavior supports as required in the student's 504 plan, but also failed to report the conduct to an appropriate school official. Had she taken this step, the school could have conducted an investigation and found that the conduct created a hostile environment because it interfered with the student's ability to benefit from the speech therapy services that he

²⁹ OCR would have also investigated whether a school's inappropriate response to the use of the word "gay" in this context constituted a gender-based harassment violation under Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1688; 34 C.F.R. pt. 106, which prohibits discrimination on the basis of sex. For a discussion of gender-based harassment, see [OCR 2010 Dear Colleague Letter on Harassment and Bullying](#), at pages 7-8.

³⁰ The P.E. teacher in this example is a responsible employee. See fn. 17, above.

should have been receiving and negatively affected his ability to participate fully in P.E., lunch, and recess. The school's failure to appropriately respond to the bullying violated Section 504.

OCR would also find FAPE violations under Section 504. First, when the P.E. teacher failed to implement the behavior supports in the student's Section 504 plan, the school denied the student FAPE under Section 504. In addition, and independent of the failure to provide behavior supports, because the bullying impacted the student's receipt of Section 504 FAPE, the school should have addressed the student's changed needs; by failing to do so, the student was denied Section 504 FAPE. The school should have known about the missed Section 504 services and related changes in behavior. The P.E. teacher knew about the bullying but did nothing to report the student's behavioral changes (e.g., the student's increasing efforts to isolate himself from other students) to the Section 504 team members or other appropriate school official. Similarly, the speech therapist knew that the student was missing speech therapy but did not report this to the 504 team or to an appropriate school official. By failing to address the adverse effects of the bullying on FAPE, the school did not make necessary changes to ensure the student was provided FAPE under Section 504. If, upon concluding its investigation, OCR and the district were to enter into a resolution agreement, OCR could require, for example, that the district (1) ensure that FAPE is provided to the student by convening the Section 504 team to determine if the student needs different or additional services (including compensatory services) and, if so, providing them; (2) offer counseling to the student to remedy the harm that the school allowed to persist; (3) monitor whether bullying persists for the student and take corrective action to ensure the bullying ceases; (4) develop and implement a schoolwide bullying prevention strategy based on positive behavior supports; (5) devise a voluntary school climate survey for students and parents to assess the presence and effect of bullying based on disability and to respond to issues that arise in the survey; (6) revise the district's anti-bullying policies to develop staff protocols in order to improve the district's response to bullying; (7) train staff and parent volunteers, such as those who monitor lunch and recess or chaperone field trips, on the district's anti-bullying policies, including how to recognize and report instances of bullying on any basis; and (8) provide continuing education to students on the district's anti-bullying policies, including where to get help if a student either witnesses or experiences bullying conduct of any kind.

B. FAPE Violation, No Disability-Based Harassment Violation

A thirteen-year-old student with depression and Post-Traumatic Stress Disorder (PTSD) who receives counseling as part of her Section 504 services is often mocked by her peers for being poor and living in a homeless shelter. Having maintained an A average for the first half of the academic year, she is now getting Bs and Cs, neglecting to turn in her assignments, and regularly missing counseling sessions. When asked by her counselor why she is no longer attending scheduled sessions, she says that she feels that nothing is helping and that no one cares about her. The student tells the counselor that she no longer wants to attend counseling services and misses her next two scheduled sessions. The counselor informs the principal that the student has missed several counseling sessions and that the student feels the sessions are not helping. Around the same time, the student's teachers inform the principal that she has begun to struggle academically. The

principal asks the teachers and counselor to keep her apprised if the student's academic performance worsens, but does not schedule a Section 504 meeting.

In this example, whether or not the school knew or should have known about the bullying, OCR would not find a disability-based harassment violation under Section 504 because the bullying incidents were based on the student's socio-economic status, not her disability.

Independent of the basis for the bullying and regardless of whether school officials knew or should have known about the bullying, the school district still had an ongoing obligation under Section 504 to ensure that this student with a disability was receiving an education appropriate to her needs. Here, the student's sudden decline in grades, coupled with changes in her behavior (missing counseling sessions), should have indicated to the school that her needs were not being met. In this example, OCR would find that these adverse changes were sufficient to put the school on notice of its obligation to promptly convene the Section 504 team to determine the extent of the FAPE-related problems and to make any necessary changes to her services, or, if necessary, reevaluate her, in order to ensure that she continues to receive FAPE. By failing to do more than keep track of the student's academic performance, the school failed to meet this obligation, which violated Section 504.³¹

C. No Disability-Based Harassment Violation, No FAPE Violation

A seven-year-old student with a food allergy to peanuts has a Section 504 plan that provides for meal accommodations, the administration of epinephrine if the student is exposed to peanuts, access to a peanut-free table in the cafeteria, and the prohibition of peanut products in the student's classroom. In advance of the upcoming Halloween party, the teacher reminds the class that candy with peanuts is prohibited in the classroom at all times, including Halloween. That afternoon, while on the bus, a classmate grabs the student's water bottle out of the student's backpack, drinks from it, and says, "I had a peanut butter sandwich for lunch today, and I just finished it." The following day, while having lunch at the peanut-free table in the lunchroom with some friends, a classmate who had been sitting at another table sneaks up behind her and waves an open candy bar with peanuts in front of her face, yelling, "Time to eat peanuts!" Though the candy bar does not touch her, a few other classmates nearby begin chanting, "Time to eat peanuts," and the student leaves the lunchroom crying. When the student goes back to her classroom and tells her teacher what happened at lunch and on the bus, the teacher asks her whether she came into contact with the candy bar and what happened to the water bottle. The student confirms that the candy bar did not touch her and that she never got the water bottle back from the classmate who took it, but says that she is scared to go back into the lunchroom and to ride the bus. The teacher promptly informs the principal of the incidents, and the peers who taunted the student on the bus and in the lunchroom are removed from the lunchroom, interviewed by the assistant principal, and required to meet with the counselor during

³¹ If OCR and the district were to enter into a resolution agreement in this case, such an agreement could include, for example, any of the provisions specified in Hypothetical Example A, above.

recess to discuss the seriousness of their conduct. That same week, the school holds a Section 504 meeting to address whether any changes were needed to the student's services in light of the bullying. The principal also meets with the school counselor, and they decide that a segment on the bullying of students with disabilities, including students with food allergies, would be added to the counselor's presentation to students on the school's anti-bullying policy scheduled in the next two weeks. Furthermore, in light of the young age of the students, the counselor offers to incorporate a puppet show into the segment to help illustrate principles that might otherwise be too abstract for such a young audience. In the weeks that follow, the student shows no adverse changes in academic performance or behavior, and when asked by her teacher and the school counselor about how she is doing, she indicates that the bullying has stopped.

In this example, based on the school's appropriate response to the incidents of bullying, OCR would not find a disability-based harassment violation under Section 504. The bullying of the student on account of her food allergy to peanuts was based on the student's disability. Moreover, the physically threatening and humiliating conduct directed at her was sufficiently serious to create a hostile environment by limiting her ability to participate in and benefit from the school's education program when she was near the classmates who bullied her in the lunchroom and on the bus. School personnel, however, did not tolerate the conduct and acted quickly to investigate the incidents, address the behavior of the classmates involved in the conduct, ensure that there were no residual effects on the student, and coordinate to promote greater awareness among students about the school's anti-bullying policy. By taking prompt and reasonable steps to address the hostile environment, eliminate its effects, and prevent it from recurring, the school met its obligations under Section 504.

OCR also would not find a FAPE violation under Section 504 on these facts. Once the school became aware that the student feared attending lunch and riding the bus as a result of the bullying she was experiencing, the school was on notice that the effects of the bullying may have affected her receipt of FAPE. This was sufficient to trigger the school's additional obligation to determine whether, and to what extent, the bullying affected the student's access to FAPE and take any actions, including addressing the bullying and providing new or different services, required to ensure the student continued receiving FAPE. By promptly holding a Section 504 meeting to assess whether the school should consider any changes to the student's services in light of the bullying, the school met its independent legal obligation to provide FAPE under Section 504.

VI. Conclusion

OCR is committed to working with schools, students, families, community and advocacy organizations, and others to ensure that schools understand and meet their legal obligations under Section 504 and Title II to appropriately address disability-based harassment and to ensure that students with disabilities who are bullied continue to receive FAPE.

OCR also encourages States and school districts to reevaluate their policies and practices in light of this letter, as well as OCR's and OSERS's prior guidance. If you would like to request technical assistance or file a complaint alleging discrimination, please contact the OCR enforcement office that serves your area. Contact information is posted on OCR's website at: <http://www.ed.gov/ocr/complaintintro.html> or please contact OCR's customer service team at 1-800-421-3481 (TDD 1-800-877-8339).

I look forward to continuing our work together to address and reduce incidents of bullying in our schools so that no student is limited in his or her ability to participate in and benefit from all that our educational programs have to offer.

Sincerely,

/s/

Catherine E. Lhamon

Assistant Secretary for Civil Rights