

August 2019

Dear Faculty & Staff,

Marblehead Charter was created by a passionate group of parents and community members who envisioned a school that would meaningfully engage students in their learning, integrally involve parents in the education of their children, enthusiastically welcome the wider community as participants in the life of the school, and continually and purposefully optimize the expertise of the school's faculty and staff in the service of the children's learning. Over twenty years later, these passions remain integral to who we are and what we strive to accomplish as a school.

A little history: In December 1994, our Founding Coalition won approval of the Charter that gave birth to Marblehead Charter. Then a handful of rate-buster, type-A personalities was recruited to bring the dream to life. In August 1995, Marblehead Community Charter Public School made history by becoming the first charter school in the state to celebrate its 1st first day of school. Glover's Regiment shot three rounds to salute the beginning of a bold and ambitious journey, and the rest is history. By accepting the invitation to join the faculty, staff, or administration at MCCPS, you have committed yourself to fostering a welcoming, innovative, rigorous, supportive, and student-centered learning environment. This is rewarding work, and I look forward to our collaboration.

A warning: Marblehead Charter is not for the faint-of-heart. Many of us have stated that we work harder here than at any other school in our careers. Surprisingly though, this is not a complaint. The same people say that we are proud of our colleagues and ourselves; we are gratified by our students' achievements; and we feel inspired by our collective accomplishments. At Marblehead Charter, the faculty, staff, and administration work collegially to foster a culture that values communication, cooperation, reflection, and continual growth - for the children and ourselves. Everyone has the right to share his/her opinions and observations, and everyone has the responsibility to give his/her all in support of our mission to empower the children, involve their parents, engage the community, and grow the capacity of the faculty/staff/administration. This is demanding work, and I look forward to embracing it with you.

The purpose of the Marblehead Charter Faculty/Staff Handbook is to inform your practice. You are expected to know, understand, and adhere to its contents. You are not, however, expected to be a mind reader. If you have a question or a concern, a recommendation or an observation, please speak up. If you need help, your colleagues and I will do our best to support you. Thank you for choosing to be a part of this remarkable school.

Sincerely,
Peter Cohen
Head of School

Although every effort is made to include within this Handbook the necessary and useful information, descriptions, and expectations for the proper and reasonable functioning of the school, it should not be considered exhaustive. The Administration reserves the right to amend the contents of this Handbook and/or revise school policies and/or procedures as needed. Your input and inquiries are always welcome.

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MCCPS Mission

MCCPS fosters a community that empowers children to become capable, self-determining, fully engaged individuals who are critical and creative thinkers committed to achieving their highest intellectual, artistic, social, emotional, and physical potential. We are dedicated to involving, learning from, participating in, and serving our school community and the community at large.

Caring, Commitment, and Community

Caring

Each member of our school is valued as an individual. It is expected, therefore, that all faculty, staff, and administrators treat each other, the children, their parents, and all volunteers/visitors with kindness.

Commitment

Fostering an innovative educational environment requires an enormous investment of personal and professional energy. It is expected, therefore, that all members of the faculty, staff, and administration participate actively in the life of the school in order to achieve effective communication, systemic cooperation, dedicated effort, and continuous improvement.

Community

The school's name includes the collective noun community for good reason. We believe that all children and adults deserve an inclusive, nurturing, and safe environment in which to learn and work. It is expected, therefore, that all faculty, staff, and administrators act intentionally to foster a positive learning and working environment for each other and the children.

Basic Elements of the School's Charter

The MCCPS Charter and Bylaws are available at <http://marbleheadcharter.org/govdocs>.

1. Curriculum

- Project-based learning, integrated with other subjects, organized around global themes
- Parent and community engagement, service learning, community service
- Student-driven, personally meaningful and engaging
- Rigorous, interactive, experiential
- Designed to address intellectual, artistic, social, emotional, and physical needs of students
- Encourages students to be active learners
- 21st Century Skills: Communication, Collaboration, Creativity, Critical Thinking

2. Students

- Respect and optimize students' unique learning styles
- Self-directed learning, student choice
- Community and parent involvement
- High level of competency in the basic skills
- Proficiency in critical thinking and problem solving skills
- Productive attitudes toward work
- Competence with working in groups
- Ability to carry the school experience into the real world, through further education, work, family, and community and civic affairs

3. Faculty & Staff

- Lead by example; facilitate learning
- Design project-based learning environment; focus the curriculum on the imperative; honor student voice
- Model communication, collaboration, critical thinking, and creativity,
- Commit to continuous professional growth, support of students, and school improvement
- Nurture positive school culture and climate
- Foster family and community engagement
- Support students in the pursuit of meaningful goals

4. All

- Students, families, volunteers and faculty/staff work together to design, commit to, and implement opportunities to support the school/get involved
- Empower students to reach their highest intellectual, artistic, social, emotional, and physical potential
- Skill in the use of technology and study skills
- Ongoing celebration of collaboration, communication, critical thinking, and creativity
- Ongoing reflection to support continual growth

Code of Conduct for Teachers

PRINCIPLE I

COMMITMENT TO THE STUDENT

The educator strives to help each student realize his or her potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator--

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning.
2. Shall not unreasonably deny the student's access to varying points of view.
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress.
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.
5. Shall not intentionally expose the student to embarrassment or disparagement.
6. Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation, unfairly--
 1. Exclude any student from participation in any program
 2. Deny benefits to any student
 3. Grant any advantage to any student
7. Shall not use professional relationships with students for private advantage.
8. Shall not disclose information about students obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.

PRINCIPLE II

COMMITMENT TO THE PROFESSION

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to promote a climate that encourages the exercise of professional judgment, to achieve conditions that attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation to the profession, the educator--

1. Shall not in an application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications.
2. Shall not misrepresent his/her professional qualifications.
3. Shall not assist any entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute.
4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.
5. Shall not assist a non-educator in the unauthorized practice of teaching.
6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.
7. Shall not knowingly make false or malicious statements about a colleague.
8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or action.

Job Descriptions

A. General Responsibilities & Work day/Work year Expectations - for all employees:

1. Employees will act as stewards of the School's Charter and Mission. They will honor and respect the stated goals and objectives of the MCCPS Charter, Accountability Plan, and Strategic Plan. The *Basic Elements of the School's Charter* are included in this handbook, and the entire Charter document, Accountability Plan, and the Strategic Plan are available at marbleheadcharter.org.
2. Employees will comply with the expectations of the Head of School and her administrative designee(s).
3. Employees will work collaboratively and in a collegial manner with all other employees and volunteers to ensure the best possible educational program for all students and the best possible working environment for each other.
4. Employees will strive to continually enhance the school's educational program and will nurture a culture of respect that enables the children and the adults of the school to reach their highest potential.
5. Employees will act as professional representatives of Marblehead Charter at school and school related events.
6. Employees will be present and prepared for all student contact days, professional development days, Exhibitions, meetings, and school events as scheduled by the Head of School or her designee and/or delineated in the current Academic/Professional Calendar.
 - Normal professional school operational hours for teachers are Monday, Tuesday, Thursday, and Friday from 7:30 A.M.-3:30 P.M. and Wednesday from 7:30 A.M.- 4:30 P.M.
 - Normal professional hours for administrators are Monday, Tuesday, Thursday, and Friday from 7:00 A.M.- 4:00 P.M. and Wednesday from 7:00 A.M.- 4:30 P.M.
7. Employees are expected to be present and prepared for several evening/weekend events and asked to attend and participate in a variety of others. Those that are required are listed in Column A. Attendance at the other events/meetings is encouraged and appreciated.

Evening/Weekend Expectations*

See the school calendar for dates and times.

<u>Column A</u>	<u>Column B</u>	<u>Column C</u>	<u>Column D</u>
FULL FACULTY/STAFF presence is necessary for these events.	A faculty/staff presence is needed at each of these events.	A faculty/staff presence would be helpful at these events.	A faculty/staff presence is important to fulfill these governance functions.
Back to School Night <i>Can be used as evidence of Indicators II-B-1 "Learning Expectations" & III-C-1 "Two-Way Communication"</i>	Saturday Open Houses	Assist with or attend a Music Extravaganza or Play Performance	Board of Trustees or Committees - Join or attend a meeting

Exhibitions <i>Can be used as evidence of Indicator I-B-1 "Variety of Assessments"</i>	- at least 1 member from each team is needed <i>Can be used as evidence of Indicator II-B-1 "Learning Expectations" & III-C-1 "Two-Way Communication"</i>	<i>Can be used as evidence of Indicators II-B-3 "Student Motivation" & III-A-1 "Parent/Family Engagement"</i>	<i>Can be used as evidence of Exemplary performance on Indicator IV-D-1 "Decision-Making."</i>
Prospective Parent Night <i>Can be used as evidence of Indicator II-B-1 "Learning Expectations" & III-C-1 "Two-Way Communication"</i> Graduation <i>Can be used as evidence of Indicator II-B-3 "Student Motivation"</i>	Assist with or attend a Fundraiser or Development Event - a presence from each grade level and department is helpful <i>Can be used as evidence of Indicators III-A-1 "Parent/Family Engagement" & III-C-1</i>	Assist with or attend Sporting Events - Dates TBD <i>Can be used as evidence of Indicators II-B-3 "Student Motivation" & III-A-1 "Parent/Family Engagement" & III-C-1</i>	PTO Liaison - 1 faculty member - monthly meetings <i>Can be used as evidence of Exemplary performance on Indicator IV-D-1 "Decision-Making."</i>

* Part-time employees are expected to attend a % of the events relative to their hours.

8. All employees are expected to sign-in/out everyday at the front office. Whenever an employee leaves the school grounds during school hours (including scheduled field trips), he/she must sign-out at the front desk before leaving the building and sign-in upon return to school. This process tracks attendance and ensures that in the case of an emergency, the administration is aware of who is in the building.

9. If an employee becomes ill, he/she should report to the school nurse for evaluation. If it is determined that he/she must go home for the day, the symptoms will be noted in the employee's health record, and the Head of School or her designee will be informed. The employee or his/her designee will arrange for coverage of any remaining duties for the day. He/she will then sign-out at the front desk before leaving the building for the day.

10. Employees who are contractually entitled to paid vacation during the contract year shall take vacation days only when school is not in session. Additionally, all employees shall be entitled to all recognized national and state holidays.

11. Employees will fulfill supervisory duties, leadership roles, other functions and/or duties as assigned by the Head of School or her designee.

12. Employees may perform additional duties and be compensated by a predetermined stipend for time and effort as defined and approved by the Head of School. Employees interested in performing additional duties should so indicate to the Head of School. In all cases, the Head of School or her designee shall determine the appropriate employee to assume the responsibilities, the time frame, schedule, and remuneration for the duty.

13. Employees are expected to cover classes and supervisory duties for each other when necessary. It is in the best interest of the children to be instructed and supervised by those with whom the children have a relationship and for whom the children demonstrate trust and respect. In most cases, substitute teachers from outside the

school's faculty/staff will not be used; teaching teams will support the students by covering for each other in the event of a colleague's absence.

14. Faculty Meetings/Professional Development Activities – all certified/licensed employees should maintain a log of their participation in professional development activities to be used at the time of their recertification.

- *Full-time faculty/staff members* will attend and participate in all regularly scheduled faculty meetings and professional development activities.
- *Part-time faculty/staff members* will attend and participate in a percentage of professional development activities relative to their contractual obligations (i.e. a half-time teacher is required to attend half of the regularly scheduled professional development opportunities).

15. All employees are expected to demonstrate a commitment to continuous learning and a willingness to set, work toward, and achieve individual and/or group/department professional goals. All employees should maintain a portfolio per the MA Educator Evaluation Protocol. More detail about the MCCPS Educator Evaluation Protocol can be found later in this handbook.

16. All employees are encouraged to pursue professional development opportunities beyond those offered at MCCPS at their discretion and within the constraints of the school's schedule and budget. Requests for funding/time-off should be submitted to the Head of School or her designee.

17. All employees are expected to resolve conflicts in a timely, professional, and expeditious manner by employing the Communication Protocol (the steps of which are delineated later in this *Handbook*).

18. All employees are expected to know, understand, and adhere to the contents of this *Handbook* and the current *Student/Parent Handbook*.

19. All employees are responsible for building security. Doors and windows must be secured at the end of the day. Exterior doors must be kept closed and locked at all times unless an adult is supervising it. Upon request, keys & security codes will be issued to employees who have met the 90 probationary period and who have demonstrated competence in securing the building. A key request should be made to the Business Manager.

20. All employees are responsible for computer security and must log-off a computer when not using it; unattended email should not be left open. Also, all laptops must be maintained in a secure environment. Laptops that are left unsecured may be confiscated by the Technology Coordinator or other administrator.

21. All employees are expected to communicate regularly with grade level teammates, department members, other colleagues, and the Head of School. Time is allocated for this purpose within the weekly schedule, and additional meeting time can be arranged by appointment.

22. The cleanliness and order of the building and classrooms is the responsibility of the adults who occupy/use the rooms/spaces.

- o It is expected that all classrooms, offices, and spaces will be maintained in an orderly, attractive, and welcoming manner.
 - Student coats and backpacks should be hung neatly on the hooks in each classroom.
 - Cubbies should be kept neat and organized. Periodic checks/clean-ups should be conducted.

- Books and binders may be placed under a student's table, if necessary, but should be maintained in a neat pile. All walking paths around a classroom should be kept clear. Student materials should not be allowed to create a walking/exiting hazard.
- o It is expected that all shared areas (ie. Cake Room, copy rooms, Treehouse, restrooms, Community Room, warehouse, etc.) will be maintained in a clean, orderly, attractive, and welcoming manner. Please clean-up after yourself, and if you see something that needs doing, please do it.
- o Staples and Scotch tape should not be used on the walls. Clear push pins and blue painter's tape are available for hanging student work/posters/etc.

23. Students must be supervised at all times.

24. And other duties, as assigned by the Head of School or her designee.

Evaluation

The Head of School, with the Instructional Leadership Team, is responsible to develop criteria and procedures for effective faculty and staff supervision and evaluation and to communicate such to the faculty and staff. The Head of School or his/her designee is responsible to effectuate and document the ongoing supervision and evaluative process throughout the school year.

Procedures:

- The job performance of each employee will be formally assessed at least annually. The performance of all educators will be conducted in accordance with the MCCPS Educator Evaluation Protocol. The full policy can be found later in this document.
- Each employee will participate in the development of a Professional Development Plan (PDP) using the M.A.P. Protocol.
- The employee PDP will be reviewed in a meeting with the Head of School or her designee at least annually. The PDP summary and update meeting will take place during the third trimester of each year. Documentation including progress on identified goals and suggestions for continued improvement will be maintained in each employee's personnel file.
- For faculty members, conversations with, and classroom visits by, the Head of School and/or her designee will be conducted frequently. Dialogue related to effective classroom practice, professional development, community relations, and effective problem solving will assist each faculty/staff member in the ongoing development of an effective PDP.
- Using the job specific evaluation rubric, each faculty/staff member will participate in a self-evaluation process, a goal setting process, and an evaluation by the Head of School or her designee. Copies of all completed evaluation documents will be maintained in each employee's personnel file and/or on TeachPoint.

Reporting Requirements

Massachusetts, like many other states, requires school superintendents, charter school leaders and other administrators such as Heads of School or directors of approved special education day and residential schools and educational collaborates, to report to the Commissioner of Elementary and Secondary Education in writing

whenever a licensed educator is dismissed, not renewed or resigns after committing misconduct that might warrant revocation or other limitation of the educator's license.

The reporting requirement is designed to ensure that, as the licensing authority for Massachusetts educators, the Commissioner is made aware of misconduct that may call into question the "sound moral character" that state law requires of every licensed educator. The grounds that may trigger license action are set forth in the Educator Licensure Regulations at 603 CMR 7.14(8)(a), available online at <http://www.doe.mass.edu/lawsregs/603cmr7.html?section=14>.

Policies and Procedures

Academic Probation Protocol

A student may be placed on Academic Probation at any time in the school year, if:

- the quality/quantity of his/her work does not meet the teachers' expectations;
- his/her work habits necessitate additional support;
- Retention is being considered.

Step 1 - At the earliest opportunity, the teachers will discuss their concerns with the student and will establish deadlines for him/her to complete/improve his/her work.

Step 2 – If the student does not demonstrate progress as a result of Step 1, the teachers will meet with the student and his/her parent(s) to discuss their concerns and establish new deadlines for the completion/improvement of the work. This meeting and the suggestions for resolution will be documented in a Conference Report that will be forwarded to the Assistant Head of School.

Step 3 - If the student does not demonstrate progress as a result of Steps 1 & 2, the teachers may place the student on Academic Probation. A meeting will be scheduled with the student and his/her parent(s) to review the Academic Probation Pre-referral Form, discuss the student's needs, and determine how best to support the student. (Parental involvement is strongly encouraged in determining the Academic Probation Plan, but is not required.) A plan will be created that addresses the student's individual needs. This meeting will be documented in a Conference Report. The Academic Probation Plan and Academic Probation Pre-referral Form will be attached, and all will be forwarded to the Assistant Head of School.

An Academic Probation Plan may include (but is not limited to):

- Attendance at Homework Club from 3:30 to 4:30 (some days or everyday)
- Loss of Enrichment(s) – the student may be isolated in an Independent Study or assigned to a guided study, or other location to facilitate his/her work.
- Loss of recess
- Daily notes in the assignment book
- Weekly progress reports/updates to be sent home
- Tutoring
- Counseling
- Other, as determined by the teachers

The student's progress will be reviewed regularly. The student, his/her parent(s), and the Assistant Head of School will be notified if sufficient progress has been demonstrated to warrant terminating the Academic Probation Plan, if further action is needed, or if retention will be recommended.

Access to MCCPS Facility for Personal Use Policy

1. The term "**facility**" means MCCPS buildings, other structures, parking lot(s) and gymnasium.
2. The term "**non-MCCPS activities**" means any activity other than one in which MCCPS is the sole sponsor, in which MCCPS employees strictly plan and manage it, or is a co-sponsor, as defined below.
3. The term "**co-sponsor**" means any activity in which MCCPS is an announced and publicized co-sponsor with another organization or organizations. To be a co-sponsor under this policy, MCCPS personnel must actively participate in the planning and managing of the activity, and the co-sponsorship must be approved by the Head of School or his/her designee.
4. "**Non-MCCPS parties**" is defined as anyone other than an MCCPS employee or Board member.

Scope of this policy

This policy covers use of MCCPS facilities for personal, business or non-MCCPS activities by non-MCCPS parties or MCCPS employees or Board members. This policy may be updated or changed without prior notice.

Statement of Reserved Right

The Head of School or his/her designee reserves the right to decline the use of the MCCPS facility for any reason.

General Standards

1. Use of MCCPS facilities is the use of a public resource. Therefore, facilities use by non-MCCPS parties or MCCPS employees or Board members for personal, business or non-MCCPS activities must be consistent with state law and this policy. The following principles apply to facilities use:
 - A. MCCPS is not obligated to permit facilities use for any activity that the Head of School or his/her designee determines is contrary to public policy or the safety of persons or property, or is not in the best interest of the community or MCCPS.
 - B. MCCPS employees, Board members, or their relatives or associates may not use MCCPS facilities for personal or business purposes, or for non-MCCPS activities, without complying with the standards and procedures specified in this policy applicable to non-MCCPS parties. That includes compliance with the requirements for insurance coverage and the payment of rent. MCCPS-sponsored programs for employees, such as professional development, are considered MCCPS activities under this policy. At the discretion of the Head of School or his/her designee an MCCPS employee or Board member may use facilities for an event without complying with the rent or insurance requirements of this policy when the event meets one of the following limited conditions:
 - i. The employee or Board member actively participates in the event and is responsible for managing it; and
 - ii. The event is for a professional organization in which the employee or Board member actively participates, and whose objectives do not conflict with the employee's work at MCCPS or to the Board member's MCCPS responsibilities. The Head of School or his/her designee may establish guidelines for the use of MCCPS facilities under this professional organization exception, including any reasonable reimbursement of expenses as appropriate.

- C. Before using MCCPS facilities, non-MCCPS parties may be required to submit certificates of insurance to MCCPS covering that use.
 - D. Non-MCCPS parties, including non-profit agencies or other public entities, must pay fair market rent unless the use relates directly to MCCPS's stated mission. Reduced rent, or no charge, is at the sole discretion of the Head of School or his/her designee.
 - E. MCCPS classes, programs and activities for students have priority over all other activities, and other MCCPS activities have priority over non-MCCPS activities.
 - F. MCCPS has the right to approve any advertising concerning a non-MCCPS party's use of MCCPS facilities.
 - G. A non-MCCPS party must obtain specific written authorization from the Head of School or his/her designee to operate any concession activity at MCCPS facilities.
 - H. A non-MCCPS party may not alter an MCCPS facility without the prior written approval of the Head of School or his/her designee
2. The Head of School or his/her designee is responsible for administering this policy and other MCCPS policies relating to facilities use, and for annually approving appropriate rent for MCCPS facilities.

Written Agreements Required

1. Any non-MCCPS party wishing to use MCCPS facilities must sign an MCCPS-generated agreement specifying the terms of that use. The non-MCCPS party must sign and comply with that agreement and the insurance requirements of this policy regardless of whether MCCPS charges rent for that use.
2. The MCCPS standard form entitled "FACILITIES USE AGREEMENT" must be signed if the MCCPS facility will be used one time, or for a limited period of time during a week and during a year. Under the "FACILITIES USE AGREEMENT" form, the user does not have exclusive use of the portion of the facility being rented (that is, the user will occupy the facility when MCCPS is not occupying it).
3. The "FACILITIES USE AGREEMENT" will define the use and/or cost of any MCCPS equipment, supplies, technology or furnishings that will be used by the party.
4. The "FACILITIES USE AGREEMENT" will define the specific areas of the facility to be used, the required standards of use, the expectations for security of the facility and any related details.

Insurance Requirements

1. Before any non-MCCPS party may use an MCCPS facility it must supply MCCPS with a certificate of insurance evidencing insurance coverage. MCCPS may determine that the activity for which the facility will be used requires other types of insurance coverage, or that reduced levels of insurance are appropriate. A non-MCCPS party must provide a certificate of insurance regardless of whether it pays rent for the use of MCCPS facilities.
2. The certificate must show insurance coverage from insurance companies licensed to do business in MA and must state that the insurance policy has been endorsed to name MCCPS, and its agents, officers, officials, employees, and volunteers as additional insureds, except for worker's compensation and employer's liability insurance.
3. Unless the MCCPS changes the insurance coverage and limits required, the minimum coverage and limits required are:
 - A. Commercial general liability insurance with a limit of not less than \$1,000,000 per occurrence for bodily injury, property damage, personal injury, products and completed operations, and blanket contractual coverage, including but not limited to, the liability assumed under the indemnification provisions of the rental, license or lease agreement;

- B. Automobile liability insurance with a combined single limit for bodily injury and property damage of not less than \$1,000,000 each occurrence with respect to outside party's owned, hired, and non-owned vehicles; and
- C. Workers' compensation insurance with limits statutorily required by any federal or state law and employer's liability insurance of not less than \$100,000 for each accident, \$100,000 disease for each employee, and \$500,000 disease policy limit.

Rent Required and Exceptions

- 1. Non-MCCPS parties or MCCPS employees or Board members using facilities for personal, business or non-MCCPS activities may be charged the rent specified below, unless the use qualifies for reduced rates or free use under paragraph B:
 - A. For facilities use under a "FACILITY USE AGREEMENT" form, the rent developed according to the rental rate guidelines; or
- 2. A fair market rent, as initially determined by the Head of School or his/her designee
- 3. Before waiving or reducing rent below that required under this policy for use of facilities for non-MCCPS activities, the Head of School or his/her designee must determine that the following conditions exist:
 - A. The activity for which the facility is to be used relates directly to MCCPS's mission of education and training, and/or the MCCPS community obtains a specific public benefit from the activity;
 - B. The activity is not political; and
 - C. The value or benefit that MCCPS receives from the activity is reasonably equivalent to the amount of rent that MCCPS is foregoing.
- 4. Non-MCCPS parties or MCCPS employees or Board members must document that the conditions specified exist before waiving or reducing rent occurs. If the "FACILITY USE AGREEMENT" form is used, entity must specifically explain on the form, or on a separate document attached to the form, the conditions that make a waiver or reduction of rent appropriate. It is the nature of the activity itself and whether it directly benefits MCCPS that determines whether a waiver or reduction in rent is appropriate. The fact that MCCPS may realize some financial gain from the activity other than rent, or that the entity using the MCCPS facility is another public entity, including a non-profit organization, does not automatically qualify the activity for a waiver or reduction in rent.

Anti-discrimination Policy

Marblehead Community Charter Public School is an equal opportunity employer. We will not discriminate and will take affirmative action measures to ensure against discrimination in employment, recruitment, advertisements for employment, compensation, termination, upgrading, promotions, and other conditions of employment against any employee or job applicant on the bases of race, color, gender, national origin, age, religion, creed, disability, veteran's status, sexual orientation, gender identity or gender expression.

It is the goal of the Marblehead Community Charter Public School to provide a safe and secure learning environment for all without distinction based on race, religion, ethnicity, disability, gender, sexual orientation, or gender identity. Discrimination, sexual or bias-motivated harassment, and violations of civil rights disrupt the educational process and will not be tolerated.

It shall be a violation for any student, teacher, administrator, or other school personnel or volunteer to engage in sexual or bias-related harassment (referred to as “wrongful harassment”) or to violate the civil rights of any student, teacher, administrator, or other school personnel or volunteer.

The School will act to investigate all complaints, formal or informal, verbal or written, of sexual or bias-related harassment or violations of civil rights and will act to take appropriate action against any pupil, teacher, administrator, or other school personnel or volunteer who is found in violation. The 504 Coordinator and the Assistant Head of School serve as the coordinators for Title VI, Title IX, and Section 504. Contact either of them immediately with concerns.

Matt Cronin, Principal	Judith Nuñez, Guidance Counselor
MCCPS	MCCPS
17 Lime Street	17 Lime Street
Marblehead MA 01945	Marblehead MA 01945
781-631-0777 x 22	781-631-0777 x 52
bsullivan@marbleheadcharter.com	jnunez@marbleheadcharter.com

Title VI, Title IX, and Section 504

- Title VI – prohibits discrimination based on race
- Title IX – prohibits discrimination based on gender
- Section 504 – prohibits discrimination based on disability

Section 504 is an Act which prohibits discrimination against persons with a handicap in any program receiving Federal financial assistance. The Act defines a person with a handicap as anyone who:

- has a mental or physical impairment which substantially limits one or more major life activity (major life activities include activities such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working);
- has a record of such impairment; or
- is regarded as having such an impairment.

In order to fulfill its obligation under Section 504, MCCPS recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel, students, and volunteers. No discrimination against any person with a handicap will knowingly be permitted in any of the programs and practices at MCCPS.

MCCPS has specific responsibilities under the Act, which include the responsibility to identify, evaluate, and if the child/adult is determined to be eligible under Section 504, to afford access to appropriate support services.

If a parent/guardian disagrees with the determination made by the professional staff at MCCPS, he/she has a right to a hearing with an impartial hearing officer and should contact the United States Department of Education Office of Civil Rights.

U.S. Dept. of Education
Office of Civil Rights
33 Arch St. 9th Floor
Boston, MA 02110

Phone: 617.289.0111
Fax: 617.289.0150

Athletics - Student Eligibility

Per MCCPS Athletic rules and regulations, all student/athletes will be held accountable for the following:

- o Parent/Guardian Permission – a signed and dated parent/guardian form must be submitted and kept on file at the school.
 - o Physical Examinations – each student athlete is required to pass a physical examination performed by a registered physician one year prior to participation. Physical examinations are good for one year from the date of examination and must be continually renewed to remain eligible. A copy of this exam must be filed with the nurse.
 - o Birth Certificates – an original copy of each student/athlete's birth certificate/official documentation must be submitted to the athletic office no later than two weeks into the athletic season.
 - o Concussion Form
1. Academics – Student/athletes must be in good academic standing (at or above 2+ on the CUE, no missing assignments, appropriate behavior) to remain on a team. Students who fall below the expected levels will be given one (1) opportunity to get back on track. If the student continues to fall below the expected level, a discussion of the student's academic performance with all core subject teachers will be held, and if determined, the student will be removed from the team.
 2. Student Behavior Referrals – Student/athletes who receive a behavioral consequence following the Behavior Rubric during the active season will be immediately suspended from the next contest. Student/athletes receiving the second consequence (on the Behavior Rubric) for any inappropriate behavior will be removed from the team.
 3. Injuries – If any injury or illness occurs during the season, which requires medical attention, the student/athlete must submit written approval from the attending physician to the health office prior to returning to athletic participation. Any student/athlete who is injured or ill prior to the start of a season, which required medical attention but would join the team at some point during the season, must submit written approval.
 4. Student Handbook – all student/athletes are subject, first and foremost, to school rules and regulations governing student behavior as cited in the school's student handbook. Violations of school rules resulting in suspension (in/out of school) from school will automatically disqualify student involvement in athletic contests.
 5. Attendance – student/athletes will not be allowed to participate in any athletic contest on the same day they are absent from school unless the absence has been approved in advance by the Assistant Head of School or his/her designee. Student/athletes must be in attendance for at least half of the school day in order to be eligible to participate in an athletic contest. If a contest is scheduled for a weekend, the student/athlete must be in school the Friday before for at least half of the day.
 6. Alcohol/Tobacco/Drugs – during the course of the season, student/athletes are prohibited from using, consuming, possessing, purchasing, giving away or being in the presence of any beverage containing alcohol, tobacco products, marijuana, steroids or controlled substances.
Penalties will be determined on a case-by-case basis by the coaches and the administration of the school and handled in accordance with the school's student handbook.
 7. Steroid use – use of Anabolic Androgenic Steroids is strictly prohibited.
 8. Amateur status – all student/athletes must be of amateur status. An amateur is defined as an athlete/participant who competes for the intrinsic value of the game and at no time, under any circumstances accepts money or compensation for his/her efforts involving the activity in question.

BULLYING

Policies and Procedures for Reporting and Responding to Bullying and Retaliation

To support efforts to respond promptly and effectively to bullying and retaliation, MCCPS has policies and consistent procedures in place for receiving and responding to reports of bullying or retaliation. These policies and procedures will ensure that members of the school community – students, parents, and staff – know what will happen when incidents of bullying occur. The following procedures describe detailed procedures for staff reporting of incidents, processes for communicating to students and families how reports can be made (including anonymous reports), and procedures to be followed by the Head of School or designee once a report is made. These procedures are based on the requirements of M.G.L. c. 71, § 37O.

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

- Causes physical or emotional harm to the victim or damage to the victim's property;
- Places the victim in reasonable fear of harm to himself or of damage to his property;
- Creates a hostile environment at school for the victim;
- Infringes on the rights of the victim at school; or
- 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.

Where the term “bullying” is used in this document, it is intended to encompass both “bullying” and “cyber-bullying” as defined above. “**Perpetrator**”, a student or a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional who engages in bullying or retaliation.

Bullying generally involves “picking on” a student over time and may include conduct such as hitting and shoving; pressuring a student into taking an action he/she does not wish to take; words that involve threats, teasing, putdowns, or name-calling; threatening looks, gestures, or actions; cruel rumors; false accusations; and social isolation.

Reporting bullying 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. Employees are required to report immediately to the Head of School or designee any instance of bullying or retaliation they become aware of or witnesses. 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, Head of School’s phone number and email address and the school’s mailing address. A Bullying Report Form is available on the school’s website at http://marbleheadcharter.org/userfiles/file/bullying_form.pdf.

Use of an Incident Reporting Form is not required as a condition of making a report. A copy of the Incident Reporting Form will be provided to all families in the beginning of the year packets for students and parents or guardians. The form will be made available in each school’s main office, the counseling office, the school nurse’s office, and any other locations determined by the Head of School or designee. A link to a downloadable copy of the form will be posted on the MCCPS website. The Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

The school community, including administrators, staff, students, and parents or guardians, will be provided with written notice of MCCPS’ policies for reporting acts of bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the Head of School or designee, will be incorporated in student and staff handbooks, on the school website, and in information about the Plan that is made available to parents or guardians. If the reported incident involves students from another school (public, charter, non public), the Head of School or designee will notify the school’s Head of School or designee. Staff will maintain compliance with privacy laws and regulations 603 CMR 49.00

A. Reporting by Staff

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

B. Reporting by Students, Parents or Guardians, and Others.

The school 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 Head of School 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. 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 Head of School or designee.

Responding to a report of bullying or retaliation.

Safety

Before fully investigating the allegations of bullying or retaliation, the Head of School 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. There may be circumstances in which the Head of School or designee, at their discretion and in accordance with applicable law, contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00. Responses to promote safety may include, but not be limited to:

- Creating a personal safety plan;
 - Pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus;
 - Identifying a staff member who will act as a “safe person” for the target;
 - Altering the aggressor’s schedule and access to the target.

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

The Head of School or designee will implement appropriate strategies for protecting from bullying or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation. The confidentiality of the student and witness reporting alleged acts of bullying and/or retaliation will be maintained to the extent possible given the school’s obligation to investigate the matter. Existing established policy related to planning for student safety will be adhered to.

Obligations to Notify Others

A. Notice to parents or guardians.

Upon determining that bullying or retaliation has occurred, the Head of School or designee will promptly notify the parents or guardians of the target and the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the Head of School or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

B. Notice to Another School or District.

If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the Head of School or designee first informed of the incident will promptly notify by telephone the Head of School or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.

C. Notice to Law Enforcement.

At any point after receiving a report of bullying or retaliation, including after an investigation, if the Head of School or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the Head of School will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the Head of School 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.

D. Notice Across Gradespans.

Communication regarding information related to reports of bullying or retaliation will be communicated during the established 'check out' process of transitioning students, either across grades or levels. In making this determination, the Head of School or designee will, consistent with the Plan and with applicable school policies and procedures, consult with the school resource officer, if any, and other individuals the Head of School or designee deems appropriate.

Investigation.

The Head of School or designee will investigate promptly all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved.

During the investigation the Head of School or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The Head of School or designee (or whoever is conducting the investigation) will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

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

Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for investigations. If necessary, the Head of School or designee will consult with legal counsel about the investigation. (Align this with school or district procedures.)

Determinations.

The Head of School or designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the Head of School or designee 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 Head of School or designee will:

- 1) determine what remedial action is required, if any
- 2) determine what responsive actions and/or disciplinary action is necessary.

Depending upon the circumstances, the Head of School or designee 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 Head of School or designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student

records, the Head of School 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.

Responses to Bullying.

MCCPS has incorporated a range of individualized strategies and interventions that may be used in response to remediate a student's skills and or to prevent further incidences of bullying and/or retaliation.

Teaching Appropriate Behavior Through Skills building.

Upon the Head of School or designee determining that a violation of the district's anti bullying policy has occurred, the, the law requires that the school or district use a range of responses that balance the need for accountability with the need to teach appropriate behavior (ref. M.G.L. c. 71, § 37O(d)(v)). Skill building approaches that the Head of School or designee may consider include:

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

Taking Disciplinary Action

If the Head of School or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the Head of School or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with the Plan and with the school's code of conduct.

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

A. False Accusations and Retaliation.

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

Promoting Safety for the Target and Others

The Head of School or designee 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 Head of School or designee 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 Head of School or designee will contact the target to determine whether there has been a recurrence

of the prohibited conduct and whether additional supportive measures are needed. If so, the Head of School or designee will work with appropriate school staff to implement them immediately.

A complete overview of the plan is available at www.marbleheadcharter.org

Legal reference:

Source: MGL c71 § 1-93;

MGL c92 § 1-18 of the Acts of 2010

Child Abuse and Neglect Reporting Protocol - Mandated Reporter

All faculty, staff, and administrators are mandated to report suspected child abuse or neglect.

Whenever an incident of suspected abuse or neglect is reported to the school, the Assistant Head of School and/or the Head of School will investigate the allegation. If, as a result of this investigation, the parties have "reasonable cause to believe" that a child is suffering from physical or emotional injury resulting from abuse, including sexual abuse or neglect, the Assistant Head of School, the Student Services Coordinator, and/or the Head of School will notify the Department of Children and Families (DCF) as per the Massachusetts General Laws, Chapter 119, Section 51-A.

If the accused is a staff member, he/she shall be placed on administrative leave with pay pending the outcome of the investigation. The Head of School shall consider the results of the DCF investigation and other relevant information to determine whether further disciplinary action, including termination, shall be taken or whether the accused staff member shall be reinstated if there is no indication that the staff person acted inappropriately. The Assistant Head of School or the Head of School will notify the Department of Elementary and Secondary Education after filing/learning that a 51-A has been filed for alleged abuse or neglect of a child while in the care of the school or during a school related activity.

MCCPS will cooperate in all investigations of abuse and neglect in any way the Department of Elementary and Secondary Education deems necessary.

In the event that a faculty/staff member suspects abuse or neglect of a child by a parent, family member, or any person who may be associated with that child, that faculty/staff member is responsible to report the suspected abuse or neglect to the Assistant Head of School who will inform the Head of School. The Assistant Head of School or the Head of School will contact DCF. Under the law, it is the faculty/staff member's responsibility to ensure that the concern is communicated to DCF.

This policy will be reviewed with all faculty/staff at the beginning of each school year.

Department of Children and Families (617) 748-2000

<http://www.mass.gov/legis/laws/mgl/119-51a.htm>

Communication Protocol

The goal of the MCCPS Communication Protocol is to ensure open, honest, respectful, and timely communication between and among all members of the MCCPS community. We believe that effective communication contributes to a healthy community, a safe environment for all, and increased student

achievement. All MCCPS administrators, faculty, and staff maintain an open-door policy with regards to answering questions and discussing issues. Please communicate directly and often.

Any issues brought to the attention of a member of the MCCPS Board of Trustees will be forwarded to the Head of School who will facilitate the process of resolution.

Informal Communication

MCCPS administrators, faculty, and staff are generally available immediately before school (7:30-7:45AM) and after school (3:15-3:30PM) to answer questions or engage in informal conversations.

Phone calls, notes, emails, and comments/questions in a student's assignment book are welcome and encouraged. A response will be made as soon as practicable, and in most cases, within 2 school days.

Formal Communication

Parents, administrators, faculty, and/or staff members who are concerned with an issue that cannot be resolved in an informal manner, or who feel that a more than a few minutes is needed to discuss their question/concern, should schedule a meeting with the person(s) closest to the issue/concern.

All formal communication should be documented on a Conference Report (The template is available electronically.) Copies of the Conference Report will be sent to the meeting's participants for their review and comment; all written comments will become part of the documented record of the issue/concern. A copy of each report will be shared with the Assistant Head of School who will track the progress of each issue/concern.

The Board of Trustees will be informed by the Head of School in the event that it is determined by him/her that a state/federal law was violated.

In order to ensure the effective resolution of an issue/concern, please follow the process outlined below.

Step 1) Schedule a meeting to speak directly with the person(s) closest to the issue. Meeting participants are encouraged (and MCCPS personnel are required) to include a third party to take notes during a meeting. Follow-up meetings with the same participants should be scheduled, as needed, to facilitate a satisfactory resolution of the issue/concern.

Step 2) If, after following step 1, an issue remains unresolved, any meeting participant may request a meeting with the person(s) closest to the issue and the Assistant Head of School. At this stage, the meeting should be scheduled through the Assistant Head of School. Follow-up meetings with the same participants should be scheduled, as needed, to facilitate the resolution of the issue/concern.

Step 3) If, after following steps 1 and 2, an issue remains unresolved, any meeting participant may request a meeting with the person(s) closest to the issue, the Assistant Head of School, and the Head of School. At this stage, meetings should be scheduled through the Head of School. Follow-up meetings with the same participants should be scheduled, as needed, to facilitate a resolution of the issue.

Step 4) If, after following steps 1-3, a meeting participant believes that the issue remains unresolved, he/she may submit a letter of appeal to the Head of School. The Head of School will review the documentation related to the issue and will respond in writing with a judgment of his/her findings.

Step 5) If, after following steps 1-4, an issue remains unresolved, any meeting participant is encouraged to request mediation. All requests for mediation must be in writing and directed to the Head of School. The school will schedule a mediation session at the Marblehead Counselling Center with all relevant parties.

Step 6) If, after following steps 1-5, a meeting participant believes that the issue remains unresolved, he/she may submit a letter of appeal to the Chair of the MCCPS Board of Trustees. He/she will review the documentation related to the issue and will respond in writing within 30 days with a judgment of his/her findings.

NOTE: All conversations at this level are documented on a “Conference Report Form;” copies of which are sent to the meeting’s participants for their review and comment. All written comments become part of a documented record of the issue under consideration.

GRIEVANCE PROCEDURE

1. In the event that any disagreement or dispute shall arise that in the opinion of the faculty/staff member is of consequence and in need of resolution, he/she should first express his/her concern to the party/parties who have direct connection or concern with the disagreement or dispute.
2. If in the opinion of the faculty/staff member, resolution is not satisfactory at this level, he/she should express his/her concern to the Head of School. (Note: In cases involving a dispute with the Head of School, the faculty/staff member should make his/her disagreement known to the Chair of the MCCPS Board of Trustees.) The Head of School/Chair of the Board will work to resolve the issue in a timely fashion involving all concerned with the disagreement.
3. If, in the opinion of the faculty/staff member, resolution is not satisfactory at this level, he/she shall write a letter to the Head of School (copied to the chair of the Board of Trustees) stating the nature of the problem and requesting a meeting to resolve the issue using a mutually agreed upon alternative dispute resolution service in the Commonwealth of Massachusetts. The resolution will be honored by both sides.

CORI & SORI Policy Criminal Offender Record Information and Sex Offender Record Information

(This policy will be amended when changes are finalized at the state level.)

INTENT:

Marblehead Community Charter Public School recognizes the need to ensure a safe environment for those we serve. As one means of providing a secure environment, MCCPS has implemented a Criminal Offender Records Information and Sex Offender Registry Information check policy which is reviewed on an annual basis.

POLICY STATEMENT:

People who provide service and/or support to any MCCPS program and whose duties entail the potential for unsupervised contact with students will undergo CORI and SORI checks. Massachusetts law, as well as regulations promulgated by the Commonwealth Executive Office of Health and Human Services (EOHHS) state that individuals convicted of certain crimes pose an unacceptable risk to vulnerable populations (i.e. underage, elderly, disabled or persons receiving care due to illness) and are therefore ineligible to provide services or support in school programs or facilities. The school reserves the right to determine which offenses pose an unacceptable risk to our students.

POLICY PURPOSE:

Standardized procedures for the review of criminal and sex offender records help ensure that candidates under consideration are appropriate for serving in their positions. The Commonwealth of MA has authorized Marblehead Community Charter Public School to receive criminal record information regarding those individuals who need CORI/SORI clearance to work and/or provide voluntary services in educational worksites.

SCOPE:

The CORI/SORI as required by law apply to employees, volunteers, and/or others who provide service or support to any MCCPS program in either a paid or unpaid capacity and whose services entail the potential for unsupervised contact with students.

PROCEDURE:

Prior to working alone with students, employees, volunteers and/or other adults will be subject to a CORI/SORI check.

The CORI application is sent to the Criminal History Systems Board (CHSB) and the SORI application is sent to the Sex Offender Registry Board (SORB) which generally respond within four to six weeks. An MCCPS CORI/SORI reviewer examines the confidential CORI and SORI records and makes a determination as to the candidate's eligibility based on the standards established by the EOHHS and MCCPS. The candidate is notified of eligibility. A person who is the subject of CORI and SORI checks is entitled to review the information received by the MCCPS.

A Criminal Offender Record Information (CORI) and Sex Offender Registry Information (SORI) check will be part of a general background check for employment and volunteer work. The following practices and procedures will be followed.

1. CORI/SORI checks will only be conducted as authorized by the Criminal History Systems Board (CHSB) and the Sex Offender Registry Board (SORB). Applicants will be notified that a CORI/SORI check will be conducted. If requested, the applicant will be provided with a copy of the CORI/SORI report.
2. All personnel authorized to review CORI/SORI in the decision-making process will be familiar with the educational materials made available by CHSB/SORB.
3. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on CORI/SORI checks will be made consistent with this policy and any applicable law or regulations.
4. If a criminal record is received from CHSB/SORB, the authorized individual will closely compare the record provided by CHSB/SORB with the information on the CORI/SORI request form and any other identifying information provided by the applicant, to ensure the record relates to the applicant.

- a. If MCCPS is inclined to make an adverse decision based on the results of the CORI/SORI check, the applicant will be notified immediately. The applicant shall be provided with a copy of the criminal record and advised of the part(s) of the record that make the individual unsuitable for the position.
- b. If the CORI/SORI record provided does not exactly match the identification information provided by the applicant, MCCPS will make a determination based on a comparison of the CORI/SORI record and documents provided by the applicant. MCCPS may contact CHSB/SORB and request a detailed search consistent with CHSB/SORB policy.
- c. If MCCPS reasonably believes the record belongs to the applicant and is accurate based on the information as provided, then the determination of suitability for the position will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not limited to, the following:
 1. Relevance of the crime to the position sought;
 2. The nature of the work to be performed;
 3. Time since the conviction;
 4. Age of the candidate at the time of the offense;
 5. Seriousness and specific circumstances of the offense;
 6. The number of offenses;
 7. Whether the applicant has pending charges;
 8. Any relevant evidence of rehabilitation or lack thereof;
 9. Any other relevant information, including information submitted by the candidate or requested by the hiring authority

5. MCCPS will notify the applicant of the decision and the basis of the decision in a timely manner.

APPEALS PROCESS:

If the individual believes that his or her CORI or SORI report contains an error, the individual should contact the CHSB or the SORB directly. The school is under no obligation to appeal, correct, investigate or otherwise contest the report received from the Commonwealth of MA. The school is not required to maintain the offer of employment or position even in the event of an ultimately successful appeal to the CHSB or the SORB by the candidate. If it is determined that there was an error that was subsequently corrected, the individual may inform the school, which may or may not repeat the CORI/SORI check.

State and National Fingerprint-Based Criminal Background Checks (Rev 2/14)

Governor Deval Patrick has enacted a law that requires new fingerprint-based background checks for public and private school teachers, bus drivers, and child-care workers in Massachusetts. This new law, which was signed on January 10, 2013, increases child protection by closing a legal loophole where schools were previously only allowed to conduct background checks for crimes committed inside Massachusetts.

Under the new law, public and private schools in Massachusetts will need to obtain state and national fingerprint-based criminal background checks to determine the suitability of current and prospective employees of the school who may have direct and unmonitored contact with children. Schools will need to obtain similar state and national fingerprint-based criminal background checks for any individual who regularly provides school-related transportation to children, as well as any subcontractor or laborer commissioned by the school to perform work on school grounds who may have direct and unmonitored contact with children. All fingerprints will be submitted to the state police for a state criminal history check and forwarded to the Federal Bureau of

Investigation (FBI) for a national background check. Under the previous law, fingerprints were not required and only a state check was conducted.

There is a fee of up to \$35 for employees who are not certified educators and \$55 for employees who are certified educators. At this time, schools are permitted to reimburse applicants for all or part of the fee on grounds of financial hardship. Marblehead Charter will reimburse for this expense.

Marblehead Community Charter Public School

Policy Governing Fingerprint-Based Criminal History Record Information (CHRI) Checks Made for Non-Criminal Justice Purposes

This policy is applicable to any fingerprint-based state and national criminal history record check made for non-criminal justice purposes and requested under applicable federal authority and/or state statute authorizing such checks for licensing or employment purposes. Where such checks are allowable by law, the following practices and procedures will be followed.

I. Requesting CHRI checks

Fingerprint-based CHRI checks will only be conducted as authorized by M.G.L. c. 71, §38R and 42 U.S.C. § 16962, in accordance with all applicable state and federal rules and regulations, and in compliance with M.G.L. c. 6, §§ 167-178 and 803 CMR §§ 2.00, *et seq.* If an applicant or employee is required to submit to a fingerprint-based state and national criminal history record check, he/she shall be informed of this requirement and instructed on how to comply with the law. Such instruction will include information on the procedure for submitting fingerprints. In addition, the applicant or employee will be provided with all information needed to successfully register for a fingerprinting appointment [e.g., Identogo web site address, Provider Identification Number (Provider ID)].

II. Access to CHRI

All CHRI is subject to strict state and federal rules and regulations in addition to Massachusetts CORI laws and regulations. CHRI cannot be shared with any unauthorized entity for any purpose, including subsequent hiring determinations. All receiving entities are subject to audit by the Massachusetts Department of Criminal Justice Information Services (DCJIS) and the FBI, and failure to comply with such rules and regulations could lead to sanctions. Title 28, U.S.C. § 534, Pub. L. 92-544 and Title 28 C.F.R. 20.33(b) provide that the exchange of records and information is subject to cancellation if dissemination is made outside of the receiving entity or related entities. Furthermore, an entity can be charged criminally for the unauthorized disclosure of CHRI.

III. Storage of CHRI

CHRI shall only be stored for extended periods of time when needed for the integrity and/or utility of an individual's personnel file. Administrative, technical, and physical safeguards, which are in compliance with the most recent [CJIS Security Policy](#), have been implemented to ensure the security and confidentiality of CHRI. Each individual involved in the handling of CHRI is to familiarize himself/herself with these safeguards. In addition to the above, each individual involved in the handling of CHRI will strictly adhere to the policy on the storage, retention and destruction of CHRI.

IV. Retention and Destruction of CHRI

Federal law prohibits the repurposing or dissemination of CHRI beyond its initial requested purpose. Once an

individual's CHRI is received, it will be securely retained in internal agency documents for the following purposes **only**:

- Historical reference and/or comparison with future CHRI requests,
- Dispute of the accuracy of the record
- Evidence for any subsequent proceedings based on information contained in the CHRI.

CHRI will be kept for the above purposes in the discipline office.

When no longer needed, CHRI and any summary of CHRI data must be destroyed by shredding paper copies and/or by deleting all electronic copies from the electronic storage location, including any backup copies or files. The shredding of paper copies of CHRI by an outside vendor must be supervised by an employee of *MCCPS*.

IV. CHRI Training

An informed review of a criminal record requires training. Accordingly, all personnel authorized to receive and/or review CHRI at *MCCPS* will review and become familiar with the educational and relevant training materials regarding SAFIS and CHRI laws and regulations made available by the appropriate agencies, including the DCJIS.

V. Determining Suitability

In determining an individual's suitability, the following factors will be considered:

1. Relevance of the crime to the position sought
2. The nature of the work to be performed
3. Time since conviction
4. Age of the candidate at the time of offense
5. Seriousness and specific circumstances of the offense
6. The number of offenses
7. Whether the applicant has pending charges
8. Any relevant evidence of rehabilitation or lack thereof
9. Any other relevant information, including information submitted by the candidate or requested by the hiring authority.

A record of the suitability determination will be retained. The following information will be included in the determination:

- The name and date of birth of the employee or applicant;
- The date on which the school employer received the national criminal history check results; and,
- The suitability determination (either "suitable" or "unsuitable").

A copy of an individual's suitability determination documentation must be provided to another school employer, or to the individual, upon request of the individual for whom the school employer conducted a suitability determination.

VII. Adverse Decisions Based on CHRI

If inclined to make an adverse decision based on an individual's CHRI, *MCCPS* will take the following steps prior to making a final adverse determination:

- Provide the individual with a copy of his/her CHRI used in making the adverse decision;
- Provide the individual with a copy of this CHRI Policy;
- Provide the individual the opportunity to complete or challenge the accuracy of his/her CHRI; and
- Provide the individual with information on the process for updating, changing, or correcting CHRI.

A final adverse decision based on an individual's CHRI will not be made until the individual has been afforded a reasonable time depending on the particular circumstances (3-5 school days) to correct or complete the CHRI.

VIII. Secondary Dissemination of CHRI

If an individual's CHRI is released to another authorized entity, a record of that dissemination must be made in the secondary dissemination log. The secondary dissemination log is subject to audit by the DCJIS and the FBI. The following information will be recorded in the log:

- Subject Name;
- Subject Date of Birth;
- Date and Time of the dissemination;
- Name of the individual to whom the information was provided;
- Name of the agency for which the requestor works;
- Contact information for the requestor; and
- The specific reason for the request.

IX. Reporting to Commissioner of Elementary and Secondary Education

Pursuant to M.G.L. ch 71, § 71R and 603 CMR 51.07, if *MCCPS* dismisses, declines to renew the employment of, obtains the resignation of, or declines to hire a licensed educator or an applicant for a Massachusetts educator license because of information discovered through a state or national criminal record check, *MCCPS* shall report such decision or action to the Commissioner of Elementary and Secondary Education in writing within 30 days of the employer action or educator resignation. The report shall be in a form requested by the Department and shall include the reason for the action or resignation as well as a copy of the criminal record check results. *MCCPS* shall notify the employee or applicant that it has made a report pursuant to 603 CMR 51.07(1) to the Commissioner.

Pursuant to M.G.L. ch 71, § 71R and 603 CMR 51.07, if *MCCPS* discovers information from a state or national criminal record check about a licensed educator or an applicant for a Massachusetts educator license that implicates grounds for license action pursuant to 603 CMR 7.15(8)(a), *MCCPS* shall report to the Commissioner in writing within 30 days of the discovery, regardless of whether *MCCPS* retains or hires the educator as an employee. The report must include a copy of the criminal record check results. The school employer shall notify the employee or applicant that it has made a report pursuant to 603 CMR 51.07(2) to the Commissioner and shall also send a copy of the criminal record check results to the employee or applicant.

PROVISIONS GOVERNING DUE PROCESS FOR DISCIPLINARY REMOVALS and SERVICES DURING REMOVALS

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

Please note that students have the right to be represented counsel or a lay person of the student's choice, at the student's/parent's expense, at any and all hearings concerning student discipline. If you wish to bring an attorney to any hearing or meeting at the school, please inform MARBLEHEAD COMMUNITY CHARTER PUBLIC SCHOOL immediately. If you fail to inform the school prior to bringing an attorney to a hearing, and MARBLEHEAD COMMUNITY CHARTER PUBLIC SCHOOL's attorney is not present, then MARBLEHEAD COMMUNITY CHARTER PUBLIC SCHOOL will exercise its right to cancel and reschedule the meeting to ensure that its attorney can attend. This rescheduling may delay the hearing or

meeting, and if so, your child's disciplinary removal will be extended until a decision is rendered following the rescheduled hearing or meeting. MARBLEHEAD COMMUNITY CHARTER PUBLIC SCHOOL hereby notifies you that it may have its legal counsel present at any hearings and meetings involving student discipline.

A. NOTICE OF STUDENT AND PARENT RIGHTS UNDER G.L. c. 71 §37H

This Notice of Student and Parent Rights applies to student misconduct that involves weapons, drugs, assault on school staff.

Specifically, any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife, may be subject to expulsion from the school by the principal, or designee. Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a controlled substance, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school by the principal, or designee. 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 or designee.

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

Any student who has been expelled from a school district pursuant to GL c. 71 §37H shall have the right to appeal to the superintendent. The expelled student shall have ten (10) days from the date of the expulsion in which to notify the superintendent of his appeal. The student has the right to counsel, at his or her own expense, at a hearing before the superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.

Students who are suspended or expelled under §37H are entitled to receive educational services during the period of suspension or expulsion under MARBLEHEAD COMMUNITY CHARTER PUBLIC SCHOOL's Education Service Plan, which is described below in Section D. If the student withdraws from the Marblehead Community Charter Public School and/or moves to another school district during the period of suspension or expulsion, the new school/district/district of residence shall either admit the student to its schools or provide educational services to the student under the new school or district's education service plan.

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

This Notice of Student and Parent Rights applies to student misconduct that involves student criminal or felony delinquency charges, findings, or admissions.

Suspension Following Criminal or Felony Delinquency Complaint

Upon the issuance of a criminal or felony delinquency complaint against a student, the principal of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by

the principal, or designee if he or she determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student is entitled to receive written notification of the charges and the reasons 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 superintendent.

The student shall have the right to appeal the suspension to the superintendent. The student shall notify the superintendent in writing of his request for an appeal no later than five calendar days following the effective date of the suspension. The superintendent shall hold a hearing with the student and the student's parent 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 superintendent shall have the authority to overturn or alter the decision of the principal, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. The superintendent's decision shall be the final decision of MCCPS with regard to the suspension.

Expulsion Following Felony Adjudication or Admission

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 designee of a school in which the student is enrolled may expel said student if the principal, or designee 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 superintendent.

The student shall have the right to appeal the expulsion to the superintendent. The student shall notify the superintendent, in writing, of his request for an appeal no later than five (5) calendar days following the effective date of the expulsion. The superintendent shall hold a hearing with the student and the student's parent 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 superintendent 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 superintendent shall render a decision on the appeal within five calendar days of the hearing. The superintendent's decision shall be the final decision of MARBLEHEAD COMMUNITY CHARTER PUBLIC SCHOOL with regard to the expulsion.

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

C. NOTICE OF STUDENT AND PARENT RIGHTS UNDER G.L. c. 71 §37H¾

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

In every case of student misconduct for which suspension may be imposed, the principal, or designee is required to 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. The following document outlines student and parent rights when the principal, or designee is considering and/or decides to implement a removal from school as a consequence for student misconduct.

Students who are suspended under §37H¾ are entitled to receive educational services during the period of suspension or expulsion under MARBLEHEAD COMMUNITY CHARTER PUBLIC SCHOOL's Education Service Plan, which is described below in Section D. If the student withdraws from the Marblehead Community Charter Public School and/or moves to another school district during the period of suspension, the new school/district/district of residence shall either admit the student to its schools or provide educational services to the student under the new school or district's education service plan.

Notice of Suspension and Hearing under §37H¾

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

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

- (a) the disciplinary offense;
- (b) the basis for the charge;
- (c) the potential consequences, including the potential length of the student's suspension;
- (d) the opportunity for the student to have a hearing with the principal, or designee concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing;
- (e) the date, time, and location of the hearing;
- (f) the right of the student and the student's parent to interpreter services at the hearing if needed to participate;
- (g) if the student may be placed on long-term suspension following the hearing with the principal, or designee the student's short and long term suspension hearing rights and the right to appeal the principal, or designee's decision to the superintendent (*see* Hearing Rights section below).

The principal, or designee is required to make and document reasonable efforts to notify the parent verbally of the opportunity to attend the hearing. The principal is presumed to have made reasonable efforts, and therefore may conduct a hearing without the parent present, if the principal has sent written notice (by hand delivery, first-class mail, certified mail, email, or any other method of delivery agreed to by the principal, or

designee and parent) and has documented at least *two* attempts to contact the parent in the manner specified by the parent for emergency notification.

Emergency Removal

A principal, or designee has the authority to remove a student from school temporarily when a student is charged with a disciplinary offense and the principal, or designee determines that the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the principal, or designee's, judgment, there is no alternative available to alleviate the danger or disruption. The principal, or designee is required to notify the superintendent immediately in writing of an emergency 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, or designee is required to:

- (a) Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and the Hearing Rights outlined below;
- (b) Provide written notice to the student and parent;
- (c) Provide the student an opportunity for a hearing with the principal, or designee that complies with the rights outlined below in the Hearing Rights section, as applicable, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the principal, or designee, student, and parent.
- (d) Render a decision orally on the same day as the hearing, and in writing no later than the following school day.

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

Hearing Rights

Principal, or Designee's Hearing under §37H^{3/4}: Short-term Suspension

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

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

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

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

Principal, or Designee's Hearing under §37H^{3/4}: Long-term Suspension

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

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

1. In advance of the hearing, the opportunity to review the student's record and the documents upon which the principal, or designee may rely in making a determination to suspend the student or not;
2. the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense;
3. the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so;
4. the right to cross-examine witnesses presented by the school district; and
5. the right to request that the hearing be recorded by the principal, or designee, and to receive a copy of the audio recording upon request. If the student or parent requests an audio recording, the principal, or designee shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request.

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

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

1. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
2. Set out the key facts and conclusions reached by the principal, or designee;
3. Identify the length and effective date of the suspension, as well as a date of return to school;
4. Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school;

5. Inform the student of the right to appeal the principal, or designee's decision to the superintendent or designee (only if the principal, or designee has imposed a long-term suspension). Notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate, and shall include the following information stated in plain language:
 - a) the process for appealing the decision, including that the student or parent must file a written notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that
 - b) the long-term suspension will remain in effect unless and until the superintendent decides to reverse the principal, or designee's determination on appeal.

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

Superintendent's Hearing under §37H¾

A student who is placed on long-term suspension following a hearing with the principal, or designee has the right to appeal the principal, or designee's decision to the superintendent.

In order to appeal the principal, or designee's decision to impose a long-term suspension, the student or parent must file a notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension (in the alternative, within five (5) calendar days of the effective date of the long-term suspension the parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days). If the appeal is not timely filed, the superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

The superintendent shall hold the hearing within three (3) school days of the student's request, unless the student or parent requests an extension of up to seven (7) additional calendar days, in which case the superintendent shall grant the extension.

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

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

The student and parent shall have all the rights afforded them at the principal, or designee's hearing for long-term suspension, as detailed above in the sections entitled Principal's Hearing under §37H¾: Short-term Suspension and Principal's Hearing under §37H¾: Long-term Suspension.

The superintendent shall issue a written decision within five (5) calendar days of the hearing. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than the principal, or designee, but shall not impose a suspension greater than

that imposed by the principal, or designee's decision. The decision of the superintendent shall be the final decision of the school.

In-School Suspension under §37H¾

The principal, or designee may use in-school suspension as an alternative to short-term suspension for disciplinary offenses.

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

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

The principal, or designee 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, or designee 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 verbally informing the parent of the in-school suspension.

The principal, or designee 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, or designee, if such meeting has not already occurred). The principal, or designee shall deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or by other method of delivery agreed to by the principal, or designee and the parent.

Removal from Privileges and Extracurricular Activities

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

Education Services and Academic Progress under §37H¾

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

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

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

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

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

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

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

Disciplinary Files

Each student's file will remain confidential, and it will be kept at the school for 5 years after the student withdraws or graduates. According to state law, information regarding suspension or expulsion due to a violent and/or criminal act must be forwarded to the student's new school. If a student or his/her parent/guardian wants to view this file, he/she should make an appointment to meet with the Assistant Head of School

Educator Evaluation Policy & Procedures

Purpose:

This policy reflects the new regulations for educator evaluation adopted by the Massachusetts Board of Elementary and Secondary Education. It is intended to inspire individual and organizational reflection, foster an environment that nurtures continuous growth and learning, and maintain a professional culture that is dedicated to positively impacting teaching and learning for all – children and adults. It is designed to promote the growth and development of all faculty, staff, and administrators; place student learning at the center of our work and decision-making; recognize excellence in teaching and leading; set a high bar for contract renewal; and shorten timelines for improvement. Advancing the academic growth of our students is at the core of our work, therefore the primary function of this policy is to provide timely, useful feedback to teachers so that they can continually improve their practice in order to best support student learning.

- Professional growth will be driven by each educator him/herself. It is expected that educators will demonstrate perseverance, initiative, leadership, problem solving, and passion as they support and encourage each other in the pursuit of improved learning for all. This process is not intended to be an exercise in compliance. In order to inspire meaningful investments of energy, enthusiasm, and expertise, it must be vital, engaging, and empowering.
- Group goals may be established to foster collaboration, build capacity, and enhance department/team learning, but they are not required.
- This Educator Evaluation Policy applies to ALL educators – faculty, staff, and administrators. Only teaching assistants and non-educators will be exempt from the expectations defined in this policy.
- Educator performance ratings will be reported to the DESE in the spring of 2014, the impact on student learning will be reported in 2017.

- An educator's impact on student learning will be determined neither on a single year of data nor on a single measure of student learning. It will be based on a *trend* over time of at least two years, and it should reflect a *pattern* in the results on at least two different assessments.

Summary:

Each educator will:

- o assess his/her own performance;
- o propose at least one goal intended to improve his/her practice AND at least one goal intended to improve student learning;
- o work diligently to achieve his/her goals;
- o use the appropriate rubric to assess his/her performance against the Standards;
- o assess professional growth and student progress using wide variety of methods and measures
- o compile and present evidence about his/her performance and impact on student learning relative to his/her goals and the Standards.

The Policy:

(1) For the purposes of this policy, an experienced educator will be defined as an educator holding valid professional licensure.

(2) The evaluation shall include **self-assessment & goal proposal** (Step 1) via a portfolio that will include: a narrative, the Performance Standards Rubric, proposed goals (at least one professional practice and at least one student learning), and multiple sources of evidence to support achievement of the proposed goals and performance relative to the Performance Standards, including survey responses.

(a) Each educator shall be responsible for gathering and providing to the Head of School or his/her designee information on the educator's performance, which shall include:

1. an analysis of evidence of student learning, growth, and achievement for students under the educator's responsibility;
2. an assessment of practice against Performance Standards (the rubric); and
3. proposed goals to pursue to improve practice and student learning, growth, and achievement.

(b) The educator shall provide such information, in the form of self-assessment to the Head of School or his/her designee at the point of goal setting and plan development.

(c) The Head of School or his/her designee shall consider the information provided by the educator and all other relevant information.

(3) The evaluation cycle shall include **goal setting and development of a Plan** (Step 2).

(a) The Head of School or his/her designees shall use evidence of educator performance and impact on student learning, growth, and achievement in goal setting with the educator based on the educator's self-assessment and other sources that the Head of School or his/her designee shares with the educator.

- (b) The Head of School or his/her designee shall support educators in creating professional goals for teams, departments, and/or groups of educators who share responsibility for student results.
- (c) The Head of School or his/her designee retains final authority over goals to be included in an educator's Plan.
- (d) Educator Plans shall be designed to provide educators with feedback for improvement, professional growth, and leadership; and to ensure educator effectiveness and overall system accountability.
- (e) An educator shall be placed on an Educator Plan based on his/her overall rating and his/her impact on student learning, growth and achievement. Educators who have not yet earned Professional licensure will be placed on an Educator Plan solely at the discretion of the Head of School or his/her designee.
1. **Developing Educator Plan** - for educators in their first three years with the school, teachers without Professional level licensure, and, at the discretion of the Head of School or his/her designee, educators in new assignments.
 2. **Self-directed Growth Plan** - for all experienced educators rated Exemplary or Proficient. For educators whose impact on student learning is either moderate or high, the Educator Plan may be for up to two years. For educators whose impact on student learning is low, the Educator Plan shall be for one year and shall include one or more goals related to student learning developed on the basis of an analysis of the educator's professional practice.
 3. **Directed Growth Plan** - for all experienced educators rated Needs Improvement.
 4. **Improvement Plan** - for all experienced educators rated Unsatisfactory.

Educator Plan Determination

Summative Performance Rating	Exemplary	1-YEAR SELF-DIRECTED GROWTH PLAN	RECOGNITION			
	Proficient		2-YEAR SELF-DIRECTED GROWTH PLAN			
	Needs Improvement	DIRECTED GROWTH PLAN				
	Unsatisfactory	IMPROVEMENT PLAN				
		Low	Moderate		High	
Impact on Student Learning (rating based on trends and patterns in results of multiple measures of student performance, including MCAS Student Growth Percentile Scores if available)						

- (f) All Educator Plans shall meet the following requirements:
1. Include a minimum of one SMART goal to improve the educator's professional practice tied to one or more Performance Standards.
 2. Include a minimum of one SMART goal to improve the learning, growth and achievement of the students under the educator's responsibility.
 3. Outline actions the educator must take to attain these goals, including but not limited to specified professional development activities, self-study, and coursework, as well as other supports that may be suggested by the Head of School or his/her designee or provided by MCCPS.
 4. Be aligned to the statewide Performance Standards and Indicators in 603 CMR 35.00 and MCCPS performance standards.
 5. Be consistent with the MCCPS Accountability Plan and Strategic Plan.

(4) The evaluation cycle shall include **implementation of the Educator Plan** (Step 3). It is the educator's responsibility to achieve the goals in his/her plan and to participate in any trainings and professional

development provided through the state, the school, or other providers in accordance with his/her Educator Plan.

(5) The evaluation cycle shall include a **formative assessment or a formative evaluation** (Step 4, mid-cycle review).

(a) The formative assessment may be ongoing throughout the evaluation cycle, but typically will take place at mid-cycle.

(b) For an experienced educator rated proficient or higher and whose impact on student learning is moderate or high, a formative evaluation takes place at the end of the first year of the two-year cycle. The educator's rating for that year shall be assumed to be the same as the previous summative rating unless evidence demonstrates a significant change in performance in which case the rating on the Performance Standards may change.

(c) The educator shall have the opportunity to respond in writing to the formative assessment or evaluation.

(d) If an educator receives a formative assessment or formative evaluation that differs from the summative rating the educator had received at the beginning of the evaluation cycle, the Head of School or his/her designee may place the educator on a different educator plan, appropriate to the new rating.

(6) The evaluation cycle shall include a **summative evaluation** (Step 5), in which the Head of School or his/her designee determines an overall rating of educator performance based his/her professional judgment and an examination of evidence that demonstrates the educator's performance against Performance Standards and evidence of the achievement of his/her Educator Plan goals. The educator shall have the opportunity to respond in writing to the summative evaluation.

(7) Evidence of the experienced educator's **impact on the learning**, growth, and achievement of the students under the educator's responsibility, together with the summative evaluation rating, shall be used as follows:

(a) For any experienced educator who receives an evaluation rating of Exemplary or Proficient, MCCPS shall take the following actions:

1. For the experienced educator whose impact on student learning is either *moderate or high*, the Head of School or his/her designee shall place the educator on a Self-directed Growth Plan.
 - o The duration of the plan shall be for two school years.
 - o The educator shall receive a summative evaluation at least every two years.
 - o The educator may receive a formative evaluation at the end of the first year of the Educator Plan.
 - o The educator may be eligible for additional roles, responsibilities and compensation, as determined by the Head of School.
2. For the experienced educator whose impact on student learning is *low*, the Head of School or his/her designee shall place the educator on a Self-directed Growth Plan.
 - o The educator and Head of School or his/her designee shall analyze the discrepancy in practice and student performance measures and seek to determine the cause(s) of such discrepancy.
 - o The duration of the plan shall be for one school year.
 - o The plan may include a goal related to examining elements of practice that may be contributing to low impact.
 - o The educator shall receive a summative evaluation at the end of the period determined in the plan, but at least annually.

(b) For any experienced educator who receives an evaluation rating of Needs Improvement, MCCPS shall place the educator on a Directed Growth Plan.

1. The educator shall receive a summative evaluation at the end of the period determined in the Plan.
2. The educator must either earn at least a proficient rating in the summative evaluation, or shall be rated Unsatisfactory, and shall be placed on an Improvement Plan.

(c) For any experienced educator who receives an evaluation rating of Unsatisfactory, he/she shall be placed on an Improvement Plan. The educator shall receive a summative evaluation by the Head of School or his/her designee at the end of the period determined for the Plan.

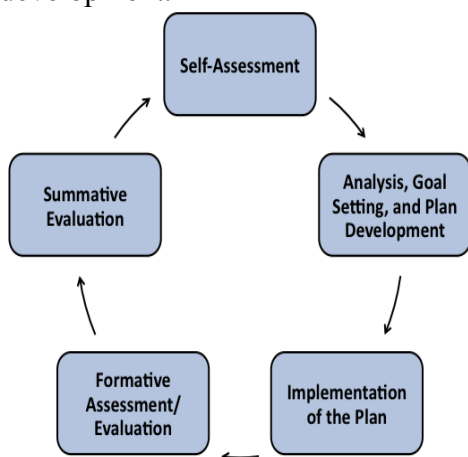
(8) An inexperienced teacher (without professional licensure), an administrator in the first three years in a position at MCCPS, or an educator in a new assignment, may be placed on a Developing Educator Plan. The educator shall be evaluated at least annually.

(9) The existence of a plan shall not abridge the school's authority to dismiss or non-renew an educator. MCCPS may dismiss or non-renew any educator consistent with applicable law, including G.L. c. 71, §§ 41 and 42. Regulatory Authority: 603 CMR 35.00; M.G.L. c.69, §1B; c.71, §38

5-step Evaluation Cycle

Every educator will participate in a 5-step *cycle of continuous improvement*.

Via this cycle, all educators will play an active, deliberate, and purposeful role in their own professional growth and development.



Step 1: Educator Self-Assessment (1st trimester)

Step 2: Analysis, Goal Setting, and Plan Development (1st trimester)

Step 3: Implementation of the Plan (fall – spring)

Step 4: Mid-Cycle Goals Review (due by the Friday before February vacation)

Step 5: Summative Evaluation (due by May 15th; non-renewal decisions made by June 1st; given budget approval, contracts offered by June 15th)

Step 1: Educator Self-Assessment & Goal Proposal

The regulations on educator evaluation require that educators conduct a self-assessment addressing the Performance Standards and Indicators defined in [603 CMR 35.03](#) or [35.04](#), and any additional local standards established through collective bargaining or included in individual employment contracts as per [603 CMR](#)

[35.06\(2\)](#). During this phase of the evaluation cycle, each educator is responsible for gathering and providing to the evaluator information on his or her performance, which is to include:

- an analysis of the evidence of student learning, growth, and achievement for students under the educator's responsibility, including student performance data and other sources of data;
- an assessment of practice against the 4 Performance Standards (rubric); and
- proposed goals to pursue to improve practice and student learning, growth, and achievement, which include
- a minimum of one individual or team professional practice goal to improve the educator's professional practice tied to one or more statewide Standards and Indicators defined in 603 CMR 35.00 and any additional local performance standards, and
- a minimum of one individual or team student learning goal to improve the learning, growth and achievement of the students under the educator's responsibility.
- The educator provides this information to the evaluator in the form of a self-assessment at the point of goal setting and plan development.

[Step 2: Analysis, Goal Setting, and Plan Development](#)

The Educator Plan will outline the course of action that an educator will take to pursue his/her goals.

- Educator Plans must include a minimum of one individual or team goal to improve the educator's professional practice tied to one or more Performance Standards and a minimum of one individual or team goal to improve the learning, growth, and achievement of the students under the educators' responsibility. Evaluators have final authority over goals.
- The Plan must outline actions that the educator will take in order to achieve his/her goals, including but not limited to professional development activities, self-study, and coursework, as well as other supports and resources for completing these actions.
- The Educator Plan must be:
 - aligned with Statewide Standards and Indicators defined in 603 CMR 35.00 and any additional local performance standards;
 - consistent with the MCCPS Accountability Plan, Strategic Plan, and other stated goals;
 - designed to provide educators with feedback for improvement, professional growth, and leadership;
 - designed to ensure educator effectiveness and overall system accountability.

Team goals are acceptable, but not required. All goals should be written in **SMART** goal format.

- Specific & Strategic - *It should also **STRETCH** you.*

- **Measurable** - *You can track the progress & provide evidence of completion, but the goal shouldn't be limited by what's easy to measure. It should also **MATTER** to you!*
- **Action Oriented** - *It should also be **ATTAINABLE** given your ability & scope of authority/influence.*
- **Rigorous, Realistic, & Results-focused** (can be supported by colleagues & administration)
- **Timed & Tracked** - *It should also be **TIME-BOUND** (able to be accomplished within the available time) and **TIMELY** (important right now), and **TRACTABLE** (manageable)*

Recommended Actions for Goal Setting & Plan Development

Recommended Action	Individual Educator	Team	Evaluator/School Leadership	Notes
Review professional development that is already planned for the school year	✓	✓	✓	Depending on proposed goals, educators may incorporate pre-planned professional development into Educator Plan
Head of School or his/her designee schedules time with teams and educators to review self-assessments and refine goals			✓	Evaluator may want to meet with teams prior to individuals, as individuals on a team will have a shared goal
Head of School or his/her designee meets with teams and individual educators to review and finalize proposed goals	✓	✓	✓	Team and individual goals shall be consistent with school goals, according to the regulations, including the MCCPS Accountability Plan and current Strategic Plan
Head of School or his/her designee and educators work together to plan activities that will support attainment of goals	✓	✓	✓	Head of School and Instructional Leadership Team develop a system for tracking all of the support and resources that they agree to offer educators to ensure capacity
Record final goals and actions the educator must take to attain these goals			✓	Head of School or his/her designee retains final authority over goals to be included on Educator Plans

Step 3: Implementation of the Plan

With the assistance of their department, grade level team, and/or the administration, each educator will pursue his/her professional development plan. To assess each educator's performance on the Standards & Indicators (the rubric), evidence will be gathered by the educator throughout the process (over the course of the year or years):

1. Multiple measures of student learning, growth, and achievement, including classroom assessments, school/department determined measures comparable across grade or subject, MCAS achievement and growth data, and Access 2.0 for ELLs.)
2. Judgments based on observation and artifacts of professional practice, including unannounced observations of any duration.
3. Additional evidence relevant to one or more Performance Standards (the rubric). Student feedback will be used as a source of evidence when evaluating teachers and administrators, and staff feedback will be used when evaluating administrators.

For licensure renewal, it is recommended that educators also maintain a log of all professional development activities (content and pedagogy).

Step 4: Mid-Cycle Goals Review

On or before February 15th, progress toward meeting individual and/or group goals will be discussed at grade level and/or department meetings. Each educator will document his/her progress and will communicate said progress to the Head of School or his/her designee.

Step 5: Summative Evaluation

Before May 30th, the Head of School or his/her designee will meet with individuals to determine progress toward achieving the goals defined in each educator's Plan, including progress toward meeting the indicators in the four Standards (rubric). Three categories of evidence will be used: multiple measures of student learning, growth, and achievement; judgments based on observation and artifacts of professional practice, including unannounced observations of practice of any duration; and additional evidence relevant to one or more Performance Standards ([603 CMR 35.07\(1\)](#)).

The performance of every educator will be rated using the following Statewide Performance Rating Scale:

- Exemplary performance represents a level of performance that exceeds the already high standard of Proficient. A rating of Exemplary is reserved for performance on an Indicator or Standard that is of such a high level that it could serve as a model. Few educators are expected to earn Exemplary ratings on more than a handful of indicators.
 - ***Proficient performance is understood to be fully satisfactory. This is the rigorous expected level of performance - demanding, but attainable.***
 - Needs Improvement indicates performance that is below the requirements of a Standard but is not considered to be Unsatisfactory at the time. Improvement is necessary and expected. For new educators, Needs Improvement can be understood as 'developing' in cases where the educator is 'on track' to proficiency within 3 years.
 - Unsatisfactory performance is merited when performance has not significantly improved following a rating of Needs Improvement, or performance is consistently below the requirements of a standard and is considered inadequate, or both.
- o Every educator will earn a 2nd rating that reflects his/her impact on student learning.

- High, moderate, or low

Defining Student Growth as High, Moderate, or Low

State regulations define high, moderate, and low growth as:

- (a) A rating of high indicates **significantly higher** than one year's growth relative to academic peers in the grade or subject.
- (b) A rating of moderate indicates **one year's growth** relative to academic peers in the grade or subject.
- (c) A rating of low indicates **significantly lower** than one year's student learning growth relative to academic peers in the grade or subject.

The MCAS Student Growth Percentile model provides a concrete example of how to identify high, moderate, and low growth.¹ The model uses a 99-point percentile scale to rank students' academic growth compared to their academic peers: others who scored similarly on previous MCAS tests. This rank is called a student growth percentile (SGP). Student growth on MCAS is defined as high, moderate, or low based on these score ranges:

MCAS SGP Range	Description
1 - 39	Low growth
40 - 60	Moderate growth
61 - 99	High growth

By rank-ordering the SGPs for all the students an educator serves and finding the median (midpoint), one can determine whether his or her median student exhibited low, moderate, or high growth. This can serve as a measure of the educator's impact on student learning.

Using the Impact Rating

In the new educator evaluation framework, educator impact ratings serve a number of purposes. They determine whether an experienced educator with Proficient or Exemplary summative performance ratings will be on a one- or two-year Self-Directed Growth plan. When there is a discrepancy between an educator's summative rating and impact rating, the impact rating serves as a spur to explore and understand the reasons for the discrepancy. Equally importantly, disaggregated student results on the district-determined measures that yield the impact rating can play a critical role in several steps in the 5-Step Cycle of evaluation. Finally, when combined with an educator's summative rating, impact ratings provide a basis for recognizing and rewarding Exemplary educators.

The impact rating affects the Educator Plan for educators with professional teacher status or administrators with more than three years of experience as administrators.

An experienced educator who receives a summative evaluation rating of **Exemplary or Proficient and an impact rating that is either moderate or high** is placed on a *Self-Directed Growth Plan for two school years*. The educator becomes "eligible for additional roles, responsibilities, and compensation, as determined by the district and through collective bargaining, where applicable."

An experienced educator who receives a summative evaluation rating of **Exemplary or Proficient and an impact rating of low** is placed on a *Self-directed Growth Plan for one school year*. The educator and evaluator are expected to "analyze the discrepancy in practice and student performance measures and

seek to determine the cause(s) of such discrepancy. The Educator Plan is expected to include one or more goals directly related to examining elements of practice that may be contributing to low impact.”² In addition, the regulations require that the evaluator's supervisor review the performance rating with the evaluator when a notable discrepancy occurs. When there are significant discrepancies between impact ratings and summative performance ratings, the evaluator's supervisor may note these discrepancies as a factor in the evaluator's own evaluation. The supervisor is expected to look for consistency in application of Standards and Indicators as detailed in the district’s rubrics, and evaluator’s professional judgment. These checks and balances are designed to promote deeper inquiry and help foster continuous improvement through close attention to all three elements that determine evaluation ratings: educator practice, educator impact on student learning, and evaluator consistency and skill.

Email Policy

All school email accounts should be used for school business only; other correspondence should be redirected to a non-school account.

All employees must maintain appropriateness and professionalism over email at all time; do not send anything that would be considered unprofessional or inappropriate. Do not send anything you would not want made public.

The mass forwarding of chain mail, jokes, etc. using school email is prohibited.

Because all email sent via your school account is subject to public review regardless of whether or not it was sent from off-site and regardless of the sender, all employees should conduct themselves over email as they would in a professional setting. (Even the few valid exceptions to public review law would require the Inspector General or Attorney General to determine its status.) Comments about students, parents, and/or coworkers would likely find their way into the public domain, and so all employees should give great care to what is written via email.

All email to parents and colleagues should be brief. If detail is required (more than 2-3 sentences), a face-to-face meeting should be scheduled.

Each employee must check his/her school email account at least daily on school days. It is expected that parent concerns will be addressed as soon as possible or within 48 hours. Each employee should check his/her school e-mail at least once a week during vacations and summer months.

MCCPS English Language Learner (ELL) Policies and Procedures

This is the new language submitted to DESE

EL Determination and Enrollment

Upon enrollment at Marblehead Community Charter Public School MCCPS, every family is asked to complete a Home Language Survey in the language of their choice. If a language other than or in addition to English is reported in any of the survey questions or the prospective student is suspected to be an English Learner (EL), a test for English proficiency will be given to the student as required by law.

Test findings are discussed with the parent/guardian including whether the child appears to be proficient in English or has been found to be an EL. If the prospective student meets the criteria for EL status, parents/guardians are provided with information about Sheltered English Immersion and other program options available at the school. They are also informed of Opt-Out options.

Students who meet the criteria for EL status and who score less than proficient in English in the language proficiency measure are designated as English Learners (EL). Students are assigned a preliminary English Proficiency Level (EPL) which ranges from 1 through 5 (1= Entering, 2= Emerging, 3= Developing, 4= Expanding and 5= Bridging). Students who score at the level 6 are considered proficient in English and not designated as EL. The EPL status is updated every year based upon the student's performance in the ACCESS for ELs test, where students demonstrate their progress in attaining English proficiency every year. ACCESS tests are administered in January and February every year. Student profiles are updated at the end of every academic year once ACCESS scores have been received.

Opt-Out from ESL Instruction

Parents are informed about their right to opt-out their child from ESL instruction at the time of enrollment. Parents/guardians may request to opt-out their child from ESL Instruction at any time. In such situations, the EL student maintains the EL designation and is still required to take the ACCESS test every year. Schools are still required to provide educational supports available at the school that would help address the academic needs of the student. Schools are also required to monitor opt-out students. Parents can rescind their opt-out request at any time.

Reclassification from Active EL Status

EL student profiles are updated at the end of every academic year once ACCESS scores have been received. Students who scored at Level 6 are transitioned out of the EL designation. Students who scored at level 5 or above in the total composite of ACCESS and in all domains, are reviewed for reclassification to non-EL status by the end of the academic year. Level 5 students who meet the criteria above, and who consistently perform ordinary work in English successfully, would be transitioned to non-EL status. Reclassified students are transitioned out of Active EL status and considered Former English Learners (FEL). FEL students are no longer required to take the ACCESS test. However, these students require monitoring for four years.

Old Language. (May want to incorporate some into the new)

State and federal laws require that students in our public schools who do not speak English or whose native language is not English AND who currently cannot perform ordinary classroom work in English receive instruction specifically designed to assist them both in learning English and in learning subject matter content. These students are referred to as limited English proficient (LEP) students or as English language learners (ELLs). These terms are used interchangeably. At the request of a parent or student whose primary language is not English our student handbook, which includes our code of conduct will be translated into their primary language.

When a new student enters MCCPS, it is the school's obligation to determine if the student is LEP/ELL.

Step 1 Administration of the Home Language Survey.

- The primary purpose of the Home Language Survey is to determine if a student speaks a language other than English at home and thereby needs to be assessed for English language proficiency. The Home Language Survey also presents an opportunity to collect other useful information about the student that will help school personnel to understand the student's personal and educational history in order to plan an appropriate educational program for him/her.
- The Home Language Survey is completed by the parent/guardian.
 - If the parent/guardian does not understand English, but can read in his/her native language, the survey will be translated into the appropriate language. If translation is not possible, someone will be made available to read the survey to the parent in a language the parent understands and to assist the parent in filling out the survey.
- The completed Home Language Survey will be maintained in the student's permanent school record.

Step 2 Assessment of the English language proficiency of all students whose home language is not English or who appear not to speak English.

- Speaking, listening, reading, and writing will be assessed. This may be accomplished via formal assessments and/or teacher observations. The results of any language assessment tests will be maintained in the student's permanent school record.
 - WIDA Access 2.0 and the Access screening tool will be used to assess the English language learners on their understanding of written and spoken English. In the spring, all students with limited English proficiency will be assessed in the areas of reading, writing, speaking, and listening using Access. Assessment results will be compared with earlier results, if available, to enable schools to monitor the progress each LEP student is making in regards to fluency in English.
 - LEP students must participate in MCAS tests required for their grades.
 - The Scholastic Reading Inventory (SRI) may be administered if the student demonstrates some understanding of written English.

Step 3 Determination of limited English proficiency (LEP).

- A school-based team, including members familiar with the student's English language proficiency in a classroom setting, will make the final decision about instructional programming for the student and about his/her classification as LEP. This team will use all pertinent information, observations, testing results, and D.O.E. guidelines in making these decisions.
- Student's parents will be notified about the screening test results and the placement decision within 30 days after the beginning of school year or within two weeks if the students enroll during the school year.

- In the notification to parents MCCPS will inform them of their right, and the process to “opt out” of specialized language instruction and to request a waiver from participation in the SEI program.

Step 4 When a student is classified as LEP, he/she will be placed in a regular education classroom where he/she will receive both sheltered subject matter instruction in English and English language instruction.

- The parent/guardian has the right to apply for a waiver (must be done annually) or to decline participation in the program. If a waiver is approved or the parent/guardian’s declines to participate in SEI program, evidence of such must be maintained as part of the student’s permanent school record.
1. In the sheltered English immersion classrooms, instruction and curriculum will be designed to permit active engagement by LEP students throughout the school day.
- a. Lesson plans will include:
 - Language objectives based on the *Massachusetts English Language Arts Curriculum Framework* and the *Massachusetts English Language Proficiency Benchmarks and Outcomes*.
 - Content objectives based on standards from the Massachusetts curriculum frameworks in English Language Arts, History and Social Science, Mathematics, Science and Technology/Engineering, Music, Art, and Foreign Language.
 - b. Frequent opportunities will be provided for interaction and discussion between the teacher/student and among students, which encourage elaborated responses by students about lesson concepts.
 - c. Supplementary materials will be available to support the content objectives and contextualize learning. Examples may include:
 - hands-on manipulatives;
 - pictures, visuals;
 - multimedia;
 - demonstrations;
 - adapted texts; and/or
 - graphic organizers.
 - d. Instruction will link academic concepts to the student’s prior knowledge and experience when possible.
 - e. Instruction will emphasize English vocabulary by combining the teaching of vocabulary and the teaching of content.
 - f. Instruction will be designed to increase comprehension of spoken English by the use of speech appropriate for the student’s proficiency level, a clear explanation of academic tasks, and by the use of supplementary materials (see “c.” above).
 - g. Content will be adapted, including texts, assignments, and assessments. Presentation of content in all modalities, including written text, will be within the student’s English proficiency level. Testing and informal classroom assessments will be appropriate for the student’s English proficiency level.
 - h. Regular classroom activities will provide opportunities for students to practice and apply new language and content knowledge in English.
 - i. Frequent opportunities will be planned for the student to demonstrate his/her mastery of English and content in English.
 - j. Pull-out instruction will be provided daily for direct instruction in English language skills.
 - k. Both sheltered subject matter instruction and English language instruction will be

delivered by qualified teachers.

I. A tutor or paraprofessional who is proficient in the English learner's primary language will work regularly with the student to provide academic support.

M. Students will have access to bilingual word -to-word dictionaries in their native language for all assignments and standardized tests.

2. MCCPS will provide English learners with report cards, progress reports, school handbooks, school codes of conduct, and other school communications that are to the maximum extent possible written in a language understandable to the parents/guardians of such students. When requested by the parent/guardian, written documentation will be provided in his/her native language, and an interpreter will be present at meetings.

3. Involvement of the parent/guardian will be facilitated and encouraged throughout the school year.

Opportunities for involvement include:

- Attendance at/membership on the MCCPS Board of Trustees and the Special Education Parents' Advisory Council. Notice of these meetings is sent home regularly and posted on our school website <http://marbleheadcharter.org>.
- The Powerschool report provides an essential avenue for parental involvement in each child's education. Teachers update information regularly on this web-based tool, so that parents/guardians will have an opportunity to understand academic expectations, support student learning, and evaluate student progress.
- Meeting with teachers. Teachers are available before and after school to meet informally with the parent/guardian. Scheduled meetings may be conducted as needed to discuss needs, progress, testing results, etc. All teachers are available via phone, voicemail, and email.
- Community Meeting. Each school day begins with a 15-minute gathering. This whole-school meeting allows students to share what they have learned and hear what their peers are learning. It is also a time for announcements, introductions, and celebrations. MCCPS welcomes parents/guardians to attend/contribute to Community Meeting.
- Meals. During breakfast and lunch students sit with peers, visitors and staff at round tables. Parents, guardians, relatives, and friends are welcome to join students for lunch.
- Enrichment. This daily 45 minute activity period provides a special opportunity for parents/guardians to become involved in the school. Volunteers share their unique talents and interests with students in multi-age groups. Enrichment is an opportunity for students to explore areas of interest and participate in activities outside the regular academic day. In addition to the knowledge gained from the project/activity, students learn about themselves, gain skills and further develop talents, and witness adults providing a valuable community service. Enrichment programs are made possible by MCCPS teachers and volunteer parents, guardians, grandparents, older siblings of students, local business people, and community members.
- Exhibition. Each year, three Exhibitions of Student Work are presented to the community at large to give students the opportunity to demonstrate their knowledge and share what they have learned with their parents/guardians, relatives, friends, and community members.
- *My Achievement Plans* (MAPs) are developed collaboratively by the student, teacher(s), and parent/guardian to reflect the learning goals of the student and establish the responsibilities of the student, teacher(s), and parent/guardian in achieving the goals. Two formal conferences per year are dedicated to this process. Additional conferences are scheduled as requested by the parent/guardian, student, or teacher.

- **Classroom Activities.** Parents/guardians are invited to assist with classroom activities, visit with students during A.M. & P.M. breaks, and chaperone class field trips.

4. Exit requirements:

- The student will be ready to exit this program upon when they earn a score of at least 5 in all language domains on the ACCESS for ELLs, and demonstrate the ability to perform ordinary class work in English.
- A school-based team, including members familiar with the student's English language proficiency in a classroom setting, will make the final decision about his/her classification.
- Once the requirements are met the student will be recorded in the SIMS data, and be considered FEL. MCCPS will use the FEL Monitoring form for four consecutive years after students are removed from EL status and no longer require specialized ESL instruction. If concerns arise the student may be reclassified as EL and re-qualify for Specialized ESL instruction.

5. Professional development will be provided for staff and teachers.

During weekly meetings, teachers and administrators will plan curriculum, methods of instruction, accommodations and/or modifications, share best practices, and explore techniques for further supporting the LEP student.

Step 5 All students determined to be LEP will be appropriately coded in the SIMS data collection.

- Data for the Department of Education's Student Information Management System (SIMS) will be reported three times a year (October, March, and June). The LEP status for any LEP student will be recorded in all SIMS data collections.

English Language Proficiency Requirements for Teachers of LEP Students

State and federal laws require that those who teach in English language classrooms must be "fluent and literate in English."

1. Literacy in English. A teacher is literate in English if the teacher:

- (a) possesses a teaching license issued pursuant to G.L. c. 71, § 38G; or
- (b) possesses a vocational teacher approval or a vocational technical educator license; or
- (c) earns a passing score on the Communication and Literacy Skills portion of the Massachusetts Tests for Educator Licensure; or
- (d) possesses a Bachelor's degree from a college or university where the language of instruction was English.

2. Fluency in English. Fluency is defined as having oral proficiency in English that consists of comprehension and production. Production is defined as accurate and efficient oral communication using appropriate pronunciation, intonation, grammar, and vocabulary in an interactive professional context.

All teachers at MCCPS are literate and fluent in English.

HELP/ Resources:

The English Language Learner Procedural Flow Chart provides a visual representation of the steps to be followed in identifying, educating, and assessing LEP/ELL students.

The MCCPS staff is available to speak to parents about their child's placement and our ELE programs. We strongly encourage parents to call us with any questions.

ELL Contact Person:

Jen Stoddard, ELL Coordinator

jstoddard@marbleheadhcharter.com

781-631-0777

Enrollment Policy and Procedures

The Marblehead Community Charter Public School is a public school and is open to Massachusetts students entering grades 4-8 on a space available basis. Ch79 § 89(1); 603CMR 1.06(4); 603CMR 1.06(9)

MCCPS will not discriminate on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language or in a foreign language, or prior academic achievement when recruiting or admitting students. Moreover, MCCPS will not set admissions criteria that are intended to discriminate or that have the effect of discriminating based upon any of these characteristics. M.G.L.c.71. & 89(1); 603 CMR 1.06(1)

The Marblehead Community Charter Public School has an interest in making sure that all prospective students and their families understand the mission and focus of the School and are interested in being a part of the School's community. Information is available on the School's website and during Open Houses.

Eligibility Criteria

The Marblehead Community Charter Public School **requires**:

1. Candidates for admission to apply for the grade immediately following their current grade and to successfully complete that grade in order to be admitted.
2. Students to be residents of Massachusetts at the time that they submit an application and at the time that they are offered admission.
3. That primary preference for admission be given to siblings of students "currently attending" MCCPS in accordance with the Massachusetts Department of Elementary and Secondary Education regulations.
4. That secondary preference for admission be given to students who are residents of Marblehead at the time they are offered admission to the school. 603 CMR 1.06(4)

The Marblehead Community Charter Public School **will not**:

1. Give preference to children of faculty, staff, or Board members;
2. Give preference to siblings of students accepted to the school but not yet attending;
3. Make statements in meetings intended to discourage, or that have the effect of discouraging, students with disabilities, students with limited English proficiency, or any other protected group of students from submitting an application to the School. M.G.L. c. 71 § 89 (1).

If an applicant fails to meet the eligibility criteria, his/her parent will be notified of the reason by mail as soon as possible after submission of the application. The application does not require dual parent/ guardian signatures.

Recruitment & Retention

MCCPS has a student recruitment and retention plan. 603 CMR 1.05(f) (The full Recruitment & Retention Policy can be found later in this document.) The recruitment process will include advertisements and public information sessions. Throughout the year, MCCPS will provide information about the School to those who are interested. Applications will be available on the School's website, in the School's front office, and at the optional Information Sessions/Open Houses. This policy will be available on the School's website, and it will be included with all paper applications that are provided to families. 603 CMR 1.06(2) Notice of application deadlines will be announced one month in advance. 603 CMR 1.06(3).

Enrollment

1. Each school year, MCCPS will accept applications from December 15th through February 15th.
 - o Any applications submitted after this date will be accepted for a secondary lottery. Notification of the secondary lottery date will be announced one week prior to the lottery.
 - o Returning students are not required to reapply.
2. The School will determine the number of spaces available at each grade level. Ch79 § 89(1); 603CMR 1.06(4)
3. MCCPS will conduct a lottery at the school prior to March 15th. The date, time, and location of the lottery will be publicized at least one week before the lottery is to be conducted. 603 CMR 1.06(6)
4. All applicants in each category (sibling, resident, non-resident) will be drawn in the lottery and will be assigned a number.
5. Families have 10 calendar days from the date of admission to accept the offer to enroll.
6. MCCPS will publicize all lottery/enrollment deadlines and the fact that there will be a lottery if there are more eligible applicants than there are available spaces within a given application process.
7. MCCPS **does not** require potential students or their families to attend interviews or informational meetings as a condition of enrollment. 603 CMR 1.06(2)
8. MCCPS **does not** administer tests to potential applicants or predicate enrollment on results from any test of ability or achievement. 603 CMR 1.06(8)

After the application deadline passes, and prior to conducting the lottery, MCCPS will divide all applicants into three categories under 603 CMR 1.06(4):

- ***Siblings*** - Students who share a common parent, either biologically or legally through adoption, will be treated as siblings.
 - o Whether the children reside in the same household has no bearing on determining if the children are siblings for the purposes of a sibling preference.
 - o Children who live in separate households may be siblings and those that live in the same household may not be.
 - o If siblings are placed in foster homes and one of them enrolls in MCCPS, then the siblings of that student are entitled to admission preference. Foster children are not considered siblings of other children in the foster home unless they share a common parent.
- ***Residents*** - Students who live in the town of Marblehead will be treated as Residents.
- ***Non-residents*** - Students who live outside of Marblehead will be treated as Non-residents.

Preference for admission will be given first to applicants in the "Siblings" category, followed by applicants in the "Residents" category, and then to applicants in the "Non-Residents" category. All offers of enrollment will be made without regard to when the application was submitted (as long as it was prior to the application deadline). MCCPS will not offer admission to applicants on a first-come first-served basis.

The charter school statute now requires that, upon request, both school districts and Commonwealth charter schools provide the names and addresses of students to a third party mail house for mailings. The charter school shall provide to a third party mail house the addresses for all students currently enrolled in the commonwealth charter school from the district; provided, however, that the information shall not be provided if a student's parent or guardian requests that the school withhold that student's information
M.G. L. c. 71, :89(g)

Lottery

In situations where there are more eligible applicants in any of the categories (siblings, residents, or non-residents) than there are spaces available, MCCPS will hold a lottery at MCCPS, to determine which applicants will receive an offer of admission. 603 CMR 1.06(3)(a) As previously mentioned, MCCPS will give public notice of the lottery at least one week before the lottery date.

The lottery will be drawn by an individual who has no connection to the School. This individual will randomly draw the names of all students who submitted applications before the deadline. Names will be recorded, but not called out publicly. After the available spaces are filled, the individual shall keep drawing the names of the remaining applicants in each category and will place them on a waiting list in the order they are drawn according to enrollment priority.

If the School does not reach capacity after admitting all eligible siblings, it will admit residents. If spaces remain after admitting residents, non-resident applicants will be admitted. 603 CMR 1.06(4)(b)

Waiting List

When the number of applicants requires it, MCCPS will maintain waiting lists for siblings, residents, and non-residents. Wait listed students may be informed of an offer of admission via mail, email, or phone. MCCPS will keep accurate records of our waitlist containing the names, home addresses, telephone numbers, and grade levels of students who entered the lottery but did not gain admission. 603 CMR 1.06(4)(f)

When a student stops attending the school for any reasons, the school will attempt to fill the vacant seat.

When a student stops attending MCCPS for any reason, the school will attempt to fill the vacated seat in grades 4 – 6 until at least February 15th. 603 CMR 1.06(4)(d)

Vacated seats will continue to be filled until the end of the school year.

These waiting lists **will not** roll over from one year to the next. If not admitted during an enrollment period, students who are not admitted must reapply for the next year.

An exception: If a space becomes available and the enrollment of a student from the waiting list would cause his/her sending district to exceed the net school spending cap, MCCPS will skip that student but keep him/her on the waiting list. If that student on the waiting list is a sibling of a student currently enrolled at MCCPS, the

school may enroll that student and the Commonwealth of Massachusetts will pay the tuition to MCCPS, subject to state appropriations.

Secondary Lottery

MCCPS may hold a second lottery under the following conditions:

1. If by March 1st, the school has received fewer applications than it has spaces available; or
2. If after March 1st, the school receives additional applications for the upcoming school year.

Enrollment Confirmation

Families will be notified by mail, email, or phone of their child's admission status (offer to enroll or placement on the waiting list).

- Parents must confirm that their child will attend MCCPS by the stated deadline or the space will be offered to the next child on the list.
 - If a student is invited to attend before August 1st, his/her family has 10 calendar days to confirm enrollment.
 - If the family is notified after August 15th, they will have 3 days to confirm enrollment.
- Upon acceptance of the offer to enroll:
 - All Marblehead residents must provide proof of Marblehead residency within three weeks of acceptance. The following will be accepted: current tax bill, utility bill, rental agreement, or mortgage statement. If proof of residency is not provided to MCCPS, the offer of enrollment will be withdrawn, and the seat will be offered to the next child on the list.

If a family declines the offer to enroll, the child will lose all status as an applicant. His/her space will be offered to the next child on the list.

Other Limitations

If the applicant fails to meet the eligibility criteria, his/her family will be notified by mail of the reason, and he/she will be removed from the applicant pool.

Students for whom enrollment in a charter school would cause the sending district to exceed its tuition cap will not be offered admission but will remain on the waiting list. If those students are siblings of students currently in attendance at the school, the state may pay the child's tuition, subject to appropriation (M.G.L. Chapter 71, Section 89(i); 603 CMR 1.06(4)(e)).

Field Trips

Learning experiences that occur beyond the classroom/school setting that will enhance the students' understanding of grade level strands & standards are encouraged. Generally, the cost of the activity (including transportation) should be divided among the participating students. No student will be excluded due to an inability to pay.

Before the trip:

- Check the school calendar for conflicts (ie. MAP's, MCAS, NWEA, inservice, etc.).

- Create a permission slip that describes the trip, includes the cost to the student (admission + transportation), invites parents to chaperone, requests the name & phone number of an emergency contact to be used on the day of the trip, and states whether or not a bag lunch (no glass) will be necessary.
- Post your field trip on the school's electronic calendar.
- Distribute the permission slip to students at least a week before the trip.
- As early as possible, submit a transportation request to the Assistant to the Head of School.
- Inform the Nutrition Director as soon as possible (or at least one week in advance) if the students will be out of the building during lunch.
- Inform the school nurse that students will be out of the building, so that the appropriate medications/emergency bag can be prepared. One bag is required per bus.
- Arrange coverage for any teaching/supervisory duties that will be missed while you're out of the building. Inform the Assistant Head of School of the coverage.
- Make decisions about student groups and chaperones. Prepare lists for chaperones that include any "need to know" issues.
- Get the money for the trip to the Business Manager.
- Get the check(s) for transportation/admission from the Business Manager.
- If parents will be driving students, a copy of their license and registration must be given to the front office.

Day of the trip:

- Take attendance as usual in the morning. Check attendance again before leaving the building.
- Inform chaperones that they may wait in the classroom, on the front porch, in the front hall, in the Community Room, or other location of your choice.
- Get medications/emergency bag from the Nurse (one bag per bus).
- Inform students of their groups/chaperones.
- Give the list of students in the group to each chaperone. Inform chaperone(s) of allergies/issues.
- Give students an opportunity to use the restroom before boarding the bus.
- If eating lunch while on the field trip, check that all students have a lunch. If a lunch is needed, contact the Food Services Director immediately after Community Meeting, so that a lunch can be provided.
- If any students are remaining at school, arrange for their supervision (by talking with other teachers) and leave a list of students and their supervisors with the front desk.
- Check attendance on the bus before leaving school and again before leaving the field trip.
- Bring trash bags, and instruct students to clean up after themselves before leaving the bus upon arrival at the destination and again upon return to school.

After the trip:

- Check in at the front office.
- Collect any students who stayed behind from other classes/teachers and include them in the grade level activities for the remainder of the day.
- Return the medical bag to the nurse.
- Give receipt(s) to the Business Manager.

Grading & Demonstrated Levels of Understanding

At MCCPS, student grades are not averaged in the traditional manner. Instead, the teachers determine each student's demonstrated level of understanding at the end of each term based upon the evidence that has been

presented in the student's work. Thus, students are not penalized for early mistakes, but rather are given multiple, increasingly complex opportunities to show that they have learned/can do what is expected of them. Each term it is expected that the students will demonstrate a proficient understanding of the topics/skills that have been presented. Although this innovative approach requires a mind-shift for most adults, we believe that this distinction provides more detail about each child's progress and achievement. To accomplish this task, the teachers consider 1) the depth of understanding/the degree of difficulty required of an assignment, and 2) the quality of the work that is produced.

Depth of Understanding

Over the course of a trimester, students will perform multiple tasks. Some will be quick and easy, and some will be multi-step, intense, and demanding. For each, the teachers will identify the level of difficulty, the depth of understanding/knowledge/skill that is required of the task. This is similar to the traditional labeling of student work as homework, quiz, or test, but at MCCPS some homework is as important as a quiz or test, so other descriptors are needed.

The teachers employ 3 categories (levels of understanding): initial, deepening, or comprehensive. This differentiation is intended to identify which tasks are the most important in demonstrating the students' understanding. The simplest, most routine tasks will be categorized as 'initial'. These are akin to traditional homework assignments or relatively basic in-class assignments. More difficult, often multi-step work will be labeled as 'deepening', because it requires that students demonstrate a deeper, more complex understanding of the content/skills. Examples of these may be a quiz or a short written piece. The most demanding work will be identified as a 'comprehensive' assessment, and examples of these may be Exhibition projects, lab reports, research papers, or tests.

3 Categories of Assessments

i - Shows an Initial Level of Understanding

- tasks that demonstrate an **initial/basic/beginning** understanding of a standard

d - Shows a Deepening Level of Understanding

- tasks that demonstrate a **deepening** understanding and requires a higher degree of independence or complex thought

c - Shows a Comprehensive Level Understanding

- tasks that demonstrate a **comprehensive** understanding of a standard and that requires an even higher degree of independence or complex thought

Scaling of Scores

Teachers may use fractions with various denominators or percentages to assess student work, but these raw scores (10/25 or 32/32 or 74%) will be translated into a scaled score of 4, 3, 2, or 1 in order to provide a clearer indication of achievement. The scaled score will be entered into the grade book and will be used when determining a student's demonstrated level of understanding at the end of each term. Pluses and minuses may be used with the scaled scores to provide additional detail. The expected level of performance will be 3 (meets expectations) for all assessments.

4 Grades for Assessments

4 – A scaled score of 4 indicates that the student's work exceeded the expected performance level for the task.

3 - A scaled score of 3 indicates that the student's work met the expected performance level for the task.

2 – A scaled score of 2 indicates that the student’s work approached the expected performance level for the task, but fell short.

1 – A scaled score of 1 indicates that the student’s work did not meet the expected performance level for the task.

To summarize:

- Student work/assessments will be categorized by the depth of understanding/degree of difficulty that is required of each assignment, project, or task. (i,d, c). This will be identified in the CUE Report. Work labeled as ‘c’ is most demanding/difficult and will be most valuable in determining the final grade/level of understanding for the term.
- All student work will earn a scaled score of 4-3-2-1. A score of 3 will indicate that the quality of the work met the teacher’s expectations, and so communicates that the student did well/is on track to perform proficiently by the end of the term.
- Plusses (+) and minuses (-) will be used to communicate additional detail regarding the quality of the work produced. For example, a score of 2+ will communicate that the work nearly met the teacher’s expectations.

Letter Grades:

Because most of the 8th graders will be transitioning into high schools that use traditional letter grades, we recognize the need to help them understand how their work and habits will be graded beyond MCCPS. In the 8th grade only, the teachers will use a combination of scaled scores (4,3,2,1) and letter grades. Not all work will earn a letter grade; when applied, the letter grade will be for informational/instructional purposes only, and will not be recorded in the electronic grade book. A cumulative letter grade for the trimester will be reported in the comments section of the CUE report.

Additional Grading Expectations

- The grade book for every subject should be updated at least weekly (and posted to PowerSchool).
- Graded assignments must be returned to the students in a timely fashion – not later than a week from the time that the work was collected/due.
- Parents must be informed of missing/late assignments via a note in the assignment book. Other methods of informing the parents may be employed as well, when/if needed.
- Late work should be indicated in the grade book by adding an L after the grade. The grade for the subject should not be lowered due to tardiness. The grades for Essential Habits may be negatively impacted by repeated/habitual late work.

Homeless Education Policy and Procedures

It is the policy of the Marblehead Community Charter Public School to ensure that homeless children and youths are provided with equal access to its educational programs, have an opportunity to meet the same challenging State of Massachusetts academic standards, are not segregated on the basis of their status as homeless, and to establish safeguards that protect homeless students from discrimination on the basis of their homelessness.

Definition of Homeless Children and Youth

The term "homeless children and youths" means individuals who lack a fixed, regular, and adequate night time residence due to economic hardship.

It includes children and youths who:

- are temporarily sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason
- are living in motels, hotels, or camping grounds due to the lack of alternative adequate accommodations
- are living in emergency shelters
- are abandoned in hospitals; or are awaiting foster care placement
- have a nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings
- are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
- runaway children or children who are abandoned

Homeless status is determined in cooperation with parents or in the case of unaccompanied youth the local educational agency liaison.

School Selection

For a student determined to be homeless who is enrolled in MCCPS, the School shall, according to the child's best interest, continue the child's or youth's education at MCCPS for the duration of homelessness, in any case in which a family becomes homeless between academic years or during an academic year, or for the duration of the academic year, if the child or youth becomes permanently housed during an academic year

In determining the best interests of the child or youth to the extent feasible the child or youth will continue to attend MCCPS, except when doing so is contrary to the wishes of the child's or youth's parent or guardian, for the duration of homelessness.

Comparable Services

Each homeless child or youth shall be provided services comparable to services offered to other students enrolled in MCCPS, such as

- Educational services for which the child or youth meets eligibility criteria such as ESL or special education programs
- School nutrition programs
- Enrichment programs
- After School programs

Transportation

At the request of the parent, transportation will be provided for homeless children to MCCPS for the duration of the school year or until the child's family finds permanent housing.

Permanent housing is defined as any signed lease or long-term approved living situation. Self-paying day to day in a motel is not considered permanent housing.

Local Educational Agency Liaison

The School's Guidance Counselor will be the liaison for homeless children and youths.

Homeless Liaison – Judith Nuñez 781-631-0777 extension 52

The Homeless Liaison or designee shall ensure that:

- homeless children and youths are voluntarily identified by school personnel and through coordination with other entities and agencies
- homeless children and youth enroll in and have a full and equal opportunity to succeed at MCCPS.
- homeless families, children, and youths receive educational services for which they are eligible and referrals to other appropriate services.
- the parents or guardians of a homeless child or youth is informed of the educational and related opportunities available to them and are provided with meaningful opportunities to participate in the education of the child/youth.
- public notice of the educational rights of homeless children and youths is disseminated in such public places as schools, meal sites.
- compliance with all policies and procedures and mediate disputes.
- the parents or guardians of a homeless child or youth are informed of all transportation services.
- coordination of services between MCCPS and other homeless family service providers.
- assistance is provided to children and youth who do not have immunizations, or immunization or medical records, to obtain necessary immunizations, or immunization or medical records.
- students are not segregated on the basis of their status as homeless.
- programs for homeless students are coordinated with other federal and local programs

Disputes

The MCCPS Communication Protocol (described in this handbook) will be followed in the event of a dispute. The Homeless Liaison shall facilitate the dispute process.

Homework Policy

To support academic achievement, homework will be assigned regularly at the discretion of the individual teachers. To develop organizational skills, facilitate homework completion, and support home/school communication, all students will be provided with an assignment book to be used by the child, parent(s), and teachers. It is expected that the assignment book will be used with care (a replacement fee will apply if the assignment book is lost or damaged).

- To be recorded in the assignment book:
 - o Daily/long-term homework assignments
 - o Brief notes between parents and teachers about homework
 - o Notes from teachers about missing work/detention
- Responsibilities:
 - o **Students** are expected to keep an accurate record of all assignments. Students should write neatly, so that they, their parents, and teachers can read each entry.
 - o **Teachers** will initial the assignment book to indicate that the assignments have been recorded correctly.
 - *Exception: to facilitate the transition to high school, assignment books will not be checked in 8th grade unless a student's academic performance, organizational challenges, or IEP require it.*
 - o **Parents** are asked to initial the assignment book to indicate that they have seen their child's completed assignments.
- Quality/Timeliness:

- o All homework must be completed; it should be done well, with care, and on time.
- o When a student does not complete his/her work by the assigned due date, he/she will be assigned to in-school detention (12:30-1:00) until the work is completed and turned in to the teacher. In-school detention will be communicated to parents via the assignment book or email.
- o Repeated failure to complete homework assignments may result in the student being placed on Academic Probation.
- o Students are expected to make up work missed due to sickness/absence (assignments and due dates to be determined by the teacher).
- o **After any absence**, the student must consult with his/her teachers to determine missing work (including tests/quizzes/projects) and due dates.
- Extended Absences
 - o State law requires that students be present in school whenever school is in session, so vacations/extended absences during school time are strongly discouraged (and may be reported to the truant officer).
 - **School work will not be provided in advance for students who will miss school due to a vacation.**
 - **Teachers will not be required to provide additional instruction for students who missed school due to a vacation.**
 - Students must make up all work after their return to school; the teachers will determine what work can be completed and the due dates for each assignment.
- Family Emergency/Bereavement
 - o Exceptions may be made at the teacher's discretion for family emergencies or bereavement. He/she will determine due dates for work missed due to an emergency or bereavement.

MANAGING FOOD ALLERGIES

All students, including those with food allergies, deserve to learn in a safe environment. All faculty/staff will be trained annually in the identification and treatment of a food allergic reaction, including Epi-pen administration. Students with food allergies will be monitored and assisted by the implementation of an individualized Allergy Action Plan.

When a child is identified as having an allergy to one or more foods, the school nurse will:

- o Initiate an Allergy Action Plan (AAP).
- o Schedule a meeting with the child's parent/guardian and multidisciplinary team (grade level teachers, administrative representative, food service director, & any other pertinent school personnel).
- o Obtain written documentation from the child's parent/guardian and physician.
- o Provide a copy of the AAP to all members of the team and provide any necessary training.

The Allergy Action Plan will include:

- Student's name and photo
- Specific allergens
- Warning signs of a reaction (general and/or child-specific)
- Emergency Management Information (medications – including location on school premises, contact telephone numbers)

- Other considerations or special accommodations (field trips, classroom parties and projects, school meals)
- Signatures of parent/guardian and school nurse

In case of an emergency:

- Stay with the child!
- Designate the nearest adult (or child, if necessary) to get the nurse or alternate qualified personnel. School Nurse carries a walkie-talkie at all times, and can be used to reach him/her in case of emergency.
 - Tell the nurse the name and location of the child and the nature of the emergency.
- Have a responsible person (preferably an adult) call 911.
 - Give address and specific location in the school
 - State that the emergency is a possible anaphylactic reaction
- Administer an Epi-pen, if prescribed.
- Accompany the child to emergency room and await the arrival of parent/guardian.

Network and Internet Acceptable Use Policy

Introduction

The Internet is an tool connecting thousands of computers all over the world to millions of places just like MCCPS. Using the Internet students and staff can access a variety of sources including: information and news from educational and commercial resources; government agencies and research institutions; information about the arts, culture, politics, and society; The Library of Congress, and university libraries. There is also the potential to access inappropriate content that also populates the Internet. In order to minimize exposures to the negative elements of the Internet, it is important that we have rules and guidelines in place.

This Acceptable Use Policy applies to all MCCPS students and staff, and violation of the policy will result in consequences including. The Acceptable Use Policy covers all use of the MCCPS network and services while on the MCCPS campus, regardless of actual location or time of day of access. It also covers proper use during school events on networks and services outside of the MCCPS networks. Upon notification and review of a infraction, the Head of School or her designee will make the final decision determining future access privileges. Further, even though MCCPS may use technical or manual means to limit access, these limits do not provide a foolproof means for enforcing the provisions of this policy and it is the student's responsibility to adhere to the terms of this Acceptable Use Policy. All provisions of this agreement are subordinate to local, state and federal statutes and policies.

Acceptable and Unacceptable Uses of the MCCPS Network

The use of the Internet must be in support of education and research consistent with the educational objectives of MCCPS. Any other use may be determined unacceptable and result in termination of the student's access. Use of the MCCPS Network and services are a privilege. The availability of the Internet as a research tool is a tremendous benefit to the faculty and students of MCCPS. We ask that students, staff, and parents understand and accept that the purpose of the MCCPS Network is educational, and that any other use is inappropriate and could result in appropriate disciplinary action taken by the school. The MCCPS Network and services will only be used to access and transmit material that is consistent with MCCPS's educational philosophy and curriculum.

Acceptable Use

Responsible use of the MCCPS Network requires that users:

- DO use the technology to accomplish their work for school.
- DO ask the supervising teacher or staff member permission before using any technology
- DO take care of the equipment and report any issues to a teacher or staff member. This includes making sure devices are safe and secure both during active use and when not in use.
- DO accept full liability for their actions
- DO use their own account during network communications
- DO obtain permission from the supervising teacher or staff member before using their device, obtain permission from the supervising teacher or staff member
- DO obtain permission from the supervising teacher or staff member prior to printing materials found on the Internet
- DO give credit to copyrighted materials found on the Internet and incorporated into MCCPS school work.
- DO create, use, and maintain a password that was created according to MCCPS guidelines. This password is to be used to access the MCCPS Network and any resources that reside within the network and require password access.
- DO take precautions to maintain the secrecy of their password so that other users will not be able to utilize that password for malicious purposes. MCCPS users are responsible for all activity under their accounts
- DO request the technology coordinator change their password if a user suspects that someone has discovered their password. Additionally, users should notify their teacher if they suspect their password has been discovered or used by another person.

Unacceptable Use

It is not acceptable for users to use the MCCPS network for any of the following activities:

- interfering with the normal and proper operation of the MCCPS Network or the Internet
- adversely affecting the ability of others to use MCCPS Network, equipment, or services, including, but not limited to, placing a computer virus on any computer system, including the MCCPS system
- conducting themselves in ways that are harmful or deliberately offensive to others •
- gaining unauthorized access to any computer or networks, including the MCCPS network
- giving their passwords to another user, permitting other individual to make use of any of their passwords to access account privileges on the MCCPS Network, or making an effort to learn anyone else's password
- attempting to hide their identity or impersonate anyone else, including logging in through another person's account or attempting to access another user's password or files
- vandalizing, destroying data, invading the privacy of another's account, or posting anonymous inflammatory messages

- accessing, sending or posting materials or communications that are damaging to another's reputation, abusive, obscene, sexually oriented, threatening, defamatory, libelous, or 'hate speech' material concerning a person or group of people contrary to MCCPS's policy on harassment, harassing, bullying, or illegal.
- attempting to bypass, circumvent, or disable any MCCPS firewalls, internet filters, or other software and devices the school uses to monitor and manage internet traffic on the MCCPS Network
- engaging in any non-MCCPS commercial or fundraising purpose
- intercepting communications intended for other persons
- furthering any illegal act, including identity theft or infringement on any intellectual property rights
- downloading, uploading, storing or distributing any files, software, or other material that is not specifically related to school work at MCCPS
- downloading, uploading, storing or distributing any illegal files, software, or other material
- downloading, uploading, storing or distributing any files, software, or other material in violation of federal copyright laws

Any attempts to use the network in an unacceptable manner will result in the revocation of Internet access privileges and may result in additional consequences as determined by the Technology Coordinator, the Assistant Head of School, and/or the Head of School.

Cyberbullying

Cyberbullying is defined as:

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, photoelectronic 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 following conditions:

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

Cyberbullying as defined above is prohibited at the Marblehead Community Charter Public School. The prohibition of these actions extends to the following locations:

- on school grounds or any space next to school grounds;
- at the bus stop or on school buses or any other school vehicle;
- at any school-sponsored, or school-related activities, functions or programs;
- through use any school computers, internet connection or other school based technology;

- **at a location or during activities that are not school related, or by using a private computer or cell phone, if the bullying creates a hostile environment at school for the targeted student, infringes on the rights of the targeted student at school, or otherwise disrupts the orderly operation of the school.**

Students who cyberbully are in violation of the Acceptable Use Policy, the Student Code of Conduct, as well as the Policy on Prohibiting Bullying. Students will be disciplined in accordance with the Code of Conduct.

Internet Etiquette

Teachers and students are expected to follow accepted rules of network etiquette. These will include (but are not limited to) the following:

- Respect time in a manner that would not infringe upon others' attempts to access information.
- Be polite in your questions and responses (No use of inappropriate language).
- NEVER reveal your (or anyone's) personal address or phone number

No Expectation of Privacy

It should be understood that users of the MCCPS Network have no reasonable expectation of privacy (with respect to access by the system administrators or their designee) to any materials transferred through or stored within the MCCPS Network. Further, in order to prevent any abuse of the MCCPS Network or effectively maintain and repair the system, MCCPS system administrators reserve the authority to inspect any and all materials transferred through or stored within the MCCPS Network.

It should also be understood that certain materials accessible through the Internet may be objectionable and that is each student's responsibility to avoid deliberately accessing objectionable material at any time.

Personal Computers and Devices

Provided students and staff adhere to all the specific conditions below, they will be permitted to use their personally owned computers or other devices. In order to use personal devices, staff and students will:

- agree to abide by all elements of this Acceptable Use Policy
- not upload or transmit any files from their computer to the MCCPS Network with the exception of files associated with their work at MCCPS.
- understand that there may be limited access to MCCPS Network resources such as printers and user home directories.
- acknowledge that MCCPS is not responsible for any damages incurred, including, but not limited to loss of data or damage to personal property used to access MCCPS resources.

Physical Restraint Policy

As required by Massachusetts General Law 603 CMR 46.03, and in order to ensure the safety of all students and staff at the Marblehead Community Charter Public School, school personnel should follow the procedures outlined below:

1. In the event that any member of the school's faculty/staff observes a student who appears to pose a threat of imminent serious, physical harm to self and/or others:
 - a. First, the faculty/staff member should immediately send word through another staff member (if available) or a responsible student to alert the Head of School (if available) or his/her

- designee for assistance. If near a designated “walkie-talkie”, contact the Assistant Head of School and/or Guidance Counselor for assistance. Pushing ‘Intercom 87’ on a phone will broadcast a message throughout the building. This should be used only when necessary and should be done in a manner that does not create panic.
- b. Second, the faculty/staff member should use all verbal means possible to calm the student posing a threat of imminent serious, physical harm to self and/or others and should instruct any other student(s) in the immediate vicinity to remove themselves to a safe distance from the individual posing the threat.
2. Only school personnel who have received training pursuant to 603CMR46.03(2) or 603CMR46.03(3) shall administer physical restraint on students. Whenever possible, the administration of a restraint shall be witnessed by at least one adult who does not participate in the restraint. The training requirements contained in 603CMR46.00 shall not preclude a member of the MCCPS faculty/staff from using reasonable force to protect students, other persons, or themselves from assault or imminent, serious physical harm.
 3. A person administering physical restraint shall use the safest method available and appropriate to the situation subject to the safety requirements set forth in 603CMR46.05(5)
 - a. No restraint shall be administered in such a way that the student is prevented from breathing or speaking.
 - b. Restraint shall be administered in such a way so as to prevent or minimize physical harm.
 - c. If at any time during a physical restraint, the student demonstrates significant physical distress, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.
 4. Reporting requirements:
 - a. Any staff member involved in the physical restraint of a student shall verbally inform the Head of School or his/her designee as soon as possible after the event and shall file a written report with the Head of School or his/her designee no later than the next school day.
 - b. The Head of School or his/her designee shall verbally inform the student’s parent/guardian of the incident as soon as possible after the incident and by written report no later than three school days following the use of restraint.
 - c. The Head of School or his/her designee shall use the data collection tool available in the restraint data application of the ESE Security Portal on an ongoing basis throughout the school year to enter restraint data.

Pregnant Student Policy

1. Upon notification that a student is pregnant, the school shall assess the need for changes in the student's program on an individual basis.
2. Any decision to modify the student's program shall be made only after consultation with the student, her parent or guardian, teachers, and medical consultant, as appropriate.
3. A pregnant student will not be denied access to any educational program or extra-curricular activity where reasonable modifications can be made to accommodate her pregnancy.

4. The school shall make referrals for services to community agencies in situations judged to be beneficial to the students.

5. Any service available to a student who is temporarily disabled for any medical and/or physical reason shall not be denied to a pregnant student.

Promotion Policy

The Head of School, with recommendations from the teaching team, guidance counselor, parents, etc. will determine which students are eligible for promotion on the basis of academic standards and attendance. When there is a marked discrepancy between academic competency and the classroom performance of a student, the Head of School will investigate. Parents will be a part of the grade level placement process for their child(ren), unless they opt not to participate.

Only those students who demonstrate academic competency will be considered eligible for promotion to the next grade level. Academic competency is determined by teacher observations/judgments, course grades, the Massachusetts Comprehensive Assessment System (MCAS), and other standardized testing administered by the school.

Parents will be informed whenever a teacher(s) determines that a student is not making sufficient progress towards being eligible for end-of-year promotion. An Academic Probation Plan will be created for the student within thirty (30) days of the determination that he/she is not making sufficient progress or that he/she is to be retained in grade. Said plan will be developed by the Assistant Head of School in collaboration with the teaching team, the student and his/her parent(s), and other relevant faculty/staff.

Whenever the Assistant Head of School determines that a student is to be retained at the present grade level and the parent is dissatisfied with the determination, the parent may appeal the decision to the Head of School. The Head of School will review the student's file, which will include CUE Reports, individual learning plan goals, Academic Probation Plan, conference reports, and other contacts, etc. The decision of the Head of School shall be final.

Student success in school with regards to this policy or other areas is a jointly shared responsibility among xs, parents, and the students themselves. Parents and students are encouraged to ask questions/seek help regarding progress toward promotion, eighth grade graduation, and other educational goals.

Special Education

Unless specified in the I.E.P., special education students enrolled in regular education classes are expected to meet the promotion requirements applicable to their non-special education peers. Promotion decisions shall be based on each student's progress toward the attainment of measurable annual goals and objectives as specified

in his/her Individual Education Plan (IEP). Goals and objectives must be based on evaluation data, annual review, re-evaluation (three-year) data, and current levels of performance. The goals and objectives must be developed in accordance with the standards found in the Massachusetts Curriculum Frameworks.

English Language Learners

English Language Learners are expected to meet promotion requirements. Each student's progress will be evaluated by the ELL Coordinator, the teaching team, and the student's parent(s). This team will determine the appropriate grade level placement, which could include retention in grade level or promotion, as well as summer school, completion of special assignments, online instructional programs, etc.

Promotion Requirements

Teachers will recommend each student for promotion based upon the criteria outlined in this policy and the teacher's professional assessment that the student's classroom performance indicates the ability to succeed at the next grade level. The intent is for all students to have the academic skills and habits necessary for success.

Two basic requirements (academic achievement and attendance) apply to all students. A student will be considered for promotion when he/she has met each of the following requirements:

Academic Achievement Requirement – Students must meet the criteria in items A, B, and C, below to be considered for promotion to the next grade level.

A. Testing

- The student demonstrates grade level competency in English Language Arts and mathematics.

A. Teacher Assessment

- The student has achieved the teacher expected level of understanding in the majority of strands in both ELA and math. (The teacher expected level will be “proficient” by the end of the 3rd trimester.)

B. Assignment Completion

- The student's assignments must be completed in order to determine his/her progress towards meeting the promotion requirements. A minimum of 80% of all homework, classwork, projects, and other assignments must be **completed** for the student to be eligible for promotion.

The following are expected, but are not required for promotion:

- All students are expected to exhibit proper behavior and significant effort toward meeting state standards in ALL subjects, including Community Service Learning. When these expectations are not met, a teacher and/or the Assistant Head of School may assign remediation. State standards exist in all subjects and students are expected to demonstrate the teacher expected level of understanding on all standards and demonstrate a proficient level of understanding by the end of the school year. Teachers and the Assistant Head of School will work with students and, as necessary, parents to achieve these expectations.
- All students will participate in Community Service Learning at each grade level. In addition, all eighth grade students are expected to serve 25 hours of community service.

Attendance Requirement – A student who has had thirteen (13) or fewer unexcused absences during the school year is eligible for promotion.

- Any student with fourteen (14) or more unexcused absences (state law) is automatically retained in the current grade based upon attendance, unless granted a waiver by the Assistant Head of School. If a student has missed thirty-two (32) or more days of school, including excused days, the Assistant Head of School will contact the parents of that student to discuss attendance concerns and to determine if retention is in the best interest of the student.

Change In Grade Level Placement

If a parent/guardian requests a change in the grade level placement of a student, the Assistant Head of School will consider the student's age, maturity, attendance, effort, and the student's academic potential. The Assistant Head of School, based on all available information, will determine if the request will be granted. If the parent is dissatisfied with the determination, the parent may appeal the decision to the Head of School. The Head of School will review the request. The decision of the Head of School shall be final.

Sexual Harassment Policy

I Introduction

It is the goal of the Marblehead Community Charter Public School (MCCPS) to provide its students and faculty with a school environment free and safe from sexual harassment. MCCPS will not tolerate the conduct that is described in this policy, considers all allegations of sexual harassment serious, and will respond to complaints promptly following the included procedures. For allegations that are proven to be true, MCCPS will take the necessary steps to correct and eliminate the conduct, using disciplinary actions where appropriate. Retaliation in any form against any person who has filed a complaint is also considered unlawful and will not be tolerated.

While this policy describes what sexual harassment is and the procedures and consequences of such conduct, it is not intended to limit any remedial action. Conduct within or part of the school environment that is considered unacceptable, regardless if the conduct satisfies the definition of sexual harassment, will be investigated.

II Definitions

Title IX of the Educational Amendments of 1972, prohibits sexual harassment in education. Sexual Harassment is defined by the Massachusetts General Law as “*any sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:*

- submission to or rejection of such advances, requests, or conduct is made explicitly or implicitly as a provision of employment, benefits, privileges, or as a basis for the evaluation of academic achievement or;*
- such advances, requests, or conduct have the purpose or effect of unreasonable interference within an individual's education by creating an intimidating, hostile, humiliating or sexually offensive educational environment.”*

In the school, sexual harassment can cover a wide range of behaviors and may encompass sexually oriented behavior that makes the school environment hostile, offensive, intimidating, or humiliating.

Examples of conduct that, if considered unwelcome, may constitute sexual harassment include but are not limited to:

- unwelcome sexual advances either physical or emotional
- sexual jokes
- comments, verbal or written, about an individual's body
- comments, verbal or written, about an individual's sexual activity/prowess
- display of sexually suggestive objects, pictures, cartoons
- whistling, gesturing, insulting
- pulling at someone's clothing
- forcing to kiss someone
- attempted rape and rape

III Complaints

A Sexual Harassment Report must be filed in any case involving student, faculty/staff, or volunteer that occurs while on school grounds. Reports should be filed with the Sexual Harassment Coordinator and will be kept confidential within the confines of the law.

Sexual Harassment Coordinators:

Bill Sullivan

Assistant Head of School

781-631-0777 x 22

bsullivan@marbleheadcharter.com

Judith Nuñez

Guidance Counselor

781-631-0777 x52

jnunez@marbleheadcharter.com

IV Investigation

Once reported, an evaluation involving separate conversations with the involved parties will be conducted to gather facts and assess the risk of the situation. Assessment of the information will include these steps:

1. Maintenance of complete records
 - name of complainant
 - date(s) of complaint
 - kinds of inquiries undertaken
 - date(s) of investigative steps
 - date(s) and documentation of resolutions
 - confirmations/notices of outcomes to complainant
 - confirmations/notices of further procedural rights to complainant
 - information on implementation or monitoring of resolution(s)
2. Notification to appropriate authorities regarding complaint(s)
3. Retention of records with secure and limited access

When the investigation is complete MCCPS will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of the investigation.

If it is determined that inappropriate conduct has occurred, MCCPS will act promptly to eliminate the behavior and impose necessary disciplinary action.

V Disciplinary Action

If it is determined that an inappropriate action has been committed, MCCPS will take action appropriate to the situation. Such action may range from referral of counseling or termination of employment as well as other forms of disciplinary action deemed appropriate and in conjunction with M.G.L. c.151B, ss.2 & 3.

Legal References

M.G.L. c.151B, ss. 2&3

MCAD policy 96-2

Title IX

Title VII, Civil Rights Act of 1964

Other Reference

Essex County District Attorney's Office

Student Attendance Policy

Regular and punctual school attendance is essential for success in school. MCCPS does recognize that parents of children attending our school have special rights, as well as responsibilities, one of which is to ensure that their children attend school regularly. Students are required to be in school for all scheduled school days and Exhibition programs unless they are sick or they have permission from the school to be absent.

Students may be excused temporarily from school attendance for the following reasons:

1. Illness or quarantine.
2. Bereavement or serious illness in the family.
3. Weather so inclement as to endanger the health/safety of the child.
4. Observance of major religious holidays.

A child may also be excused for other exceptional reasons with approval of the school administrator. A student's understanding of the importance of day-to-day schoolwork is an important factor in the shaping of their character. Parents will help their children by refusing to allow them to miss school needlessly.

Accordingly, parents will provide a written explanation for the absence and tardiness of a child. This will be required in advance for types of absences where advance notice is possible.

In instances of chronic or irregular absence reportedly due to illness, the school administration may request a physician's statement certifying such absences to be justifiable.

LEGAL REFS.: M.G.L. 76:1; 76:16; 76:20

The school must be called at 781-631-0777 x 13 before 8:00a.m. if the student will be absent or late, or we will call you. If the student stays home ill after his/her parent(s)/guardian(s) have left the house, and the parent(s)/guardian(s) are unaware their child is staying home, it is the student's responsibility to contact his/her parent(s)/guardian(s) and have his/her parent(s)/guardian(s) call the school.

Planned absences for special circumstances must be approved by the Assistant Head of School, or his/her designee in advance.

Parents guardians going out of town must notify the office as to who will be responsible for their child during the parents'/guardians' absence.

ABSENCE/DISMISSAL NOTES

A note explaining the absence must be brought to the office upon returning to school. Absences will be excused for illness, religious holidays, death in the family, or funerals. All notes must have the date of the absence as well as the reason.

Students who need to be dismissed must bring a written note from their parent/guardian to the main office before 8:00a.m. The note must state the time, date, and reason for the dismissal.

Doctor/dentist appointments should be made during non-school time. Emergency dismissals can be made at the discretion of the Assistant Head of School or School Nurse.

Parents/Guardians or their designee must come to the main office to personally sign out their child, with identification.

Any student with fourteen (or the equivalent of 14) or more unexcused absences will be automatically retained in the current grade (per state law), unless granted a waiver by the Assistant Head of School.

If a student has missed thirty-two (32) or more days of school, including excused days, the Assistant Head of School will contact the parent of that student to determine if retention is in the best interest of the student.

Extended vacations and taking students on vacations during school time are considered unexcused absences. Under these circumstances, students will make up the work after their return to school at the discretion and convenience of their teachers during before/after school sessions. Students are required to see each of their teachers upon returning and develop a list of missing work and specific dates for test and quiz make ups. **School work will not be provided in advance for students who will miss school due to a vacation.** See the Homework Policy (described in this handbook) for more detail.

TARDY NOTES

Students who arrive after 7:45 a.m. must report directly to the main office. A parental/guardian note stating the date and reason for the tardy is necessary for the tardy to be excused.

A warning is given for the first unexcused tardy of less than 15 minutes. Students who have a second unexcused tardy of under 15 minutes will receive a 30 minute detention; an unexcused tardy beyond 15 minutes will result in two (2), 30 minute detentions. Additional tardies may be approved by the Assistant Head of School due to special circumstances. All students will receive a 24-hour notice prior to serving his/her detention. The school may also count late to class minutes towards the 10% attendance rule.

CONSEQUENCES FOR ABSENCE/TARDINESS

If absences/tardies exceed 10% of the term or nine absences/tardies, a letter will be sent home notifying parents/guardians of the state law regarding school attendance. A letter may also be sent to the police truant officer. This letter will cite the school's concerns regarding a child's attendance and a meeting may be set up between the child's parent(s)/guardian(s) to rectify and/or clarify the situation.

While we are required by state law to follow its school attendance policy, we are also aware that some students may already have documented illnesses which are being overseen by the school nurse and/or guidance counselor. The 10%

rule does include individual classes that may be missed due to tardiness and cutting. Suspensions and field trips are not included in the 10% rule. Waivers of this policy may be granted due to illness or unusual personal/medical circumstances.

Student Records

In order to provide students with appropriate instruction and educational services, it is necessary for the school to maintain extensive and sometimes personal information about them and their families. It is essential that pertinent information in these records be readily available to appropriate school personnel, be accessible to the student's parents or legal guardian and/or the student in accordance with law, and yet be guarded as confidential information.

The HoS/Designee will provide for the proper administration of student records in keeping with state and federal requirements, and shall obtain a copy of the state student records regulations (603 CMR 23.00). The temporary record of each student enrolled on or after June 2002 will be destroyed no later than seven years after the student transfers, graduates or withdraws from the School District. Written notice to the eligible student and his/her parent of the approximate date of destruction of the temporary record and their right to receive the information in whole or in part, shall be made at the time of such transfer, graduation, or withdrawal. The student's transcript may only be destroyed 60 years following his/her graduation, transfer, or withdrawal from the school system.

MCCPS wishes to make clear that all individual student records of the school system are confidential. This extends to giving out individual addresses and telephone numbers.

LEGAL REFS: Family Educational Rights and Privacy Act of 1974, P.L. 93-380, Amended; P.L. 103-382, 1994; M.G.L. 66:10 71:34A, B, D, E, H; Board of Education Student Record Regulations adopted 2/10/77, June 1995 as amended June 2002; 603 CMR: Dept. Of Education 23.00 through 23:12 also Mass. Dept. Of Education publication Student Records; Questions, Answers and Guidelines, Sept. 1995
CROSS REF: KDB, Public's Right to Know

The following is a summary of the major parent and student rights regarding their student records, as provided by the Regulations pertaining to Student Records.

I. Inspection of Record

A parent, or a student who has entered the ninth grade or is at least 14 years old (eligible student), has the right to inspect all portions of the student record upon request. The parent and/or eligible student have the right to receive copies of any part of the record, although a reasonable fee may be charged for the cost of duplicating materials. The record must be made available to the parent or eligible student no later than ten (10) business days after the request, unless the parent or student consents to a delay. The parent and/or eligible student may request to have parts of the record interpreted by a qualified professional of the school, or may invite anyone else of their choosing to inspect or interpret the record with them.

Massachusetts's regulations establish a mandatory process for responding to student record requests from non-custodial parents. Where a parent who does not have physical custody of their child (non-custodial parent) requests access to the child's student record or other information regarding the student, the non-custodial parent is required to submit a written request for the student record with a certified court order indicating that the non-custodial parent is eligible to access information regarding the child and an affidavit verifying that the order

provided remains in effect and that the non-custodial parent is not subject to a temporary or permanent protective order. Immediately upon receipt of this documentation the school shall notify the custodial parent that the school will provide the non-custodial parent with access to the student record information after twenty-one (21) days unless the custodial parent provides the HoS with documentation establishing that the non-custodial parent is not eligible to access information regarding the student.

When student record information is provided to a non-custodial parent in accordance with the above procedures, the school will delete the address and telephone number of the student and custodial parent from all records provided to the non-custodial parent. Any such records provided to the non-custodial parent shall be marked to indicate that they may not be used to enroll the student in another school. Non-custodial parents are required by law to submit a written request for access to their child's student record information each year stating that the parent continues to be entitled to unsupervised visitation with the student and remains eligible to access information regarding the child.

II. Confidentiality of Student Records

With a few exceptions, no individuals or organizations but the parent(s), student, and authorized school personnel are eligible to access information in or from a student record without the specific, informed written consent of the parent or the student.

III. Amendment of the Student Record

Eligible students and/or parents have the right to add additional information, comments, data, and/or other relevant material to the student record. Eligible students and/or parents also have the right to request in writing that the student record be amended. Any such request should be directed to the HoS/Designee. The HoS/Designee will render a written decision on such a request within one week. The above is only a summary of some of the more important provisions of the regulations pertaining to student records that relate to student and parent rights. If more detailed information is desired a copy of the regulations may be obtained from the HoS office or the Department of Education.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT - FERPA

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that MCCPS, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, MCCPS may disclose appropriately designated "directory information" without written consent, unless you have advised MCCPS to the contrary in accordance with school procedures.

The primary purpose of directory information is to allow MCCPS to include this type of information from your child's education records in certain school publications.

Examples include:

- a playbill, showing your student's role in a drama production
- the annual yearbook
- honor roll or other recognition lists
- graduation programs
- sports activity sheets

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.

In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories (names, addresses, and telephone listings) unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If you do not want MCCPS to disclose directory information from your child's education records without your prior written consent, you must notify MCCPS in writing by September 15th of any given school year, to be effective for the school year starting on or about September 1 of the same year. This request to not disclose your child's information will be effective for that school year only. MCCPS has designated the following information as directory information:

- Student's name
- Participation in officially recognized activities and sports
- Address
- Telephone listing
- Weight and height of members of athletic teams
- Electronic mail address
- Photograph
- Degrees, honors, and awards received
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Most recent educational agency or institution attended

Footnotes:

(P.L. 107-110), the education bill, and 10 U.S.C. 503, as amended by section 544, the National Defense Authorization Act for Fiscal Year 2002 (P.L. 107-107), the legislation that provides funding for the Nation's armed forces.

Regulations pertaining to Student Records adopted by the State Board of Education have the force of law. These regulations apply to all public elementary and secondary schools as well as private and charter schools approved to provide special education services to children. They are designed to insure parents' and students' rights of confidentiality, inspection, amendment, and destruction of student records, and to assist school authorities in their responsibilities for the maintenance of student records. The regulations apply to all information kept by a school committee on a student in a manner such that he or she may be individually identified. The applicable regulations may be found at 603 CMR 23.00. These laws are: Section 9528 of the ESEA (20 U.S.C. 7908), as amended by the No Child Left Behind Act of 2001

Special Education Overview

Special Education at MCCPS provides for an inclusion program with a variety of services to meet the needs of each individual student.

Special education students participate in general education classrooms at each of the five grade levels. Inclusion specialists collaborate with classroom educators to provide academic support through accommodations and modifications outlined in the Individualized Education Program (IEP).

Weekly meetings of special and regular ed/ core curriculum educators facilitate inclusion and collaboration. There is also a weekly consultation with the Integrated Arts educators. Team teaching models are offered for all students in the inclusion classes.

The Director of Special Education facilitates weekly hour-long Special Education department meetings. Consultation with individual inclusion teachers is available as needed.

Direct services occur mainly outside the regular education classroom during the Enrichment/electives period, morning advisory, or integrated arts classes. Included in the direct service pull-out sessions are academic support, organization strategies, remediation sessions, social skills instruction, and subject specific groups.

In addition, MCCPS provides related services through contracted providers, particularly for Speech and Language and Occupational Therapy support. MCCPS use the Wilson Reading Program with identified students.

The system to assess students' progress on IEP goals and benchmarks/ objectives supplements the procedures utilized by regular educators for skills assessment through curriculum benchmarks. Inclusion specialists are case managers who document levels of understanding, degrees of independence, and specified service objectives as they work with their grade level students. This information is described in progress reports at the end of each trimester at report card time.

MCCPS uses a variety of assessment tools, including NWEA, MCAS, Khan Academy, as well as MCCPS standards, benchmarks, and CUE (Communicating Understanding through Evidence) reports as measurement of progress.

Faculty and staff work together in partnership with involved parents and community volunteers to provide engaging, enriching learning opportunities. Our goal is an interactive, full inclusion program with seamless pull-out and push-in direct and/or related services.

MCCPS is committed to providing a range of services to meet student needs in pre-referral, referral, and post-referral activities. Included in these activities are classroom accommodations such as proximity to teachers, prompts for participation, additional time for responses, and visualizations to accompany verbal instruction. Cooperative groups, partnering with study-buddies, and project-based tasks are interwoven into methodology and balanced for variety and student engagement in instruction. Behavioral plans are created and implemented as needed by teachers, Student Support Team, the Assistant Head of School, and/or the Guidance Counselor. These plans are generally carried out within the general education classroom.

When in-class support is not sufficient for effective progress, arrangement for 1:1 instructional assistance is provided on a short term or temporary basis. Should it become apparent that a student needs more consistent support in a setting other than the general classroom, Team Meetings are held to determine the type and degree of support needed.

The MCCPS Partial Inclusion program is designed for students who are unsuccessful in some or all of the general education major curriculum classrooms. In such situations, students would receive individualized instruction appropriate for their cognitive or behavioral function ability, and would include counseling services for school adjustment and social skills. Recognizing areas of individual strength, a student may participate in appropriate curriculums in regular education classrooms, participating between 21% and 60% of the total time in the school schedule. This would include enrollment in Integrated Arts classes, as well as end-of-the-day Enrichment (Elective) courses. Support for students with Partial Inclusion services would include designated staff for 1:1 assistance throughout the day, modified curriculum, flexible attendance in identified mainstream classes, and

diversified methods of instruction. The purpose of the Partial Inclusion program is to assist students in accessing the general curriculum, with the aim of re-integration into as many general education classrooms for instruction as the student could tolerate.

Were a student to require a Substantially Separate Program, one that required a student be out of the mainstream classes more than 60% of the time, MCCPS would create a program featuring a highly structured classroom with a reward/point, behavior system, paced curriculum, specialized instructors, and a more intense therapeutic component.

In keeping with state special education regulations, MCCPS will invite other school districts to participate in the Team Meetings, particularly when the service needed may require an out-of-district program, rather than a full, partial inclusion or substantially separate program. In every instance, MCCPS recognizes its responsibility for the education of all enrolled students and is committed to providing needed program(s) and service(s).

SUPERVISION OF STUDENTS

Students must be supervised at all times, in all areas (except the restrooms). All faculty/staff are responsible for all students at all times. All students are required to obey/respect all faculty/staff.

Before School (building opens to students at 7:30)

- All full-time teachers should be in the building by 7:30. Administrators should arrive by 7:00.
- Students enter the building from the front door and should go directly to their classrooms to drop off backpacks, coats, etc. Students should not unpack at this time, but should proceed directly to the Community Room. Backpacks should be hung on hooks only after they have been unpacked during Advisory.
 - For activities that begin before Community Meeting (band, basketball practice, etc.) the participating students will bring their belongings to their classroom, note their lunch choice, and go directly to the expected location (gym, music room, etc.).
- Students, guests, faculty/staff may purchase breakfast beginning at 7:30. Breakfast service ends at 7:45.

Community Meeting (7:45 – 8:00)

- Faculty/staff should be seated with the students by 7:40 (earlier arrival to the Community Room is strongly encouraged). One adult per table unless the number of guests makes this difficult.
- Remind students to behave appropriately, face the speaker, clean up after themselves, etc.

Advisory (8:00-8:30)

- Students quickly and quietly get ready for the day, organize their cubbies, binders, and materials.

- With the permission of the Advisory Teacher, students may go to other faculty/staff, the restroom, the kitchen, the front office, etc.
- After getting organized/unpacked, most students are expected to read silently or complete other assigned tasks. This is not a time for homework completion.
- If a student was absent, this is a time when he/she may record missing assignments, receive instruction/help from the teacher or classmates.
- Grade level meetings may be held during this time either in a classroom or the Community Room.

Classrooms/Academic Blocks (8:30-10:00, 10:30-12:00, 1:00-2:30)

- An adult must be present with students at all times.
- Never leave students unattended. If you must leave the room, ask the adult in the next room to cover both areas, send a student to get the Assistant Head of School (for discipline) or the school Nurse (for health), or call for assistance via the intercom Head of School - intercom 10, Front Desk – intercom 25, Nurse – intercom 13, Assistant Head of School - intercom 22, School-wide – intercom 87.

Transitioning between classes

- Students should be escorted to the Music and Art Rooms and the Computer Lab. At least for the beginning of school, student may also need to be escorted to recesses and lunch.
- Students should be observed in the hallway when moving between grade level classrooms.

AM & PM Breaks (10:00 – 10:25 & 12:30 – 12:55)

All students are required to complete at least one full lap around the field at each break. By requiring exercise at each break we hope to support their academic endeavors by filling their lungs with oxygen. Further we hope support their health and well being by instilling in them the benefits of regular exercise. Students may not complete 2 laps at one recess and then skip the lap at another recess. If it is necessary for faculty/staff to meet with a student, he/she must be allowed time during the recess to complete the fitness requirement.

- If you're scheduled for recess duty, be as punctual as humanly possible.
 - If you're unable to arrive on time, or cannot do your scheduled duty, you must arrange for someone to cover it for you.
 - If you will be out of the building (even for field trips), you must arrange in advance for someone to cover the duty.
 - On your way outside, get the box with the bell and sticks, as well as a radio (located in Front Office).
- There must be 2 adults outside before allowing students to cross to the field.
- An adult must cover the crosswalk at all times.
- When necessary remind students:
 - to complete at least one lap
 - to stay out of the woods, bushes, the trees
 - to keep their shoes on at all times

- to 'play nicely like good little children should'
 - 2-hand touch for football; no tackling
 - no checking in soccer
 - keep hands to themselves even if they're just playing
 - put all trash, recyclables, and/or redeemables in the proper receptacles
 - share and return all sports equipment to the front hall
 - no more than 2 balls in the rink at a time
- Dress for the weather. AM & PM breaks will be outside unless it is raining.
 - Generally, students may not pick up snow, however exceptions are often made for constructing snow sculptures.
- Community Room, Café / Restrooms:
 - Students may go inside to use the restroom at either AM or PM breaks. They should use the restrooms in the front hall only.
 - At AM break only, students may go inside to buy a snack at the café, and they must go outside immediately following their purchase.
- Students may work in a classroom only w/teacher permission and teacher supervision.
- Students may work with teachers to make up work/tests, etc., but they are still required to meet the minimum fitness requirement (minimum of 2 laps/day).
- Students may use toys, cards, sports equipment, books, etc. during AM & PM breaks, but these items may not be used during Community Meeting, lunch, or while walking down the hall.

At Lunch:

- Sit with students at their assigned grade level tables - one adult per table.
- During lunch service, remind students to be patient, take their turn, say "please" and "thank you," and stay in line. Saving places in line, cutting, or allowing someone else to cut are not allowed.
- At the salad bar, encourage students to take only what they're going to eat, to scoop up items slowly/neatly, and to remember to 'take a little and leave a lot'.
- At the lunch table, remind students about proper etiquette, good table manners, cleaning up after themselves, helping each other as needed, etc.
- Students should sit at their assigned tables. The saving of seats is prohibited.
- Require that students ask permission of an adult before leaving the table to go to the café or restroom.
- Students may not go to other tables to talk to their friends. Most conversations can wait until students are dismissed to recess.
- Students should not return to the classrooms during lunch. They may return lunch boxes, etc. when they are dismissed to recess.
- Parents, siblings, etc. are welcome to join students for lunch. Students may be moved to other tables as needed to accommodate guests.
- Remind students to clean up any spills/crumbs. Students must wait to clear their trays/trash until a teacher dismisses them after announcements.
- Before dismissing students to recess, check that the table is clean and the chairs are stacked (3-4 high).

Dismissal Duty (3:15 – 3:30)

- Be as punctual as humanly possible. The safety of the students depends upon it!
 - If you're unable to arrive on time, or cannot do your scheduled duty, you must arrange for someone to cover it for you.
 - If you will be out of the building (even for field trips), you must arrange in advance for someone to cover the duty.
- Dress for the weather. There are a few umbrellas in the front hall.
- Areas to supervise: crosswalk, turn-about, area between stairs and turn-about, parking lot at the far side of the tree
- If you're the first person outside, cover the crosswalk.
- Help the traffic to keep moving through the turn-about by signaling drivers to go around again if the student is not outside yet.
- This is not usually a good time to talk with parents. Ask that they schedule an appointment to speak with you if they want/need more of your attention than you can give while supervising. The safety of the students is the priority when on dismissal duty.
- Parents may park and wait for their children instead of going in circles in the turn-about or waiting in the long pickup line. No one should park in the turn-about.

After School

- Be available for parents/students/colleagues
- Remain in the building until at least 3:30. Close all window, turn off all lights.
- Ensure that your classroom is neat, clean, and organized before you leave for the night (no papers, etc. on the floor, chairs up on tables, windows closed, computers shutdown, air conditioning/heat shut-off)
- If you're the last one to leave, check that windows are closed, all alarmed locations are ready, and set alarm.

To keep in mind:

1. Treat everyone with dignity and respect. Be fair, firm, and consistent. Clear expectations and predictable consequences combined with proximity control and praise are useful components in managing student behavior. The best discipline/classroom management strategy is a well-planned and engaging lesson.
2. At MCCPS, faculty/staff trust students until they give us reason not to. So, before assuming that a student is behaving inappropriately, ask him/her "Do you have permission to do what you're doing?" Follow up when necessary.
3. If you promise a punishment/reward, then do it. Do not issue threats, instead offer students choices. For example, say, "If you continue to do such and such then you are choosing to"
4. Helping students learn to behave appropriately in various situations is at the core of the MCCPS discipline protocol.

- Commendations – We make every effort to “catch kids being good.” If a student goes above and beyond, does something that needs doing without being told, or exemplifies excellent behavior in a difficult situation, you may issue a commendation to acknowledge the student’s good choice/behavior.
- MCCPS Rule 230 – Useful in many situations. Say to the student, “If everyone was doing what you’re doing would that be ok?” If the answer is yes, then it’s probably ok for the student to continue. If the answer is no, then he/she shouldn’t be doing it.
- MCCPS Hands-off Policy – This policy prohibits physical interactions that could be harmful or that could lead to harm. Also,
 - Pretending to fight/hit is not allowed.
 - For football – Students should play 2-hand touch instead of tackling.
 - For soccer, no checking/full contact is allowed.
 - A hug, handshake, pat on the back, high five or similar physical interaction is ok, however public displays of affection should be discouraged.

5. Most of us who pursue education as a career do so because we love the children and the work. As faculty/staff, we may be friendly with students, but we are not their friends. Maintaining the line between student and faculty/staff, child and adult is very important.

6. Rarely are situations simply black and white. Avoid the use of superlatives like “always” and “never” when addressing student behavior.

7. Historically, students have enjoyed attending MCCPS. Through our interactions with them we demonstrate that they are liked, their ideas are valued, and their efforts are appreciated. Faculty/staff thank students frequently, apologize when a mistake has been made, and offer support/assistance continually.

Exhibition Info

Notes on Exhibition Night:

- Employees are required to be in attendance from 6:00pm-8:30pm
- Employees should park in tandem at the furthest part of the main lot (by loading docks).
- Employees shall be dressed in a professional manner (which may include a costume), including a school name-tag.
- A “Post Exhibition” gathering at a local establishment will be planned. Everyone is welcome to attend.

Notes on Exhibition Part 2 – *the morning after*:

- Everyone gathers in the gym, and students may sit where they chose. Faculty/staff should be spread out among the students.
- Breakfast service begins at 7:30, as usual, but is served in the gym.
- The whole school presentations begin at 8:45 and end at 10:00. Students will go to recess from 10:00-10:25, and the viewing of projects/visiting of classrooms will begin at 10:30. Half the student in each grade level will go to their stations to present while the other half of each grade level will move throughout the building visiting the projects/performances that interest them. At 11:15 the students will switch. Those who were visiting will present, and those who were presenting will visit. During this period all faculty, staff, and administrators should be actively involved in supervising an area or viewing projects/presentations.
- Parents/guardians and guests/alums are welcome.

- Students may arrive up to one hour late on the morning following an Exhibition (by 8:45).
- Employees (per the schedule below) may arrive up to one hour late (by 8:30) on the day after an Exhibition.
 - After 1st Exhibition - last name begins with A-H
 - After 2nd Exhibition - last name begins with I-P
 - After 3rd Exhibition - last name begins with Q-Z

Wellness Policy

MCCPS is committed to nurturing an environment that promotes life-long wellness. We recognize that adopting a healthy life-style and achieving long-term health require each of us to make healthy food choices, get appropriate amounts of physical activity, and maintain a healthy weight. MCCPS faculty and staff are committed to encouraging the adoption of a healthy life-style for all students, and we will be continually conscious of our influence as adults.

Meals:

The MCCPS Food Service Department will meet or exceed the federal meal standards for all meals sold during breakfast and lunch. Foods sold at the school store/fundraisers and foods offered in the classroom or during special activities/celebrations may or may not meet the federal standards.

Fitness:

At MCCPS, physical activity is an integral part of the day and the curriculum. Expectations for physical activity will meet or exceed the standards set by the MA Health Frameworks and the National Standards for Physical Education (NASPE).

A. NUTRITION EDUCATION GOALS

The primary goal of nutrition education at MCCPS is to expose the students to healthy eating habits, to enable them to consume a wide variety of nutritious foods, and to encourage them to adopt healthy behaviors.

Education within the classroom

- The MCCPS health education curriculum standards and guidelines will include nutrition, physical education, and recess.
- Students in all grades will receive nutrition education that is interactive and that teaches them the skills they need to adopt healthy eating behaviors (per the guidelines in MyPyramid.gov, Massachusetts Food and Beverage Standards, and the American Dietary Association).
- Nutrition education will be offered in the school dining area (Community Room) and in the classrooms (given coordination between the food service staff, school nurse, and the teachers).
- Students will receive positive nutrition messages that will be re-enforced throughout the school.
- Nutrition education outside the classroom will link classroom nutrition education to the larger school community through Enrichment programs and interactive Community Room nutrition education.
- Marketing and promotions will be consistent with MCCPS nutrition education and the school's wellness standards.

Education of Teachers and Food Service Staff

- Teachers responsible for integrating nutrition into the core curricula will be made aware of courses on integrating nutrition and physical activity across the curriculum.
- Teachers will receive nutritional guidelines for food consumption during classroom/related activities.
- Food service staff will be trained on food preparation, food safety standards, and how to prevent and/or respond to any food emergency.
- Food service employees responsible for food preparation will be supervised by a manager with ServSafe certification (as mandated by state health codes).
- The Food Service Director will participate in regional and state organizations to stay current on regulations and school nutrition guidelines.
- Professional development training will be offered in the area of nutrition education for all interested MCCPS faculty and staff.

B. PROGRAM GOALS

MCCPS shall ensure that reimbursable meals meet or exceed the standards set forth by the National School Lunch Program (NSLP) and the 7CFR part 210 and part 220 (Code of Federal Regulations, US Dept. of Agriculture).

- All food and beverages sold or served to students during school and at events or fundraisers should adhere to the expectations of the MCCPS Nutrition Department and Wellness Policy.
- Nutrient dense food items will be encouraged: whole grains, fresh fruits, and vegetables. Fats, trans-fats and products high in sugar will be discouraged. MCCPS will particularly try to omit processed foods and items containing high fructose corn syrup.
 - Students will be exposed to “whole and fresh” products in an effort to fuel their bodies and brains.
 - Students will learn that whole products eaten as part of a well balanced diet can help them to focus better in the classroom and curb behavioral problems (ie. a diet high in protein and low in sugar).
- Faculty, staff, and parents will be encouraged to recognize that some food products have little or no nutritional value and will be encouraged to set a good example by minimizing consumption of these foods. Drinking fountains will be available in the school, and students may bring water bottles to class, so that they can drink water throughout the day.

Food products

- Free fruit will be available to students and faculty/staff daily.
- Food will not be used as a reward.
- Students may purchase items from the MCCPS Food Service during breakfast, recess, lunch, after school, and during certain school events and activities.
- All food items sold as a fund-raiser, at a school sporting event, or provided by the PTO should encourage a healthy life-style.
- A nutritious snack will be given to all students before MCAS testing.
- Foods available to students will meet the Hazardous Analysis Critical Control Point (HACCP) guidelines.

Reimbursable meals

- All food products served at breakfast and lunch will meet ADA, USDA, and NSLP guidelines, and nutrient dense food items will be provided at meals and snack.
- All families will be provided with information on free and reduced-priced meals (with confidential outreach as needed).

- Children eligible for the free and reduced-priced meals will have the opportunity to participate (confidentially) in the National School Lunch and Breakfast Programs.
- Information on food and nutrition services (such as Food Stamps and WIC) will be available.
- Portion size will conform to USDA and ADA guideline.

Time/Place to eat

- Provided that students arrive to school on time, they will have at least 10 minutes to eat breakfast.
- Students will have at least 20 minutes to eat lunch, exclusive of time in the food serving area.
- Students will be encouraged to eat during meal times. In the event that any faculty/staff member notices a student avoiding eating or demonstrating a pattern of unhealthy habits, this concern will be brought to the attention of the school nurse.
- All students will have access to food during meal times. If a student forgets/loses his/her money, food will be provided to him/her when the situation is brought to the attention of the food service staff. If appropriate, an IOU will be forwarded to the student's parent.
- The schools will provide a clean, safe, and student-friendly dining environment for students, faculty/staff, and guests.
- The school will provide adequate space/serving areas to ensure that all students have access to school meals with minimum wait time.

Vendors

- Contracts will be held only with vendors who meet ADA and MCCPS Nutrition Department guidelines.
- Information on all food products served by the MCCPS Nutrition Department will include minimum fat/calorie and sugar/carbohydrate contents.
- Any food items containing allergens will be clearly marked, and the food service staff will be informed.

C. COMPETITIVE FOOD AND BEVERAGE NUTRITION GOALS

The MCCPS Nutrition Department has established standards to address all food and beverages sold or served to students. These guidelines have been informed by the Department of Elementary and Secondary Education and USDA. This includes food and beverages available outside of the school meal programs, including dances, sporting events, celebrations, and birthdays.

- Nutrition labels and ingredients should be available at the point of distribution to avoid allergic reactions.
- The Nutrition Department will publish a list of recommended items for celebrations/birthdays.
- Food items should be peanut free/tree nut free.

Foods sold for fundraising activities, sporting events, and dances

- Fundraising should comply with all MCCPS policies, including the Wellness Policy.
- Items should encourage "healthy" habits and reinforce a positive nutrition message.

Foods served during classroom parties, activities, and celebrations

- Any party or celebration should be coordinated in advance with the teacher or room parent.
- Parents should be aware of student allergies and should avoid providing foods that may cause allergic reactions.
- Healthy choices will be encouraged for parties, activities, and celebrations.
- Items should be nutrient dense, low in sugar, additives, and preservatives and should include minimum fat/calorie and sugar/carbohydrate content.

- Food projects that are connected to the curriculum are exempt from the Wellness Policy.

Nutrition guidelines

- The MCCPS Wellness Policy will be published as part of the Student/Parent and Faculty Handbooks. It will be available electronically on the MCCPS website.
- Decisions of the MCCPS Nutrition Department will be based upon the nutritional value of foods/beverages (and not on profit).
- Foods and beverages served during all-school celebrations should comply with the ADA and USDA guidelines and MCCPS Wellness Policy.
- Medically authorized/special diets are exempt from this policy.

MCCPS Wellness Policy Synopsis (Rev 8/11)

MCCPS is committed to providing an environment that enhances learning, including the development of lifelong wellness habits. The MCCPS Wellness Policy addresses foods in our school, nutrition education, physical education, and physical activity. Through this policy, MCCPS promotes behaviors that support a healthy lifestyle: the maintenance of a healthy weight, the making of healthy food choices, and the incorporation of appropriate amounts of physical activity.

The policy is intended to improve the long-term health and well being of the children in our care, and our practices have historically met or exceeded all federally regulated standards. In order to do what is in the best interest of the children, all adult members of our community are asked to foster a school climate that encourages healthy choices by serving as role models who are well informed and acutely aware of their influence as adults.

Following are the more common guidelines from the policy. The complete Wellness Policy is available on the school's website (MarbleheadCharter.org), in the Student/Parent Handbook, and in the Nutrition Office. Please contact Chef Wood at 781-631-0777 x14 with questions, comments, and/or suggestions.

Adults:

- All foods/drinks served/sold at the school for any reason must comply with the school's Wellness Policy. This includes meals, snacks, fundraisers, Enrichment, sporting events, dances, and other activities that are school-sponsored.
- All adults are asked to comply with the Wellness Policy standards, including faculty/staff, Enrichment instructors, volunteers, parents, and guests.
- All adults, including faculty/staff, volunteers, and visitors are encouraged to be aware of their food choices and their responsibility as role models.
- Adults should check with the nurse regarding students w/ food allergies before providing any food/drink during lessons, activities, Enrichment classes, etc.
- Unless special permission is granted by the Head of School or the Nutrition Director, all marketing, promotions, and fundraisers should adhere to the school's Wellness Policy.
- A list of ingredients or a recipe for all food/drinks served/sold at school should be available in order to check for allergens.
- A healthy alternative should be offered alongside any 'less healthy' item.

Students:

- Students in all grades will have access to nutrition education.
- Physical education will be offered to all students at all grade levels regardless of their physical or behavioral abilities.
- Water fountains will be available to all students.
- Students will be encouraged to eat during meal times, and their choices/habits may be observed/monitored by their teachers and/or the nurse. Students will be allowed a minimum of 10 minutes for breakfast and 20 minutes for lunch, exclusive of the serving line.
- All students will have access to food during meal times even if they forget their food or money. An I.O.U. book will be used to record purchases from the breakfast/lunch service (not the café), and a parent/guardian will be notified if an I.O.U. is not repaid. Disciplinary measures may be applied if I.O.U.'s are not repaid in a timely manner.
- Food will not be used as a reward or punishment.
- A nutritious snack will be offered to students before MCAS testing.

Recess:

- Students will have two recesses a day for 30 minutes each. The bell to end recess will ring at 10:25 & 12:55.
- Recess will be an extension of the school's physical education program and will include a physical fitness requirement for all students.
- Recess will not be used as a substitute for structured physical education instruction.
- Teachers may, at their discretion, use a portion of recess for class make-up, extra-help, and/or punishment.

Celebrations:

- Foods/beverages served during school hours for the purpose of celebrations (including classroom lessons/activities, Enrichment classes, achievement, birthday parties, etc.) should be coordinated in advance with classroom teachers and the nutrition staff and should comply with the Wellness Policy.
- The school strongly encourages the use of non-food items for the celebration of birthdays.

Food Allergy Administrative Guidelines

For

Marblehead Community Charter Public School (MCCPS)

Guidelines and Procedures

In order to minimize the incidence of life-threatening allergic (LTA) reactions, MCCPS will implement the following guidelines and procedures. Guidelines will be implemented for all school activities and after school activities including PTO events.

School Nurses

1. Make all efforts to provide full-time nurses. Because food-allergies are a health issue, potentially requiring the administration of prescription medicine (Epinephrine) in the event of an allergic reaction, the presence of a full-time nurse in each school is critical.
2. Each school Principal/nurse will serve as the lead resource in the school regarding the implementation of the guidelines in that school. The School Nurse will serve as an invaluable medical and guideline resource for other school personnel who are responsible for various aspects of the guidelines, not only in emergency situations but also on an ongoing basis.
3. Nurses will only use latex free gloves.

Allergy Emergency Action Plans

1. The school will maintain an Allergy Emergency Care Plan (AECP) for any student identified with a potentially life-threatening allergy. An Allergy Emergency Care Plan (AECP) is a separate document, which includes the student's name, the allergen(s), the warning signs and symptoms, what to do in case of an emergency, phone numbers of parents, doctors, and allergists.
2. The school nurse and school principal/designee in conjunction with the student's parent(s)/guardian(s) and the primary care provider/allergist, will help prepare an AEAP for any student identified with an allergy that substantially limits a major life function. The AEAP will be updated and reviewed annually by the school nurse, the principal, the student's parent(s) and primary care provider and/or allergist.
3. The AEAP will be available in the nurse's office.
4. The EpiPen will be stored in the Health Office. If the student carries his/her EpiPen it is recommended that it have the AEAP attached.

Training/Education for School Personnel

1. MCCPS will provide training and education on the food allergy guidelines and procedures for educational support personnel, including, but not limited to staff, student teachers, and substitutes.
2. MCCPS will provide the training which will include, but not be limited to
 - A description/definition of severe allergies and a discussion of the most common food, medication, latex and stinging insect allergies;
 - The signs and symptoms of anaphylaxis;
 - The correct use of an EpiPen;
 - Specific steps to follow in the event of an emergency;
 - The storage and placement of individual EpiPens and AEAPs;
 - The purpose and contents of the AEAP plans.
3. The Nurse and/or the Head of School and/or their designees will schedule the training and implement training for all appropriate employees at the start of the school year in addition to follow-up training as needed.
4. The Head of School, in consultation with the school nurse, will notify all staff, student teachers and parents about the nature of life-threatening allergies.
5. This notification will include an explanation of the severity of the health threat and a description of signs and symptoms of which to be aware. A required meeting will be held with the administration, teachers, and the school nurse, to discuss the various aspects of the allergic child's AEAP. All efforts will be made to complete these meetings at the start of the school year.

Student and Parent Education

1. Our goal with building-based education will be to raise the level of awareness about the problem of life-threatening allergies, in order that we might create a safe environment for learning for children with serious allergies. Building-based education might include:
 - PTO workshop on Food Allergies;
 - For curriculum based food activities, teaching staff will consult with the school nurse.
 - Delivering classroom literature on allergy education/awareness.
2. The school will encourage activities to be food-free. Classroom activities involving food should follow the School Committee's Wellness Policy and applicable guidelines. The school nurse must be notified at least two weeks before such activity.

Cafeteria Protocol

All cafeteria protocol's should include the following but not limited to the following.

- A monitoring system for the LTA children, as needed.
 - An inclusive dining experience for the LTA children.
 - All students and staff will be encouraged to wash their hands after lunch.
1. Cafeteria Tables and Seating
 - Examples of Cafeteria tables/seating protocols in the middle schools currently
 - A peanut free table will be provided as needed
 - o This table will be monitored by supervisory and cafeteria staff.
 - o These tables will be designated by a unique symbol or sign. (FAAN sign)

- o These tables will be cleaned prior to the beginning of each lunch session and again at the end of the lunch session.
- 2. School Staff will encourage “NO FOOD TRADING” AND “NO UTENSIL SHARING” PRACTICES in all schools with particular focus at the elementary and middle school level.
- 3. Food service employees will only use latex free gloves.
- 4. The Food Services Director, will assure that cafeteria managers will be trained how to read product labels to recognize food allergens.
- 5. The Food Services Director will check allergy alerts from FAAN on a regular basis via email.
- 6. The Food Services Director will contact manufacturers to ensure that all food sold in the schools have ingredient labels. Ingredient labels will be accumulated by the Food Services Director to maintain on file.
- 7. The Food Services Director will limit the purchase and distribution of food containing peanuts and tree-nuts since they are the most life-threatening allergens.
- 8. All cafeteria staff will have knowledge of food prep (re: cross contamination.)

Classroom protocol

- 1. Food-related activities should be discouraged in the classrooms.
- 2. Food related activities require special thought and preparation and should only be undertaken when the teacher and Principal determine that there is educational value. In such cases, the activity and session must be prepared in cooperation with the school nurse, and a two week notice is required.
- 3. All restrictions regarding foods for consumption also apply to materials used for classroom projects. For example, any organic materials, such as play dough, bird seed, clay etc. should be used with caution and in consultation of the school nurse. Special care should be taken when using recycled materials such as milk containers, etc. since trace amounts of foods previously contained in these materials may be present.
- 4. All students and staff will be encouraged to wash their hands after eating and/or handling food in the classroom.
- 5. In certain circumstances, an EpiPen and AEAP will travel with the child between classes, to the playground, to the gym, and field trips at the parent’s request.
- 6. The school will provide all classrooms with a working 2-way intercom and/or telephone for quick communication with the school nurse in the event of an allergic reaction.
- 7. The staffing providers of teacher substitutes will train their staff on allergies and the proper use of the EpiPen.

PTO and other after school Events

- 1. All events serving food will be encouraged to provide only foods that are peanut and tree nut free.
- 2. Post signage if foods contain any of the eight common allergens: peanuts, nuts, Milk, eggs, gluten, soy, fish and shellfish.
- 3. When ordering food in for an event from local restaurant/caterer volunteers should ask for ingredients, and indicate foods should be free of peanut and tree nut products. (Examples of foods that may contain peanuts: pizza, chili, egg rolls)

Protocol for Lunch Clean up

- 1. Food Services Director and/or manager in charge prior to the start of each lunch shift or after other uses of the cafeteria, will establish a procedure to
 - a. thoroughly clean allergen-free tables and chairs, and
 - b. sweep the floors under and around allergen-free tables and chairs
- 2. Separate disposable cloths and cleaning solution should be used on the allergen-free tables
- 3. All soaps and cleaning solutions need to be allergen-free and approved by the school district.
- 4. All schools will only use latex free gloves.

Field Trip Management

1. Whenever students travel on field trips for school, a clear plan to activate Emergency Medical Services (911) should be developed for and reviewed by all teachers and chaperons. Teachers leading the field trip should bring with them the procedure for contacting EMS. This must include the local emergency response number for the area since 911 does not patch to the local emergency response center.
2. Field trips need to be chosen carefully; no child should be excluded from a field trip due to the potential of unavoidable allergen exposure.
3. The AEAP, EpiPen and medication orders accompany the allergic student on all field trips.

Transportation

Bus companies will be encouraged not to distribute food on the school bus.

Emergency Response Protocol

1. The Assistant Head of School is responsible for creating a system-wide emergency plan for addressing life-threatening allergic reactions. This plan will be included in all food-allergy training for employees and will be posted in the appropriate public places. This plan shall identify personnel who will:
 - a. Remain with the student
 - b. Assess the emergency at hand
 - c. Refer to the student's AEAP
 - d. Administer the EpiPen
 - e. Contact Emergency Response personnel (ex: 9-1-1, EMTs); when placing the call, specify that ALS (Advanced Life Services) are needed because of an allergic reaction and indicate the number on the school's outside door closest to the student
 - f. Send someone to meet the Emergency Response personnel
 - g. Notify school administration
 - h. Attend to student's classmates
 - i. Accompany student to emergency care facility
 - j. Notify the parent or guardian

The plan should also identify someone (usually the student's teacher and/or nurse) who will assist the student's re-entry into school.

2. EpiPens that have been administered should be given to the EMTs upon their arrival. The EMTs will either take the EpiPen with them for potential evaluation by the Emergency Room staff or they will provide instructions for proper disposal.

EpiPen Protocol

1. Whenever an EpiPen is administered, an Emergency Response unit (ex: 911) will be notified and called to the scene. Emergency personnel will evaluate the student and determine the appropriate action.
2. EpiPens (those belonging to the school and those prescribed to the students) will be available in the nurse's office and in other clearly designated locations as specified in the children's 504 plans. For example cafeteria
3. All EpiPens will be stored in an approved school container. For example, an easily identifiable red bag.
4. All EpiPen management and training will be the responsibility of the building nurse. This will include monitoring EpiPen expirations and replacements.

D. PHYSICAL ACTIVITY PROGRAM GOALS

The primary goal of the MCCPS fitness program is to provide opportunities for every student to maintain physical fitness, participate in regular physical activity, and understand the short-and-long term benefits of a physically active and healthy lifestyle.

Physical education instruction

- All classes will be aligned with the Massachusetts Curriculum Frameworks and the National Standards for Physical Education from AAHPERD (ADF-2).
- Physical education will be required as a course of study for all students at every grade level regardless of physical or behavioral abilities.
- The physical education teacher will be certified through the Massachusetts Department of Elementary and Secondary Education (DESE).
- Professional development/training will be provided to faculty/staff in order to enable them to promote an appreciation for lifelong physical activity among students.
- Physical activity will be integrated into the academic curriculum by the classroom teachers when possible.
- Students will be given the opportunity for additional physical activity via a variety of Enrichment activities, intramurals/interscholastic athletics, and school events (Children's Island, ski trips, etc).
- MCCPS encourages parents and guardians to support their children's participation in physical activity, to be physically active role models, and to include physical activity in family events.
- Walking/biking to school will be encouraged.
- Physical activity facilities on school property will be available to students and the community for approved after school programs.

Physical activity during recess

- Students will have two 30-minute recesses per day.
- All students will walk/run at least one lap around the field at each recess each day (approximately ½ mile per day).
- Recess will not be substituted for Physical Education classes.
- Efforts will be made to involve students in physical activity during recess.
- A student's behavior may result in his/her partial loss of recess for the day (as a punishment or to make up class time/work).

E. MEASUREMENT AND EVALUATION

Community/ family involvement

- MCCPS will communicate regularly with families regarding health and nutrition topics (via the MCCPS school newsletter and website).
- Parents, teachers, food service personnel, the nurse, school administrators and community members will be encouraged to participate on health and fitness committees.

Monitoring and evaluation

- Compliance with the MCCPS Wellness Policy will be monitored by the Nutrition Director and the nurse. Concerns will be communicated to the Assistant Head of School and/or the Head of School.
- The MCCPS Food Service Department will form a Wellness advisory group that includes teacher, parent, and student involvement.
- The Center for Disease Control School Health Index Self-Assessment and Planning Guide will be used as an ongoing assessment and evaluation tool.

<https://docs.google.com/a/marbleheadcharter.com/document/d/1R6awRZIIzs6v9Mj1Nr-wTgzfGKypJRS3ORlaZEM9-NI/edit?usp=sharing>

LEGAL REF: Sections 204 of Public Law 108-265 June 30, 2004, Child Nutrition and WIC Reauthorization Act of 2004 (ADF-R)
The Richard B. Russell National School Lunch Act, 42 U.S.C. 1751-1769h
The Child Nutrition Act of 1966, 42 U.S.C. 1771-1789
USDA: HACCP

Cross Reference: JJE, IHAM, KHA, EFC, KHB

References:

www.cdc.gov/nccdphp/dnpa/bmi/index.htm: Center for Disease Control Body Mass Calculator for Adults, Teens, and Children with Interpretations of BMI

www.cdc.gov/HealthyYouth/: CDC's Division of Adolescent and School Health (DASH)

seeks to prevent the most serious health risk behaviors among children, adolescents, and young adults. Link to School Health Index tool for assessing coordinated school health programs.

www.dese.mass.edu/cnp/: MA Department of Elementary and Secondary Education Child Nutrition Programs

www.mypyramid.gov/: Guidelines for healthy eating and physical activity

www.fns.usda.gov/tn/: Team Nutrition is an initiative of the USDA Food Nutrition Service to support the Child Nutrition Programs through training and technical assistance

www.aahperd.org/NASPE/: The National Association for Sport and Physical Education (NASPE) is a non-profit professional organization comprised of individuals engaged in the study of human movement and the delivery of sport and physical activity programs.

RECRUITMENT & RETENTION PLAN

MCCPS ensures program access and equity for all students. Information in multiple languages is available, open houses include faculty, parents, and students, and tours and/or meeting with the Head of School, Director of Special Education, or others are arranged when requested. All children and families are welcome at MCCPS.

Recruitment Plan	2014 – 2015
Implementation Summary: All 2013-2014 Recruitment Plan strategies were carefully and successfully implemented, and a higher than usual number of applications were received. All strategies were implemented in a time sensitive manner with specific regard to lottery application deadline, open house dates, and the general enrollment period. According to CHART, MCCPS enrolls fewer limited English speakers than Marblehead Public Schools, but the percentage of low income students and students with disabilities is higher at MCCPS. The 2014-2015 Recruitment Plan will continue to implement all current recruitment strategies, and will include further steps designed to interest the parents of LEPs. These additional steps will include advertising the enrollment process and admissions procedures (in English, Russian, Spanish and French) to an even broader audience via newspapers in Peabody/Danvers and Gloucester.	

General Recruitment Activities - intended to reach all students	
Information regarding the school, the application period, and open houses will be mailed to the parents of all Marblehead 3rd graders. The MCCPS Enrollment Policy and Procedures will be available on the school's website, and a paper copy will be provided, when requested. The school will host 3 open houses (1 weekday evening, 2 Saturdays) designed to provide information about the school and its programs, the faculty/staff, students, and parents, and the extracurricular/enrichment opportunities that are available. The school will advertise the open houses and the enrollment/application timeline in local newspapers (Marblehead, Swampscott, Salem, Lynn, Nahant, Peabody/Danvers and Gloucester). The enrollment period and open houses will be advertised on MHTV. Tours for parents/families (in addition to the open houses) will be provided when requested. The enrollment period and open houses will be advertised in the school's weekly newsletter, <i>MCCPS Highlights</i>, which will also be emailed to currently enrolled families. All meetings, documents, and advertisements will communicate a sense of welcome for ALL students. Per <u>M.G.L. c. 71 § 89 (1)</u>, MCCPS will not make statements in writing, in meetings, on tours, or during open houses that are intended to discourage, or that have the effect of discouraging, students with disabilities, students with limited English proficiency, or any other protected group of students from submitting an application to the School.	

Recruitment Plan –Strategies	
Demographic Group	Strategies

Special education students MCCPS enrolls a higher percentage of special education students than Marblehead Public Schools. MCCPS = 16.1% District = 11.3%	Goal: demonstrate a good faith effort to attract and retain a percentage of students with disabilities comparable to the percentage enrolled in the Marblehead Public Schools. Strategies: - A special educator or the Director of Special Education will be present at each open house to answer questions. - The Director of Special Education will be available to meet with parents when requested. - All enrollment/recruitment information that is sent to parents/posted on the school's website will be non-discriminatory, will communicate that children with disabilities are welcome, and that will be supported at MCCPS. - Members of the Special Education Parent Advisory Council will be encouraged to attend the open houses in order to answer questions.
Limited English-proficient students MCCPS enrolls a lower percentage of LEP students than Marblehead Public Schools. MCCPS = 0% District = 0.7%	Goal: demonstrate a good faith effort to attract and retain a percentage of LEP students comparable to the percentage enrolled in the Marblehead Public Schools. Strategies: - All enrollment/recruitment information that is sent to parents/posted on the school's website will be non-discriminatory, will communicate that LEP students are welcome, and that will be supported at MCCPS. - Applications will be available in several languages, including English, Spanish, French, and Russian. - Translators will be provided to parents as needed. - Print ads will include text that welcomes LEP students. - Flyers in English and Spanish advertising the school and the application process will be distributed in Salem & Lynn. - Information about MCCPS and the admissions process will be placed in local newspapers in English, French, Spanish, and Russian, including Marblehead, Swampscott, Salem, Lynn, Peabody/Danvers, and Gloucester.

Students eligible for free or reduced lunch MCCPS enrolls a higher percentage of low income students than Marblehead Public Schools. MCCPS = 8.7% District = 6.1%	Goal: demonstrate a good faith effort to attract and retain a percentage of students who are eligible for free or reduced lunch that is comparable to the percentage of eligible students who are enrolled in the Marblehead Public Schools. Strategies: 1. All enrollment/recruitment information that is sent to parents/posted on the school's website will be non-discriminatory, will communicate that MCCPS does not discriminate for any reason, and will encourage students who are eligible for free or reduced lunch to apply. 2. The application for free/reduced lunch will mailed to all families as part of the summer mailing, and it will be posted on the school's website at http://marbleheadcharter.org/files/free_reduced.pdf 3. The availability of scholarships for fieldtrips and other school activities will be included in promotional information about the school.
Students who are sub-proficient	Goal: demonstrate a good faith effort to attract and retain a percentage of students who are struggling academically that is comparable to the percentage of struggling students who are enrolled in the Marblehead Public Schools. Strategies: 1. All enrollment/recruitment information will be non-discriminatory, will communicate that sub-proficient students are encouraged to apply, and that programs are in place to support them. 2. Enrollment info will include descriptions of staffing (including inclusion specialists and teaching assistants at each grade level), class size, student to teacher ratio, and the availability of additional instruction in math and writing, Homework Club, and summer school. 3. Student growth as demonstrated by the MCAS tests will be communicated via the school's website. 4. Efforts to support all learners will be communicated to parents and the community and posted on the school's website. 5. Parents will be notified as soon as possible when concern arises about academic performance. 6. An Academic Probation Plan will be created to address the needs of individual students who are in danger of not passing.
Students at risk of dropping out of school	Goal: demonstrate a good faith effort to attract and retain students who are at risk of dropping out of school. Strategies: Faculty, staff, and/or administrators will be available to meet with parents and students as needed to identify and implement appropriate supports, including academic, social/emotional, and/or health.

Students who have dropped out of school	Goal: demonstrate a good faith effort to attract and retain students who have dropped out of school. Strategies: Faculty, staff, and/or administrators will be available to meet with parents and students as needed to identify and implement appropriate supports, including academic, social/emotional, and/or health.
Other subgroups of students who should be targeted to eliminate the achievement gap	Goal: demonstrate a good faith effort to attract and retain subgroups of students who should be targeted to eliminate the achievement gap. Strategies: Faculty, staff, and/or administrators will work together continually, using data, observations, anecdotal reports, and other relevant information to identify and support students who need additional assistance, instruction, or other supports in order to eliminate the achievement gap. 1. Additional instruction in math and writing will be provide to identified students. 2. Retired teachers and high-achieving students will tutor identified students. 3. Homework help will be available when requested or when required by a teacher.

Retention Plan 2014 – 2015
In order to better understand the reasons for attrition, the Board of Trustees established the Retention Task Force in the fall of ‘13. The group was charged with collecting data about students who left over the past few years. They learned that there are some reasons for student departures that MCCPS can do something about and some that are beyond the school’s control. For example, MCCPS cannot accommodate students who desire a larger student body. The lessons learned were presented to the Board and the HOS was charged with determining what actions to take as a result of the information. One recommendation identified the need for parents and students to know more about grades 7 and 8, so an Upper School Information Night was presented in May.

Overall Student Retention Goal	
Annual goal for student retention: 90%	Goal: Student attrition will be no more than 10% for reasons other than family displacement or geographical concerns.

Retention Plan –Strategies	
Demographic Group	Strategies

Special education students	Strategies: • The school will employ a Director of Special Education. • There will be a fulltime Inclusion Specialist at each grade level, • The Student Study Team and/or teachers will alert the Director of Special Education and/or the school counselor as soon as a need/concern arises • Teaching teams will meet with the Director of Special Education weekly
Limited English-proficient students	Strategies: • The school will employ a bi-lingual ELL Coordinator. • Teachers will be trained in SEI methods. • Materials will be provided in the home language as communicated via the <i>Home Language Survey</i>. • Systems of orientation, assessment, advising, registration, etc. will be kept simple/accessible to parents • Translators will be made available when needed • Student Study Team will address needs and will communicate concerns to the appropriate adults
Students eligible for free or reduced lunch	Strategies: • Student privacy will be protected. • Food choices will be monitored to ensure a healthy diet that supports learning.
Students who are sub-proficient	Strategies: • Administration, faculty/staff are expected to know all children and are responsible for all of the children. The students will be encouraged to go to any adult in the building for help. • Additional instruction will be provided as needed.
Students at risk of dropping out of school	Strategies: • The counselor will meet with students and parents as needed. • An Academic Probation Plans will be created when needed.
Students who have dropped out of school	Strategies: • The counselor will meet with students and parents as needed. • Outside services will be activated as needed.
Other subgroups of students who should be targeted to eliminate the achievement gap	Strategies: • A mentoring program will provide support for incoming 4th graders and new students.

DISCIPLINE

Effective discipline comes from the belief that teaching students to take responsibility for their behavior is more important than simply enforcing the rules.

Marblehead Charter is a place where children, parents, and educators work together to create an atmosphere that encourages and promotes learning. Educators at Marblehead Charter promote and implement a positive discipline plan that identifies and teaches behaviors allowing students to become effective problem solvers and decision makers. Each child is responsible for his or her own behavior choices.

Good discipline is essential for learning and should be based upon mutual respect for the rights and property of others, respect for those placed in positions of authority, and respect for fellow students. No one will be allowed to jeopardize the health, safety, or learning environment of a fellow student. At Marblehead Charter we expect our students (and your child) to show proper behavior at all times at school, in the community room, on the field, and on the way to and from school.

Many times, parents will be the first to hear about a problem. It is essential that parents contact the classroom teacher to report incidents of bullying. Marblehead Charter does not tolerate any type of bully behaviors and will take steps to remediating any incidents.

Students who choose to follow the rules are recognized in a variety of ways, including verbal praise and being acknowledged publicly through receiving written Commendations. Students who choose to disobey rules face consequences. The severity of the consequence is based upon the severity and/or frequency of the rule infractions.

Consistent, progressive discipline responses

- In general, disciplinary responses progress from less severe to more severe until the behavior improves.
- Disciplinary responses respect individuals, balance the interests of the school community, and minimize disruption of academic instruction. Responses must be logical, consistent, and instructive.
- Consequences can include classroom redirection, loss of recess, assignment to clean up crew, Student Behavior Referrals, parent conference, and for more severe rule infractions, In-School Suspensions, Out-of-School Suspension and Expulsion.

Instructional approach to behavior and discipline

- Intervention and remediation strategies are used along with disciplinary responses.

- Student discipline data is systematically analyzed to inform policies and practices.
- Marblehead Charter staff communicate and model clear, high expectations for appropriate behavior for every person in the community.
- Marblehead Charter provide a range of disciplinary responses that hold students accountable when they do not meet expectations.
- Marblehead Charter staff work with students to correct misbehavior and prevent occurrences by re-teaching behavior expectations.
- Marblehead Charter staff enable and encourage students to reflect on their actions, learn from mistakes, and restore relationships that have been negatively impacted.

Summary of the Conflict of Interest Law for State Employees

This summary of the conflict of interest law, General Laws chapter 268A, is intended to help state employees understand how that law applies to them. This summary is not a substitute for legal advice, nor does it mention every aspect of the law that may apply in a particular situation. State employees can obtain free confidential advice about the conflict of interest law from the Commission's Legal Division. State agency counsel may also provide advice.

The conflict of interest law seeks to prevent conflicts between private interests and public duties, foster integrity in public service, and promote the public's trust and confidence in that service by placing restrictions on what state employees may do on the job, after hours, and after leaving public service, as described below. The sections referenced below are sections of G.L. c. 268A.

When the Commission determines that the conflict of interest law has been violated, it can impose a civil penalty of up to \$10,000 (\$25,000 for bribery cases) for each violation. In addition, the Commission can order the violator to repay any economic advantage he gained by the violation, and to make restitution to injured third parties. Violations of the conflict of interest law can also be prosecuted criminally.

I. Are you a state employee for conflict of interest law purposes?

You do not have to be a full-time, paid state employee to be considered a state employee for conflict of interest purposes. Anyone performing services for a state agency or holding a state position, whether paid or unpaid, including full- and part-time state employees, elected officials, volunteers, and consultants, is a state employee under the conflict of interest law. An employee of a private firm can also be a state employee, if the private firm has a contract with the state and the employee is a "key employee" under the contract, meaning the state has specifically contracted for her services. The law also covers private parties who engage in impermissible dealings with state employees, such as offering bribes or illegal gifts.

II. Applying for State Employment. (See Section 6B)

State agencies reviewing employment applications are required to request, and applicants for state employment are required to disclose, information about applicants' family members who are already employed by the state. Every applicant for state employment must disclose, in writing, the names of any state employee who is related to the applicant as spouse, parent, child, sibling, or the spouse of the applicant's parent, child, or sibling.

III. On-the-job restrictions.

(a) Bribes. Asking for and taking bribes is prohibited. (See Section 2)

A bribe is anything of value corruptly received by a state employee in exchange for the employee being influenced in his official actions. Giving, offering, receiving, or asking for a bribe is illegal.

Bribes are more serious than illegal gifts because they involve corrupt intent. In other words, the state employee intends to sell his office by agreeing to do or not do some official act, and the giver intends to influence him to do so. Bribes of any value are illegal.

(b) Gifts and gratuities. Asking for or accepting a gift because of your official position, or because of

something you can do or have done in your official position, is prohibited. (See Sections 3, 23(b)(2), and 26)

State employees may not accept gifts and gratuities valued at \$50 or more given to influence their official actions or because of their official position. Accepting a gift intended to reward past official action or to bring about future official action is illegal, as is giving such gifts. Accepting a gift given to you because of the state position you hold is also illegal. Meals, entertainment event tickets, golf, gift baskets, and payment of travel expenses can all be illegal gifts if given in connection with official action or position, as can anything worth \$50 or more. A number of smaller gifts together worth \$50 or more may also violate these sections.

Example of violation : A highway inspector allows a pavement contractor to buy him lunch every day during a two-month road repaving project.

Example of violation : An industry association provides a free day's social outing, including a barbecue lunch, golf, a cocktail hour, and a clam bake, to a group of legislators.

Regulatory exemptions . There are situations in which a state employee's receipt of a gift does not present a genuine risk of a conflict of interest, and may in fact advance the public interest. The Commission has created exemptions permitting giving and receiving gifts in these situations. One commonly used exemption permits state employees to accept payment of travel-related expenses when doing so advances a public purpose and a written disclosure is made. Another commonly used exemption permits state employees to accept payment of costs involved in attendance at educational and training programs. Other exemptions are listed on the Commission's website.

Example where there is no violation : A non-profit concerned with preventing domestic violence offers to pay the travel expenses of an assistant district attorney to a conference on prosecuting domestic violence cases. The attorney fills out a disclosure form and obtains prior approval from his appointing authority.

Example where there is no violation . A professional engineers' association offers a continuing education seminar of substantial value and waives the registration and materials fees for state employees who are engineers. The state engineers must make a disclosure only if the sponsoring entities have official business before them during the six months before and after the seminar.

(c) Misuse of position. Using your official position to get something you are not entitled to, or to get someone else something they are not entitled to, is prohibited. Causing someone else to do these things is also prohibited. (See Sections 23(b)(2) and 26)

A state employee may not use her official position to get something worth \$50 or more that would not be properly available to other similarly situated individuals. Similarly, a state employee may not use her official position to get something worth \$50 or more for someone else that would not be properly available to other similarly situated individuals. Causing someone else to do these things is also prohibited.

Example of violation : A state employee writes a novel on work time, using her office computer, and directing her secretary to proofread the draft.

Example of violation : The commissioner of a state agency directs subordinates to drive her wife to and from the grocery store.

Example of violation : An assistant attorney general avoids a speeding ticket by asking the police officer who stops him,

"Do you know who I am?" and showing his state I.D.

(d) Self-dealing and nepotism. Participating as a state employee in a matter in which you, your immediate family, your business organization, or your future employer has a financial interest is prohibited. (See Section 6)

A state employee may not participate in any particular matter in which he or a member of his immediate family (parents, children, siblings, spouse, and spouse's parents, children, and siblings) has a financial interest. He also may not participate in any particular matter in which a prospective employer, or a business organization of which he is a director, officer, trustee, or employee has a financial interest. Participation includes discussing as well as voting on a matter, and delegating a matter to someone else.

A financial interest may create a conflict of interest whether it is large or small, and positive or negative. In other words, it does not matter if a lot of money is involved or only a little. It also does not matter if you are putting money into your pocket or taking it out. If you, your immediate family, your business, or your employer have or has a financial interest in a matter, you may not participate. The financial interest must be direct and immediate or reasonably foreseeable to create a conflict. Financial interests which are remote, speculative or not sufficiently identifiable do not create conflicts.

Neither general legislation nor home rule legislation are "particular matters" for purposes of the conflict of interest law. A state employee can participate in general legislation and home rule legislation even if she has a financial interest in such legislation, but state legislators and constitutional officers must file a disclosure if the matter will substantially affect their financial interests, and any state employee must file a disclosure if a reasonable person would think that the employee could be improperly influenced.

Example of violation : The chief administrative officer of a state agency, who has a balance of 900 hours in accumulated sick leave, proposes a plan by which the agency will pay employees for accumulated sick leave.

Example of violation : An employee of the Massachusetts Cultural Council is also the director of a non-profit corporation dedicated to increasing art in public spaces. The non-profit applies to the Council for a grant, and the employee participates in rating the applications received for that grant.

Example of violation : A state employee promotes his son to a position under his supervision.

Example where there is no violation : Proposed legislation under consideration by the State Senate will amend the General Laws with respect to insurance coverage of ocean front property. A State Senator owns ocean front property in Cape Cod. The Senator can discuss and vote on the legislation because it is general legislation, but must file a disclosure because the legislation will substantially affect her financial interest.

A state employee whose duties do not require her to participate in a particular matter may comply with the law by simply not participating in the particular matter in which she has a financial interest. She need not give a reason for not participating.

An appointed state employee may also comply with the law by filing a written disclosure about the financial interest with his appointing authority, and seeking permission to participate notwithstanding the conflict. If a state employee's duties would require him to participate in a matter in which he has a financial interest, this is the procedure he should use. The appointing authority may grant written permission to participate if she determines that the financial interest in question is not so substantial that it is likely to affect the integrity of the employee's services to the state. Otherwise, the appointing

authority will assign the matter to someone else, or do it herself. Participating without disclosing the financial interest is a violation. Elected employees cannot use the disclosure procedure because they have no appointing authority.

Regulatory exemptions . The Commission has created exemptions permitting state employees to participate in particular matters notwithstanding the presence of a financial interest in certain very specific situations when permitting them to do so advances a public purpose. A person serving as a member of a state board pursuant to a legal requirement that the board have members with a specified affiliation may participate fully in determinations of general policy by the board, even if the entity with which he is affiliated has a financial interest in the matter. A state elected official may participate in a particular matter that involves a determination of general policy where her financial interest in the matter is shared with a substantial segment of the public, as defined in the Commission's regulation. Other exemptions are listed on the Commission's website.

Example where there is no violation: A state licensing board is required by its enabling legislation to have members with various specified affiliations, including members licensed by the board, and members involved in providing training required for licensure. Board members wish to participate in board discussions about imposing a continuing education requirement on licensees. Compliance with the proposed requirement will cost every licensee several hundred dollars per year. Board members who are licensees and who provide training required for licensure may participate in the determination of the continuing education requirement notwithstanding their financial interests in that matter, because it is a determination of general policy.

(e) False claims. Presenting a false claim to your employer for a payment or benefit is prohibited, and causing someone else to do so is also prohibited. (See Sections 23(b)(4) and 26)

A state employee may not present a false or fraudulent claim to his employer for any payment or benefit worth \$50 or more, or cause another person to do so.

Example of violation : A state agency manager directs his secretary to fill out time sheets to show him as present at work on days when he was skiing.

(f) Appearance of conflict. Acting in a manner that would make a reasonable person think you can be improperly influenced is prohibited. (See Section 23(b)(3))

A state employee may not act in a manner that would cause a reasonable person to think that she would show favor toward someone, or that she can be improperly influenced. Section 23(b)(3) requires a state employee to consider whether her relationships and affiliations could prevent her from acting fairly and objectively when she performs her duties for the state. If she cannot be fair and objective because of a relationship or affiliation, she should not perform her duties. However, a state employee, whether elected or appointed, can avoid violating this provision by making a public disclosure of the facts. An appointed employee must make the disclosure in writing to his appointing official.

Example where there is no violation : A state agency employee is engaged to be married to the owner of a business. The business owner submits a response to a request for proposals from the agency. A reasonable person could conclude that the employee might favor her fiancé's response. The employee files a written disclosure with her appointing authority explaining her relationship with her fiancé prior to the meeting at which responses to the RFP will be considered. There is no violation of Section 23(b)(3).

Example where there is no violation : The State House of Representatives is considering legislation which will create a general law that sets a maximum limit on insurance premiums paid by obstetricians. A State Representative is married to

an obstetrician who will be affected by the proposed legislation. The Representative can participate in the matter but files a disclosure of his wife's interest to eliminate any appearance of a conflict. There is no violation.

(g) Confidential information. Improperly disclosing or personally using confidential information obtained through your job is prohibited. (See Section 23(c))

State employees may not improperly disclose confidential information, or make personal use of non-public information they acquired in the course of their official duties to further their personal interests.

IV. After-hours restrictions.

(a) Taking a second paid job that conflicts with the duties of your state job is prohibited. (See Section 23(b)(1))

A state employee may not accept other paid employment if the responsibilities of the second job are incompatible with his or her state job.

Example : A state police trooper may not work as a paid private security guard in the area where he serves because the demands of his private employment would conflict with his duties as a trooper.

Example : A State Senator may not take a second position counseling clients on how to receive favorable consideration in the Massachusetts Senate.

(b) Divided loyalties. Receiving pay from anyone other than the state to work on a matter involving the state is prohibited. Acting as agent or attorney for anyone other than the state in a matter involving the state is also prohibited whether or not you are paid. (See Section 4)

Because the Commonwealth is entitled to the undivided loyalty of its employees, a state employee may not be paid by other people and organizations in relation to a matter in which the state has an interest. In addition, a state employee may not act on behalf of other people and organizations or act as an attorney for other people and organizations if the state has an interest in a matter. Acting as agent includes contacting the state in person, by phone, or in writing; acting as a liaison; providing documents to the state; and serving as spokesman.

A state employee may always represent his own personal interests, even before his own state agency or board, on the same terms and conditions that would apply to other similarly situated members of the public.

Section 4 applies differently to State Senators and State Representatives than it does to other state employees, because they must frequently act on behalf of their constituents. Section 4 allows State Senators and State Representatives to perform constituent services, but prohibits them from appearing personally before state agencies for compensation other than their legislative salaries except on ministerial matters such as filing tax returns, permit and license applications, and incorporation papers, and in state court proceedings and quasi-judicial agency proceedings.

Example of violation : A state employee makes inquiries to another state agency about an investigation that the second state agency is conducting of his wife.

Example of violation : A state advisory commission member participates in matters at his agency that affect

one of his private clients, and is compensated by the client for his work on its behalf.

Example where there is no violation : A State Senator is contacted by a constituent who has applied for benefits to a state agency, has not received a timely determination by the agency, and cannot get his calls to the agency returned. The Senator may call the agency on the constituent's behalf to inquire about the matter. The Senator's aide may also call the agency on the constituent's behalf to inquire about the matter without violating Section 4.

While many state employees earn their livelihood in state jobs, some state employees volunteer their time to the state or receive small stipends. Others may serve in a part-time state position which permits them to have other personal or private employment during normal working hours. In recognition of the need not to unduly restrict the ability of volunteers and part-time employees to earn a living, the law is less restrictive for these "special" state employees than for other state employees.

If a state position is a "special" state position, an employee holding that position may be paid by others, act on behalf of others, and act as attorney for others with respect to matters before state agencies other than his own, provided that he has not officially participated in the matter, and the matter is not now, and has not within the past year been, under his official responsibility, and is not pending before his own state agency.

Example : A part-time investigator for a state agency may work on her own time privately for a party litigating a case with a different state agency, provided that she has not participated in or had responsibility for the litigated matter in her state position.

(c) Inside track. Being paid by the state, directly or indirectly, under some second arrangement in addition to your job is prohibited, unless an exemption applies. (See Section 7)

A state employee generally may not have a financial interest in a state contract, including a second state job. A state employee is also generally prohibited from having an indirect financial interest in a contract that the state has with someone else. This provision is intended to prevent state employees from having an "inside track" to further financial opportunities.

Example of violation : A paid state employee accepts paid employment with a second state agency.

Example of violation : A paid state employee buys a surplus computer from his agency.

Example of violation : A state employee wants to work for a non-profit that receives funding under a contract with the state. Unless she can satisfy the requirements of an exemption under Section 7, she cannot take the job.

There are numerous exemptions. Some exemptions apply only to special state employees. Specific exemptions may cover State Senators and State Representatives, teaching and related activities in state facilities, serving as an uncompensated volunteer in a second state position, providing services to state agency clients, and other specific situations. Please call the Ethics Commission's Legal Division for advice about a specific situation.

V. After you leave state employment. (See Section 5)

(a) Forever ban. After you leave your state job, you may never work for anyone other than the state on a matter that you worked on as a state employee.

If you participated in a matter as a state employee, you cannot ever be paid to work on that same matter for

anyone other than the state, nor may you act for someone else, whether paid or not. The purpose of this restriction is to bar former employees from selling to private interests their familiarity with the facts of particular matters that are of continuing concern to the state. The restriction does not prohibit former state employees from using the expertise acquired in government service in their subsequent private activities.

Example of violation : A former state employee works for a contractor under a contract that she helped to draft and oversee for the state.

(b) One year cooling-off period. For one year after you leave your state job you may not participate in any matter over which you had official responsibility during your last two years of public service.

Former state employees are barred for one year after they leave state employment from personally appearing before any agency of the state in connection with matters that were under their authority in their prior state positions during the two years before they left.

Example : A state employee negotiates a three-year contract with a company. The manager who supervised the employee, and had official responsibility for the contract but did not participate in negotiating it, leaves her job to work for the company to which the contract was awarded. The former manager may not call or write the state in connection with the company's work on the contract for one year after leaving the state.

A former state employee who participated as such in general legislation on expanded gaming and related matters may not become an officer or employee of, or acquire a financial interest in, an applicant for a gaming license, or a gaming licensee, for one year after his public employment ceases.

(c) Partners. Your partners will be subject to restrictions while you serve as a state employee and after your state service ends.

Partners of state employees and former state employees are also subject to restrictions under the conflict of interest law. If a state employee participated in a matter, or if he has official responsibility for a matter, then his partner may not act on behalf of anyone other than the state or provide services as an attorney to anyone but the state in relation to the matter.

Example : An architect serves on the state Architectural Access Board, and is responsible for every matter that comes before the Board. While he serves, his partners may not submit architectural plans for any clients seeking a variance from the Board.

Example : A former state agency general counsel joins a law firm as a partner. Her new partners cannot represent any private clients in connection with matters she litigated for the state for one year after her job with the state ended.

Example : A professional engineer formerly employed by a state agency joins an engineering firm organized as a partnership. His new partners cannot appear before his former agency in connection with matters that he worked on for the state for one year after his job with the state ended.

(d) Legislative and executive agents. For one year after you leave your state job you may not act as a legislative or executive agent before your former agency.

Example of violation : The chief of staff of a State Senator leaves his position. Three months later, he contacts his successor to lobby on behalf of a client. *This summary, Version 7: Revised May 10, 2013, is not intended to be legal advice and,*

<https://docs.google.com/a/marbleheadcharter.com/document/d/1R6awRZlIzs6v9Mj1Nr-wTgzfGKypJRS3ORlaZEM9-NI/edit?usp=sharing>

because it is a summary, it does not mention every provision of the conflict law that may apply in a particular situation. You can find further information about how the law applies in many situations on Mass.gov. or you can also contact the Commission's Legal Division by telephone or by letter.

Acknowledgment of receipt/acceptance of the

MCCPS Faculty/Staff Handbook,
including the summary of the Conflict of Interest Law for state employees

Directions: Put a completed copy in the mailbox of the Assistant Head of School. Thank you.

My signature below indicates that ***I have access to and have read the current MCCPS Faculty/Staff Handbook.*** I understand that it is my responsibility to know, understand, and adhere to the contents of the current *MCCPS Faculty/Staff Handbook*.

Additionally, I acknowledge that ***I have received a copy of the summary of the conflict of interest law*** for state employees revised May 10, 2013 (included in the Faculty/Staff Handbook).

Further, I understand that although every effort has been made to include within the *Handbook* the necessary and useful information, descriptions, and expectations for the proper and reasonable functioning of the school, it should not be considered exhaustive. ***I understand that the Administration reserves the right to amend the contents of this handbook and/or revise school policies and/or procedures as needed.***

Name (please print)

Signature

Date