

New Liberty Charter School

2015-2016 Code of Conduct and School Handbook

Introduction

Our Purpose

New Liberty Charter School (NLCS) is an alternative high school that offers students who have previously struggled in other school settings the chance to restart their quest for a high school diploma. To take advantage of this fresh start, NLCS staff will engage students in new and exciting ways and inspire them to reach their academic aspirations through an innovative, competency-based education. NLCS will offer students the guidance and opportunities to practice responsible and independent decision-making as they transition into adulthood.

Our Community

Community support and collaboration is an essential element of our school. All members of our community are expected to practice active citizenship and engage in the design and development of our school at weekly Town Meetings. Our community is expected to actively support the academic and social development of our students through individualized support services, classes, internships, work-study and advisory.

Our Responsibilities

All members of the NLCS community and everyone who enters our school are expected to comply with this code of conduct to create a CALM and SAFE place where differences are not only tolerated, but encouraged, embraced and celebrated. The staff and students of NLCS will hold ourselves and one another responsible for interacting with each other in a kind, dignified and respectful manner.

Our Agreements

Our community agrees that to make our school a CALM and SAFE place to work and learn; we will all follow these rules:

- We will not bring alcohol, drugs or controlled substances into the school at any time, for any reason.
- We will not sell, offer to sell or otherwise distribute drugs on school grounds.
- We will not come to school under the influence of illegal drugs or alcohol.
- We will not smoke on school grounds, or within 20 feet of the mall building.
- We will make every attempt to be good neighbors to the mall merchants.
- We will not toss balls in or around the mall building.
- We will not ride our bicycles or skateboards in the mall building.
- We will not loiter on Essex Street or around the fountain outside of the mall.
- We will not damage or steal individual or school property.
- We will not bring weapons of any kind onto school property.
- We will not harm ourselves or anyone else or incite violence in any way.
- We will not bully, harass, threaten or intimidate anyone.
- We will not retaliate against anyone who has done a real or perceived wrong.
- We will not haze any members of our community for any reason.
- We will not discriminate against anyone on the basis of race, color, gender, national origin, age, religion, creed, disability, veteran's status, immigration status, sexual orientation, gender identity or gender expression.

The NLCS principal or designee has the legal right to search student's backpacks, lockers or other personal belongings if they believe such a search may provide evidence that any of these rules have been broken.

Any violations of these rules will be handled by the Student Engagement Team (SET) on an individual basis and in accordance with the laws of the Commonwealth of Massachusetts. This team is comprised of the student's advisor, an NLCS counselor, and the principal or designee. The goal of all NLCS interventions will be to keep our community safe and to support the educational and personal growth of our community members.

Alcohol, Drugs and Tobacco Policy

The ingestion of an illegal substance or alcohol interferes with a student's ability to perform physically, intellectually, emotionally, and socially, is damaging to the student's health and well-being, and can infringe upon the learning process and well-being of others. Chemical abuse and dependency are treatable health problems. The staff at NLCS are responsible for providing prevention education for all students, and identification, intervention, and referral for those students using alcohol and other drugs. NLCS staff is also responsible for supporting those students attempting to change patterns of use that interfere with their overall school performance.

Possession of Controlled Substances and Alcohol

In accordance with the laws of the Commonwealth of Massachusetts, any person, knowingly or intentionally present at a place where a controlled substance is being kept, or who is in the company of any person, knowing said person is in possession of a controlled substance within 1000 feet of school property, or during a school sponsored event (unless such substance was obtained directly or pursuant to a valid prescription or order from a practitioner while acting in the course of his professional practice) or whoever conspires with another person to violate any provision of The Controlled Substances Act, may be subject to suspension, arrest, and/or expulsion from school as well as from participation in school activities or events. Alcohol violations could result in expulsion proceedings. The parent(s) or guardian(s) of students involved in such infractions will always be notified.

Sale and Distribution of Drugs and Controlled Substances

Massachusetts's law provides for a mandatory minimum sentence of two (2) years imprisonment and a fine of not more than \$10,000 for anyone convicted of selling controlled substances within 1000 feet of school property.

In addition, any student who has been (or is) involved in the sale, use, possession, and/or distribution of drugs or has committed an assault of any type on another student, staff member, or administrator, or has been involved in a weapons violation will be subject to expulsion from school. Furthermore, any person, knowingly or intentionally present at a place where a controlled substance is being kept, or who is in the company of any person knowing said person is in possession of a controlled substance, unless such substance was obtained directly or pursuant to a valid prescription order from a practitioner while acting in the course of his professional practice, or whoever conspires with another person to violate any provision of the Controlled Substances Act, may also be subject to expulsion from school and exclusion from participation in school activities, or school events.

Smoking/Possession of Tobacco Products

In accordance with the laws of the Commonwealth of Massachusetts (MGL Chapter 71, sections 2A and 37H and MGL Chapter 90, section 7B), it is the policy of New Liberty Charter School that smoking or other use of tobacco products by any individual, student or employee, are prohibited in any school building or school facility, anywhere on school grounds and on any school bus. Non-school personnel must comply

with this restriction. Smoking or any other use of tobacco products is also prohibited during all school activities off school property.

Attendance Policy

Student Attendance Expectation

Excellent attendance is a priority at New Liberty Charter School. It is our expectation that students will attend school every day, stay in school, and attend all scheduled classes. Learning requires sincere effort and consistent attendance. We strongly believe that what occurs in class impacts the quality of student learning. This means that even if students make up missed work, they have still lost a vital opportunity because they did not participate in the richness of class discussions or exchange ideas with their peers and teachers.

Extended Day/Extended Year Expectation

New Liberty Charter School is an extended day/extended year school with a schedule that mirrors a typical adult workday. It is our expectation that students will work towards engaging in classes, counseling or work-study (through service projects, internships, or work-study) for eight hours a day. This expectation offers students the opportunity to complete high school at an accelerated pace and practice the life skills associated with maintaining a full-time job. Students are expected to individualize their schedule in collaboration with their advisors to reach the eight-hour a day expectation.

Engagement and Support Systems

Our first goal at NLCS is to re-engage students in formal education. To do this, we acknowledge that our students face significant obstacles as they engage in school and enter our community with very different levels of commitment, ability and support. Our job as educators is to help our students recognize and overcome the obstacles they face and help them thrive in this environment. We also encourage them to develop from the place they are, rather than mandating a universal standard of engagement at the outset.

Engagement Interventions

1. Students will learn about the NLCS attendance policy during intake – particularly, students will understand that at NLCS all absences are created equal: **there are no excused absences.**
2. Students will establish their individual schedule and attendance goals in collaboration with their Advisor at the start of each quarter. Students will also choose two support people from outside of school and give the school permission to contact these support people when the student is absent.
3. **Weekly Progress:** Each week, the advisor will check in with the advisee in person or by phone to troubleshoot any absences. If the student is unreachable, the advisor will reach out to the student's support people to assess the situation and help as appropriate. These support conversations will focus on creating habits and making decisions that increase engagement. Advisors may refer more complex issues to the Student Support Team (SST).
4. **Quarterly Progress:** If a student has FIVE absences in a single quarter, NLCS will send a critical status letter to the student and call a student or family meeting to assess the situation and collaborate on an improvement plan.
5. If the student does not show improvement one week after this intervention, the advisor will refer the student to the **Student Support Team (SST)**, which will include the NLCS Principal, the Coordinator of Support Services, and the Coordinator of Academic Support. The SST will contact the student, the student's advisor and/or the student's support people to investigate the situation, offer support and

make recommendations. Interventions may include: organizing additional supports or counseling services and making revisions the student’s schedule or attendance goals.

6. Students who accrue **TEN absences** (in a given class or total days) per term and do not respond to NLCS attempts to contact them and intervene may be removed from the NLCS rolls.
7. Students who are removed from the NLCS rolls will be offered, in writing, the opportunity to return to NLCS once their circumstances change. However, these students must re-enter NLCS through the lottery and wait list system if the school is full. Students may still access counseling and referral services through NLCS while on academic leave because access to these services may enable future re-engagement.

Bullying Prevention and Intervention Plan

The New Liberty Charter School is committed to providing a safe, positive and productive educational environment where students can achieve the highest academic standards. No student shall be subjected to harassment, intimidation, bullying, or cyberbullying.

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

- * causes physical or emotional harm to the target or damage to the target’s property;
- * places the target in reasonable fear of harm to him/herself, or of damage to his/her property;
- * creates a hostile environment at school for the target;
- * infringes on the rights of the target at school; or
- * materially and substantially disrupts the education process or the orderly operation of a school.

School staff members are defined to include but are not limited to an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional.

“Cyber-bullying” means bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a:

- * wire
- * radio
- * electromagnetic
- * photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

Cyber-bullying shall also include the creation of a web page or blog in which the creator assumes the identity of another person or knowingly impersonates another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more

persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

Bullying and cyber-bullying may occur in and out of school, during and after school hours, at home and in locations outside of the home. When bullying and cyber-bullying are alleged, the full cooperation and assistance of parents and families are expected.

For the purpose of this policy, whenever the term bullying is used it is to denote either bullying, or cyber-bullying.

Bullying is prohibited:

- On school grounds;
- On property immediately adjacent to school grounds;
- At school-sponsored or school-related activities;
- At functions or programs whether on or off school grounds
- At school bus stops;
- On school buses or other vehicles owned, leased or used by the school district; or,
- Through the use of technology or an electronic device owned, leased or used by the New Liberty Charter School;

Bullying and cyber-bullying are prohibited at a location, activity, function or program that is not school-related or through the use of technology or an electronic device that is not owned, leased or used by the Salem Public school district if the act or acts in question:

- create a hostile environment at school for the target;
- infringe on the rights of the target at school; and/or
- materially and substantially disrupt the education process or the orderly operation of a school.

Prevention and Intervention Plan

The Superintendent and/or his/her designee shall oversee the development of a prevention and intervention plan, in consultation with all district stakeholders, which may include teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians, consistent with the requirements of this policy, as well as state and federal laws. The bullying prevention and intervention plan shall be reviewed and updated at least biennially.

The Principal is responsible for the implementation and oversight of the bullying prevention and implementation plan within his or her school.

Reporting

Students, who believe that they are a target of bullying, observe an act of bullying, or who have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents to a member of the school staff. The target shall, however, not be subject to discipline for failing to report bullying.

Each school shall have a means for anonymous reporting by students of incidents of bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous report.

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

Parents or guardians, or members of the community, are encouraged to report an incident of bullying as soon as possible.

A member of a school staff shall immediately report any instance of bullying the staff member has witnessed or become aware of to the school principal or their designee.

Investigation Procedures

The Principal or their designee, upon receipt of a viable report, shall promptly contact the parents or guardians of a student who has been the alleged target or alleged perpetrator of bullying. The actions being taken to prevent further acts of bullying shall be discussed.

The school principal or a designee shall promptly investigate the report of bullying, using a Bullying/Cyber-bullying Report Form which may include interviewing the alleged target, alleged perpetrator, staff members, students and/or witnesses.

Support staff shall assess an alleged target's needs for protection and create and implement a safety plan that shall restore a sense of safety for that student.

Confidentiality shall be used to protect a person who reports bullying, provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying.

If the school principal or a designee determines that bullying has occurred he/she shall take appropriate disciplinary action and if it is believed that criminal charges may be pursued against the perpetrator, the principal shall consult with the school's resource officer and the Superintendent to determine if criminal charges are warranted. If it is determined that criminal charges are warranted, the local law enforcement agency shall be notified.

The investigation shall be completed within fourteen school days from the date of the report. The parents or guardians shall be contacted upon completion of the investigation and informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found, and whether disciplinary action has or shall be taken. At a minimum the Principal or his/her designee shall contact the parents or guardians as to the status of the investigation on a weekly basis.

Disciplinary actions for students *or staff members* who have committed an act of bullying or retaliation shall be in accordance with district disciplinary policies.

Each school shall document any incident of bullying that is reported per this policy and a file shall be maintained by the Principal or designee. A monthly report shall be provided to the Superintendent.

Confidentiality shall be maintained to the extent consistent with the school's obligations under law.

Retaliation

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

Target Assistance

The New Liberty Charter School shall provide counseling or referral to appropriate services, including guidance, academic intervention, and protection to students, both targets and perpetrators, affected by bullying, as necessary.

Training and Assessment

Annual training shall be provided for school employees and volunteers who have significant contact with students in preventing, identifying, responding to, and reporting incidents of bullying.

Age-appropriate, evidence-based instruction on bullying prevention shall be incorporated into the curriculum for all K to 12 students.

Publication and Notice

Annual written notice of the relevant sections of the bullying prevention and intervention plan shall be provided to students and their parents or guardians, in age-appropriate terms.

Annual written notice of the bullying prevention and intervention plan shall be provided to all school staff. The faculty and staff at each school shall be trained annually on the bullying prevention and intervention plan applicable to the school.

Relevant sections of the bullying prevention and intervention plan relating to the duties of faculty and staff shall be included in the school employee handbook.

The bullying prevention and intervention plan shall be posted on the New Liberty Charter School website.

REFERENCES: Massachusetts Department of Elementary and Secondary Education's Model Bullying Prevention and Intervention Plan

LEGAL REFS.: Title VII, Section 703, Civil Rights Act of 1964 as amended
Federal Regulation 74676 issued by EEO Commission
Title IX of the Education Amendments of 1972
603 CMR 26.00
MGL 71:370
MGL 265:43, 43A
MGL 268:13B
MGL 269:14A

Cell Phone Policy

Cell phones can become a major distraction in school. To minimize these distractions and to create an environment where students can focus on their educational goals, cell phones should not be used during class time, including workshop and all academic classes, town meeting, or advisory.

In the case of an emergency, such as if a student has a child or family member who is ill, he/she is encouraged to have the family member call the main office of NLCS in order to get in touch with the student.

Homelessness Policy

To the extent practical and as required by law, the district will work with homeless students and their families to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided district services for which they are eligible, including Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs and school nutrition programs.

I. Definition of Homelessness

New Liberty Charter School recognizes that homeless students are those lacking a fixed, regular and adequate nighttime residence. This definition shall include children and youth who are:

1. Sharing the housing of other persons due to loss of housing, economic hardship, or similar reasons;
2. Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Abandoned in hospitals;
5. Awaiting foster care placement;
6. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings;
7. Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings; and/or
8. Migratory youth living in conditions described in the previous examples.

II. Designation of a Homeless Education Liaison

The Superintendent shall designate an appropriate staff person to be the district's liaison for homeless students and their families. The Homeless liaison will:

- Work directly with school staff to identify students who become homeless during the school year;
- Assist in all aspects of immediate school enrollment when needed;
- Arrange transportation in accordance with state regulations;
- Secure free lunch and breakfast;
- Work with other district personnel to assure that the student has equal access to attend and participate in all school courses, activities, and events;
- Collaborate with local service providers and refer homeless families to these agencies for the purpose of providing assistance and support;
- Provide information, education and training around issues homelessness for school personnel; and
- Facilitate resolution in disputes and assist with appeals process when requested.

The district's liaison will also review and recommend amendments to district policies that may act as barriers to the enrollment of homeless students.

III. School Selection

To the extent feasible, homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing. Instead of remaining in the school of origin, parents or guardians of homeless students may request enrollment in the school in the

attendance area in which the student is actually living. Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are available to homeless families on the same terms as all families enrolled in the district.

IV. Enrollment

Once the enrollment decision is made, the school shall immediately enroll the student, pursuant to district policies, even if the student does not have the documents usually required for enrollment, such as school records, medical records including current immunization records, or proof of residency. Students and families should be encouraged to obtain such records, and the district liaison will assist the student and family with that process.

Records from the student's previous school shall be requested from the previous school pursuant to district policies.

Emergency contact information is required at the time of enrollment consistent with district policies, including compliance with the state's address confidentiality program when necessary.

V. Transportation

Homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. If the school of origin is in a different district, or a homeless student is living in another district but will attend his or her school of origin in this district, the districts will coordinate the transportation services necessary for the student, or will divide the costs equally.

Homeless students are entitled to transportation to and from their school of origin at the request of the parent, guardian or unaccompanied youth. Transportation will be provided if:

- The school of origin is in Salem but the homeless student is temporarily living in a different district, and the distance does not exceed one hour for those in Grades 1-12 or 45 minutes for those in Kindergarten.
- The school of origin is in a different district but the homeless student is temporarily living in Salem, and the distance does not exceed one hour for Grades 1-12 or 45 minutes for Kindergarten.
- The homeless student is temporarily residing within the district; in such instance transportation is provided per the New Liberty Charter School' eligibility guidelines for transportation

VI. Dispute Resolution

If there is an enrollment dispute, the homeless student shall be immediately enrolled in the school in which the enrollment is sought, pending resolution of the dispute. Parents, guardians or unaccompanied youth shall be informed of the district's decision and their right to appeal in writing. The Homeless Education Liaison will facilitate the dispute resolution and appeal process. The final decision in such a situation resides with the Massachusetts Commissioner of Education.

LEGAL REF.: McKinney-Vento Homeless Education Assistance Improvements Act of 2001, as reauthorized by the No Child Left Behind Act of 2002

42 U.S.C. § 11431 et seq.

Dress and Personal Appearance

Students should maintain an appearance that is appropriate for an adult learning environment. Students are expected to groom and dress themselves in a manner that is not offensive to others, disruptive to the operation of the school, or distracting to the learning environment.

Hazing Policy

According to the Commonwealth of Massachusetts: Anti-Hazing Law Chapter 269: Section 17. Hazing; organizing or participating; hazing defined

Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment. The term “hazing” as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

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

Chapter 269: Section 18. Failure to report hazing

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

Health Services

It is the goal of NLCS for all students to remain healthy, both in mind and in body. To do this, NLCS will provide students with access to a variety of physical and mental health services both onsite and through collaborations with off-site partners. If a student becomes ill or injured during the school day, he/she should not remain in the restroom or leave the building, but should seek care in the main office.

All students must comply with Massachusetts General Law regarding up to date immunizations and physical exams.

In order to keep the entire NLCS community healthy, the main office must be notified when a student is absent due to a communicable disease. A statement from the physician stating that the student is healthy enough to return to school must be presented before the student is welcomed back to school. The cooperation and assistance of the students and guardians is necessary to ensure the safety and well being of the students

Students who need to take medication during the regular school day should follow these guidelines:

1. Bring a written, dated order from a physician detailing the student’s diagnosis, the name of the drug, dosage, route of administration and time the medication is to be administered.
2. Bring a written, dated request from the student’s parent or guardian that the school complies with the physician’s order.

3. We ask that students do not carry their medication on their person. Instead, please bring the medication to school in a container properly labeled by the pharmacy and kept it in the main office.
4. With physician's order and parental permission, students may carry some emergency medical devices, for example: asthma inhalers, insulin delivery systems, ana-kits, and Epipens.
5. Tylenol (acetaminophen 325mg) is available for students, as needed, who have parental permission slips on file.

Non-Discrimination Policy

New Liberty Charter School is committed to providing an inclusive and welcoming environment for all members of our community and to ensuring equal access to educational and employment opportunities for all individuals. Consistent with this principle and applicable laws, it is NLCS policy not to discriminate on the basis of race, color, gender, national origin, age, religion, creed, disability, veteran's status, immigration status, homelessness, sexual orientation, gender identity or gender expression.

Open Campus Policy

NLCS is an adult learning community. Most NLCS students are over the age of 18, and all students are treated as adults at NLCS. To ensure the safety of all NLCS community members, students, staff, and visitors must sign in and out at the front desk each time they enter or leave the building.

NLCS Students are allowed to leave the school building unaccompanied for the following purposes:

- School breaks of 10 minutes or more
- Breakfast, Lunch, and Dinner breaks
- Travel to and from pre-approved internships and work-study placements
- Travel for participation in service learning activities

Students are not supervised by NLCS staff during these times and are expected to behave responsibly in our local community and to return to school on time.

All students are required to notify the principal, counselor, school secretary, or school nurse if they are leaving the building for an activity or location not specifically listed above. Students must fill out the dismissal log at the front office before leaving. If the student is over 18 years old, he or she may sign the dismissal log. If the student is under 18 years old, the student is required to get permission for a guardian before leaving the building.

This open campus policy is a privilege and not a right. Students who violate this policy and do not behave appropriately outside of school, or who do not return to school on time may have this privilege revoked.

NLCS Part Time Student Policy

New Liberty Charter School is an extended day/extended year school with a schedule that mirrors a typical adult workday. It is our expectation that students will work towards engaging in classes, student support or work-study for eight hours a day. This expectation offers students the opportunity to complete high school at an accelerated pace and practice the life skills associated with maintaining a full-time job.

We recognize that some students may not be ready or able to make this time commitment for a variety of reasons. Therefore, NLCS also offers two types of part time/independent study schedules for students who need them.

Part Time Schedule #1: Flexible Work and Study Combinations

NLCS is committed to preparing students for the responsibilities of full time employment and expects all students to engage in at least ten weeks of work experiences prior to graduation. To support this process, NLCS offers flexible scheduling for students who choose to work and go to school simultaneously.

All NLCS students must demonstrate Competency #22 (I am Employable) through ten weeks of continuous, successful employment prior to graduation. Once this competency is documented, students have the option to demonstrate Competency #23 (I am Employed) through additional independent employment.

Students working on these two competencies are considered present in school while they are at work. Their work hours, along with travel time to and from work are considered part of their annual Time On Learning (TOL) calculation and counted towards daily attendance. This includes work hours during the regular school day, outside of a regular school day, on weekends and over school vacations. These hours are added to the NLCS attendance system by the Employment Coordinator once a time sheet is submitted and verified at the end of each week.

Most students involved in work-study are able to reach the NLCS goal of being engaged in school and/or work for eight hours each day. For students who cannot reach this goal, or for students who have completed both Competencies #22 and #23, we offer part-time work/study schedules. Students should work with the NLCS Employment Coordinator and their advisor to create a part time schedule plan. Once the Employment Coordinator has reviewed and approved the plan, it can be submitted to the Principal or designee for final approval.

Part Time Schedule #2: Social, Emotional or Medical Obstacles

NLCS also offers flexible scheduling, shortened day and independent study options to students facing social, emotional or medical issues that are impeding their ability to come to school regularly.

Students who feel they need a part-time schedule for these reasons should work with the NLCS Coordinator of Counseling Services and their advisor to create a part-time schedule plan. The plan must include a treatment/support plan and a schedule of regular meetings to review the plan with the Student Support Team. Once the Coordinator of Counseling Services has reviewed and approved the plan, it can be submitted to the Principal or designee for final approval.

Publicity

It is common for the press to request information regarding school events, student awards, honors, scholarships, etc. Throughout the year, the local media, newspaper, and school staff may take pictures and/or write about NLCS activities and students. It is the policy of the New Liberty Charter School to make this information routinely available unless students or guardians have requested in writing, in advance, that they do not wish to have this information published. We will be happy to comply with these written requests. If we do not receive a written request, we will proceed with the publication of student information as described above.

School Schedule

New Liberty Charter School offers students who are overage for their grade the opportunity to complete high school at an accelerated pace. To graduate from high school as quickly as possible, NLCS students commit to coming to school and focusing full time on the work and relationships that will help them reach this goal. The amount of time students spend engaged in their education will be a key factor in the pace at which they achieve this goal. Therefore, we expect all NLCS students to be engaged in school or employment (through service projects, internships, or work) for **eight hours a day from 8:30am-4:30pm**. This extended school day mirrors a typical adult workday, and along with the eleven-month school year, creates the opportunity for students to graduate quickly while practicing the life skills associated with maintaining a full-time job.

Work study and some off-site classes are available to NLCS students on most regular school days. Classes, counseling and work related support services are available on-site at NLCS from 8:30am-4:30pm each day that school is open. Students can individualize their schedule in collaboration with their advisors. This collaboration, along with the completion of required weekly timesheets will be done in Advisory.

Snow Days and School Cancellations

On occasion, New Liberty Charter School may need to close school or delay school opening because of bad weather or an emergency situation. NLCS will follow Salem Public School District snow closures. Parents and guardians should listen to the major radio or television stations for announcements beginning at 6 a.m.

Student Records Policy

Change of Address

Any change of address or telephone number must be reported to the NLCS Principal or the NLCS Administrative Assistant.

Student Information

Under Massachusetts State Department of Education regulations, the school may, from time to time, release for publication certain information concerning students without first obtaining their or their guardians' consent unless they have notified us that we should not do so. The information, which may be released for publication, includes only students' names, classes, participation in extracurricular activities, degrees, honors and awards and post-high school plans. If you do not wish this information concerning yourself/or your child to be released for publication without your consent during the school year, please contact the Coordinator of Student Services.

The school may release information regarding a student upon receipt of a request from the Department of Children and Families, a probation officer, a justice of any court, of the Department of Youth Services under the provisions of M.G.L c. 119. SS 51B, 57, 69, and 69A respectively.

Student Records

The Student Record Regulations adopted by the Department of Elementary and Secondary Education apply to all public elementary and secondary schools in Massachusetts. The regulations are designed to insure guardians' and students' rights of confidentiality, inspection, amendment, appeal and destruction of student records, and to assist school authorities in carrying out their responsibilities under state and federal law.

The regulations apply to all information kept by a school or school district on a student in a way that the student may be individually identified. The regulations divide the record into two parts: **the transcript**

and the temporary record. The **transcript** includes only the minimum information necessary to reflect the student's educational progress. This information includes name, address, course titles, narrative evaluations/summary, credits, and grade level completed. The transcript is kept by the school district for at least sixty years after the student leaves the system.

The **temporary record** contains the majority of the information maintained by the school about the student. This may include such things as standardized test results; school-sponsored extracurricular activities; evaluations and comments by teachers, counselors, and other persons; disciplinary records; and other information. The temporary record is destroyed within seven years after the student leaves the school system.

The following is a summary of the major provisions of the Student Record Regulations concerning the rights of custodial guardians and eligible students. Under the regulations, "eligible students" are at least 14 years old or have entered the ninth grade; they may exercise these rights just as their parents may. Non-custodial parents are eligible to obtain access to the student record unless that parent's access to the student or custodial parent has been restricted. For additional requirements please contact the principal's office.

Student health records are kept separately from other student information and are kept for ten years after the student leaves the school.

Inspection of Record

A parent or an eligible student has the right to inspect all portions of the student record upon request. The record must be made available within ten days after the request, unless the parent or student consents to a delay. The parent and eligible student have the right to receive a copy of any part of the record, although the school may charge a reasonable fee for the cost of duplicating the materials. The parent and eligible student may request to have parts of the record interpreted by a qualified professional from the school, or may invite anyone else of their choice to inspect or interpret the record with them.

Confidentiality of Record

Except where the regulations specifically authorize access by third parties, no individuals or organizations other than the parent, eligible student and school personnel working directly with the student are allowed to have access to information in the student record without the specific, informed, written consent of the parent or eligible student.

Amendment of Record

The parent and eligible student have the right to add relevant comments, information, or other written materials to the student record. In addition, the parent and eligible student have a right to request that information in the record be amended or deleted. They are entitled to meet with the principal (or the principal's designee) to discuss their objection to information that is in the record, and to receive a written decision. A parent or eligible student who is not satisfied with the principal's decision may submit a written appeal to the NLCS Board of Trustees, who must conduct a fair hearing within four weeks of being notified of the appeal

Destruction of Records

The regulations require school authorities to destroy a student's temporary record within seven years, with the exception of health records that are kept for ten years, after the student transfers, graduates or withdraws from the school system. School authorities are also allowed to destroy misleading, outdated, or irrelevant information in the record from time to time while the student is enrolled in the school system. In each case, the school must first notify the parent and eligible student and give them the opportunity to

receive a copy of any of the information before it is destroyed.

Transfer of Records

Under section 37L of G.L. c.71, any student transferring into a new school district must provide the new district with “a complete school record,” including but not limited to, “any incidents involving suspension or violation of criminal acts or any incident reports in which such student was charged with any suspended act.” 603 CMR 23.07(4)(g) allows a school district to release the entire student record of a transferring student to the new school without prior consent, provided that it gives notice that it forwards student records to the other school in which the student seeks or intends to transfer. (Please note that the New Liberty Charter School does forward student records to other schools under this provision.)

The above is only a summary of some of the more important provisions of the Student Record Regulations that relate to the rights of guardians and eligible students. The Student Record Regulations are included in the Code of Massachusetts Regulations at 603 CMR 23.00. For more detailed information or to obtain a copy of the Code of Massachusetts Regulations 603 CMR 23.00, please contact the Main Office.

Special Education Students and the NLCS Discipline Policy

All students are expected to follow the Salem Code of Conduct, unless otherwise determined by the student’s Individualized Education Plan Team and written in the student’s IEP or 504 Plan. Federal and state laws provide certain procedural rights and protections relating to discipline of students who have been identified under such laws as having special needs based upon a disability. A brief overview of these rights is provided below.

In general, if a child has violated Salem’s disciplinary code, the school may suspend or remove the student from his or her current educational placement for no more than 10 consecutive school days in any school year. If the student possesses, uses, sells or solicits illegal drugs on school grounds or at a school-sponsored event; carries a weapon to school or a school function; or inflicts serious bodily injury upon another person at school or a school-sponsored event, the school may place the student in an interim alternative educational setting for up to 45 school days. If the student has been placed in an interim alternative education setting as a result of a disciplinary action, the student may remain in the interim setting for a period not to exceed 45 school days. Thereafter, the student will return to the previously agreed-upon educational placement unless the Parent(s) and Salem have initiated a hearing at the Bureau of Special Education Appeals regarding the disciplinary action that the district took and a hearing officer orders another placement, or the Parent and Salem agree to another placement.

Any time Salem wishes to remove a student from his or her current educational placement for more than 10 consecutive school days in any school year, or if a student is removed for disciplinary reasons for more than a total of 10 days in any school year when a pattern of removal is occurring, this is a “change of placement.” A change of placement invokes certain procedural protections under federal special education law. Prior to any removal that constitutes a change in placement, the school must convene a Team to consider whether or not the behavior that forms the basis for the student’s disciplinary removal is substantially related to his or her disability, or was the direct result of any failure by the school to implement the IEP. This is called a “manifestation determination.” The law provides that Salem and the parent(s), along with relevant Team members, must consider all evaluation information, observational information, the student’s IEP and placement; and must determine whether the student’s behavior that prompted disciplinary removal was a manifestation of his or her disability. In addition, if appropriate, the district must conduct a functional behavioral assessment and develop or revise an existing behavioral plan for the student

If the manifestation determination decision is that the disciplinary behavior was a manifestation of the student's disability or the result of the school's failure to implement

the IEP, then the student may not be removed from the current educational placement (except in the case of weapon or drug possession or use, or serious bodily injury to another) until the IEP Team develops a new IEP and decides upon a new placement and the Parent(s) consent to that new IEP and placement, or a Hearing Officer orders a removal from the current educational placement to another placement.

If the manifestation determination is that the behavior was not related to the student's disability, then the school may suspend or otherwise discipline the student according to the school's code of student conduct, except that for any period of removal exceeding 10 days the school district must provide the student with educational services that allow the student to continue to make educational progress. Salem must determine the educational services necessary and the manner and location for providing those services.

Discipline of Students Whose Eligibility for Special Education is Suspected

The IDEA protections summarized above also apply to a child who has not yet been found eligible for services under the statute if the district is "deemed to have knowledge" that the child was eligible for such services before the conduct that precipitated the disciplinary action occurred. The IDEA provides that a school district is "deemed to have knowledge" if: (1) the child's parent had expressed concern in writing to district supervisory or administrative personnel or the child's teacher that the child needs special education and related services; (2) the child's parent had requested an evaluation of the child to determine eligibility for special education services; or (3) the teacher of the child or other school district personnel had expressed specific concerns about a pattern of behavior by the child directly to the district's director of special education or to other supervisory personnel. However, a school district is not "deemed to have knowledge" if the district evaluated the student and determined that the child was not eligible for special education services or the child's parent refused an evaluation of the child or IDEA services.

If the school district has no knowledge that a student is an eligible student under the IDEA before taking disciplinary measures against the student, the student may be disciplined just as any other student may be. If, however, a request is made for an evaluation to determine eligibility while the student is subject to disciplinary measures, the district must conduct the evaluation in an expedited manner. Pending the results of the evaluation, the student must remain in the educational placement determined by school authorities, which may include suspension or expulsion without services. If the student is determined eligible for an IEP as a result of the evaluation, the school district must provide the student with special education and related services in accordance with the IDEA.

Student Discipline Policies

The Salem School Committee has developed a code of conduct for students, which divides rule infractions into three categories. A copy of the complete policy is available in the school office.

Class One offenses include vulgarity or rudeness, disruptive behavior, chronic tardiness, causing a problem on the bus, forgery of a school-related note or pass, and horseplay.

Class Two offenses include profane or obscene language or gestures, open defiance of staff, vandalism of school or other's property, harassment, leaving or skipping class, use or possession of fireworks, use of tobacco, theft or possession of stolen property, fighting, provoking a fight, assault, skipping detention, and tampering with fire alarm or safety devices.

Class Three offenses include assault or the threatening of any Salem School employee; possession, use, distribution, or being under the influence of alcohol, drugs, or any other controlled substance, including

look-alike drugs; fighting involving three or more people; possession or use of a dangerous substance (explosive); premeditated fight causing injury; possession, use, and/or concealment of a dangerous weapon or look-alike weapon.

The discipline procedures for students with disabilities shall follow applicable state and federal laws. Copies of these laws are available in the principal's office for parent or student review.

LONG TERM SUSPENSION AND/OR EXPULSION PURSUANT TO M.G.L. CH. 71, §37H AND 37H½

Students are subject to long-term suspension and/or expulsion (i.e, permanent exclusion) by the Principal for the conduct listed below. (See also, M.G.L. ch. 71, §§37H at page [])

- Possession of a dangerous weapon*
- Possession of a controlled substance (such as marijuana, cocaine, or prescription drugs not authorized by the school nurse)
- Assault on teachers, administrative staff or other educational personnel

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

Students are also subject to long term suspension/expulsion by the Principal when charged/convicted of a felony based upon the standards and procedures set forth in M.G.L. c.71, §37H1/2.

Any student who is removed from school for a disciplinary offense under G.L. c. 71, §37H or §37H½ for more than ten consecutive days will have an opportunity to receive educational services and make academic progress during the period of removal under a school-wide education service plan, and will be so informed at the time of the suspension/expulsion.

PROCEDURES APPLICABLE TO CONDUCT COVERED BY M.G.L. C. 71, §37H AND 37H ½

When considering the exclusion of a student from school for possession of a dangerous weapon, possession of a controlled substance (such as marijuana, cocaine, or prescription drugs not authorized by the school nurse), or assault on teachers, an administrator may place a student on short term suspension (ten days or less) based upon an informal hearing, to be followed by a formal hearing before the Principal within that period of suspension to determine whether to take additional disciplinary action, up to and including expulsion from school.

1. The informal hearing will be in the form of a conference between the student and the principal or designee. At this conference, the student (1) shall be informed of the reason for the conference, (2) shall be given the opportunity to present his or her side of the story, and (3) shall be given a decision on the suspension. If the administrator deems delay of the hearing necessary to avoid danger or substantial disruption, this process may occur immediately after, rather than before, the suspension.

2. Prior to putting a suspension into effect, the principal or designee shall make a reasonable effort to telephone and inform the student's parent or guardian of the impending suspension; this shall include attempts to contact

the parents or guardian at home and at work. Parents may contact the school for additional information regarding the suspension.

3. A letter will be mailed to the parent/guardian of the suspended student stating:
 - a) The reason for the suspension
 - b) A statement of the effective date and duration of the suspension
 - c) A statement regarding whether or not the Principal will schedule a formal hearing to consider further discipline, up to and including expulsion from school in accordance with M.G.L. c. 71, §37H

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

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

Any student who is removed from school for a disciplinary offense under G.L. c. 71, §37H or §37H½ for more than ten consecutive days will have an opportunity to receive educational services and make academic progress during the period of removal under a school-wide education service plan, which is described below, and will be so informed at the time of the suspension/expulsion. If the student withdraws from the 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.

MGL CHAPTER 71: SECTION 37H:

- (a) Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter 94C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district, by the principal.
- (b) Any student who assaults a principal, Housemaster, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including educational athletic games, may be subject to expulsion from the school or school district by the principal.
- (c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal. After said hearing, a principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).
- (d) Any student who has been expelled from a school or school district pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten days from the date of expulsion in which to notify the superintendent of his appeal. The student has the right to counsel at a hearing before the superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.
- (e) Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to the school or provide educational services to the student in an education service plan, under section 21 of chapter 76.

MGL CHAPTER 71 SECTION 37H 1/2:

- 1.) Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal or Housemaster of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal or Housemaster if said principal or headmaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of this 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 suspension. The superintendent shall hold a hearing with the student and student's parent or guardian within three calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or Housemaster, 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. Such decision shall be the final decision of the city with regard to the suspension.

- 2.) 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 Housemaster of a school in which the student is enrolled may expel said student if such principal or Housemaster 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 calendar days following the effective date of the expulsion. The Superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or Housemaster, including recommending an alternative educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city with regard to the expulsion. Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to the school or provide educational services to the student in an education service plan, under section 21 of chapter 76.

PROCEDURES APPLICABLE TO CONDUCT COVERED BY M.G.L. C. 71, §37H½

Suspensions may be short term or long term. 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. 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.

Suspensions may also occur in-school or out-of-school. In-school suspension is the removal of a student from regular classroom activities, but not from the school premises, for no more than ten (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions during the school year. 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. A principal may, in his/her discretion, allow a student to serve a long-term suspension in school.

During the course of any suspension, a student is ineligible to participate in any school-related activities, including athletic activities. The student and his/her parents are expected to meet with a school administrator prior to the student's return to class. During the course of an out-of-school suspension, a student cannot be on school premises.

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

I. IN-SCHOOL SUSPENSION

An in-school suspension is a removal of a student from regular classroom activities, but not from the school premises. The procedure for an in-school suspension of no more than (10) school days (consecutive or cumulatively for multiple infractions during the school year) will be as follows:

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

An in-school suspension of more than 10 cumulative days in a school year will be subject to the procedures for long-term suspension found at page [].

II. SHORT TERM OUT-OF-SCHOOL SUSPENSION

Except in the case of an Emergency Removal (see below), prior to imposing a short term out-of-school suspension (10 days or less in a school year) for conduct not covered by M.G.L. c. 71, §37H and 37H ½, an

administrator will provide the student and his/her parent oral and written notice and an opportunity to participate in an informal hearing.

1. Notice: The written notice to the student and the parent will be in English and in the primary language of the home if other than English, or other means of communication where appropriate and will include the following:

- a) the disciplinary offense;
- b) the basis for the charge;
- c) the potential consequences, including the potential length of the student's suspension;
- d) the opportunity for the student to have a hearing with the administrator 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;

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

2. Efforts to Involve Parent: The administrator will make reasonable efforts to notify the parent of the opportunity to attend the hearing. To conduct a hearing without the parent present, the administrator must be able to document reasonable efforts to include the parent. The administrator is presumed to have made reasonable efforts if the administrator has sent written notice and has documented at least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.

3. Format of Hearing: The administrator will discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also will have an opportunity to present information, including mitigating facts, that the administrator should consider in determining whether other remedies and consequences may be appropriate. The administrator will provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the administrator should consider in determining consequences for the student.

4. Decision: The administrator will provide written notice to the student and parent of his/her determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal. The notice of determination may be in the form of an update to the original written notice of hearing.

III. LONG TERM SUSPENSION

Except in the case of an Emergency Removal provided on page [], prior to imposing a long-term suspension (**more than 10 days of suspension, whether in-school or out-of-school, whether consecutive or cumulative for multiple offenses during a school year**), an administrator will follow the procedures for short-term suspension plus additional procedures as follows:

1. Notice: The notice will include all of the components for a short-term suspension in Section C above, plus the following:

- a) In advance of the hearing, the opportunity to review the student's record and the documents upon which the administrator may rely in making a determination to suspend the student or not;
- b) the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense;
- c) the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so;
- d) the right to cross-examine witnesses presented by the school district;
- e) the right to request that the hearing be recorded by the administrator, and a copy of the audio recording provided to the student or parent upon request; and
- f) the right to appeal administrator's decision to impose long-term suspension to the superintendent.

2. Format of Hearing: The Hearing will afford the rights set forth in the notice above. The administrator will also provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the administrator should consider in determining consequences for the student.

3. Decision: Based on the evidence, the administrator will determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to long-term suspension, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The administrator will send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the school and the parent. If the administrator decides to suspend the student on a long-term basis, 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;
- 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 (if more than 10 cumulative days);
- 5. Inform the student of the right to appeal the administrator's decision to the superintendent or designee. Notice of the right of appeal will be in English and the primary language of the home if other than English, or other means of communication where appropriate, and will include the following information stated in plain language:
 - 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 administrator's determination on appeal.

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

APPEAL TO THE SUPERINTENDENT

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

The following apply:

- The superintendent will make a good faith effort to include the parent in the hearing. The superintendent will be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and superintendent to participate. The superintendent will 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. The superintendent will arrange for an audio recording of the hearing, a copy of which will be provided to the student or parent upon request. The superintendent will inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request.
- The student will have all the rights afforded the student at the administrator's hearing for long-term suspension as described in Section D above.
- The superintendent will issue a written decision within five (5) calendar days of the hearing which meets the requirements for a long-term suspension as described in Section D above. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than the administrator, but will not impose a suspension greater than that imposed by the administrator's decision.

The decision of the superintendent constitutes the final decision of the school district.

EXCEPTION FOR EMERGENCY REMOVAL

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

The administrator will immediately notify the superintendent in writing of the removal and the reason for it, and describe the danger [or disruption] by the student.

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

- Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and other applicable matters;
- Provide written notice to the student and parent as provided in Section C or D above, as applicable;

- Provide the student an opportunity for a hearing with the administrator, 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 administrator, student, and parent.
- Render a decision orally on the same day as the hearing, and in writing no later than the following school day.

An administrator 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.

Continuation of Educational Services

Students serving an in-school suspension, short-term suspension, or long-term suspension 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. Students who are suspended under §37H³/₄ for more than ten (10) consecutive days, whether in school or out of school, are entitled to receive educational services during the period of suspension under SPS’s Education Service Plan, which is described below. If the student withdraws from the District and/or moves to another public school during the period of suspension, the new school/district/district of residence shall either admit the student to its schools or provide educational services to the student under the new school or district’s education service plan.

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.

SPS 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 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.

SPS’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.

Technology and Acceptable Use of Internet Policy

All technology used at New Liberty Charter School will be used in a responsible, legal, and ethical manner. Failure to do so may result in the possible termination of network and e-mail privileges for the user and/or other disciplinary action pursuant to the NLCS Code of Discipline and/or prosecution under state and federal law. Individual users of the NLCS network—students and adults—must understand that use of the network and e-mail is a privilege, not a right. All users will be held accountable for all actions taken under their identification codes or account(s).

NLCS technology and network users should also be aware that:

- There is an expectation of kindness and respect even in cyberspace. Language should be appropriate and the willful transmission of hurtful or offensive information will not be tolerated.
- Use of the network for illegal or commercial activities is prohibited.
- E-mail is not guaranteed to be private.
- Copyright laws must be followed and credit must be given to the author of material copied from the Internet.
- Users should never reveal personal information about themselves or any other user such as address, telephone number, credit card numbers, social security number, etc. and identifying photos of students with their first and last names may not be used on a web site.
- Users should neither tamper with the system nor alter, delete, or destroy anyone else's files, data or images, not share their username and password with others.
- It is important to log off the computer at the end of every session so another user cannot use your password because persons issued an account are responsible for its use at all times.

Search and Seizure Policy

When there are reasonable grounds to suspect that a search of a student's locker or person may result in evidence that the student has violated or is violating either the law or the rules of the school, students should be aware that the law allows school officials to search the student's locker, person, back-pack or other personal belongings. Students who refuse to subject themselves or their property to reasonable search may be suspended from school for from one (1) to three (3) days. Students and guardians should be aware that the administration may exercise at any time, the option of obtaining the services of trained dogs in searches. While students have an expectation of privacy in their lockers, the school has joint control of the lockers with the students. Therefore, master keys and copies of lock combinations are retained by the school. Certain items may not be stored in lockers. Among these are weapons, illegal drugs, alcoholic beverages, tobacco products, and stolen property.

Other Resources

Listed below are some resources where one may seek further knowledge about student rights:

- American Civil Liberties Union:
<http://www.aclumass.org/youth/studentrights/stdrgtssmass.html>
- Center for Law and Education: <http://www.cleweb.org>
- Office of MA Attorney General, Tom Reilly: <http://www.ago.state.ma.us>
- Student Press Law Center: <http://www.splc.org>
- MA Trial Court Law Libraries: <http://www.lawlib.state.ma.us>
- <http://www.studentactivism.org>
- <http://www.stopthehate.org>
- <http://www.co-star.net>
- Once a student has accessed these resources, he or she is strongly encouraged to assess his or her situation. Through the many committees in the school and the state of Massachusetts that support student rights and issues, students can take action. If a particular kind of committee is not available in the school, students are encouraged to investigate such venues and work to make it a part of the school's extra-curricular activities.
- For more information go to: Massachusetts State Student Advisory Council:
<http://www.doe.mass.edu/stucouncil/sachome.html>
- (Created by the Central MA Region of the State Student Advisory Council and its committee for Student Rights.)

Salem Policy of Non-Discrimination

Salem Public Schools' policy of non-discrimination (See [SC Policy 1101.1](#)) ensures that the district does not discriminate on the basis of race, color or national origin, sex, disability, age, sexual orientation, homelessness, socio-economic status, or religion. To that end, the district commits to:

1. Promote the rights and responsibilities of all individuals as set forth in the state and federal constitutions, applicable legislation and judicial interpretations;
2. Encourage positive experiences in human values for all its students, staff, and other members of the community, affirming the diversity of familial backgrounds, socioeconomic statuses and ethnicities represented in the Salem schools community;
3. Work toward a more integrated, harmonious community and to enlist all individuals, groups and agencies—both private and governmental—to support this effort;
4. Use all appropriate communication and action techniques to hear and address the grievances of any individuals and/or groups;
5. Consider carefully the potential benefits or adverse consequences of any decision made within the Salem school system on human relationships within the schools and the larger Salem community;
6. Initiate procedures and practices that will actively promote the objectives of this policy in the Salem school system.

This policy of nondiscrimination extends to all students, staff, the general public, and individuals with whom the School District does business. No person shall be excluded from or discriminated against in admission to a Salem public school, or in obtaining the advantages, privileges, and/or courses of study of our public schools on account of sex, sexual orientation, gender identity, age, race, color, national origin or socioeconomic status, union seniority, disability or pregnancy.

Equal Access to Educational Opportunities in Salem Public Schools

Consistent with its policy on nondiscrimination, Salem Public Schools ensures equal access and opportunity to the educational programs available in the district. According to Salem Public Schools' School Committee Policy on Equal Access & Opportunity (See [SC Policy 5212.01](#)), "Every child shall have a right to attend the public schools of the town where he/she actually resides, subject to the provisions of Chapter 76. All enrolled students shall have equal access to the general education program and the full range of any occupational/vocational education programs offered by the district. In compliance with state and federal laws, the Salem Public Schools maintains a nondiscrimination policy. No child shall be excluded from or discriminated against in admission to Salem Public Schools, or in obtaining the advantages, privileges and courses of study of our schools, regardless of race, color, sex, gender identity, religion, national origin, sexual orientation, disability, or homelessness. This policy provides equal access to courses and programs, counseling services, physical education and athletics, vocational education, instructional materials and extra-curricular activities."

NLCS Code of Conduct Signature Sheet

Student Name: _____ Advisors: _____ Date: _____

Student Section

I have read the NLCS Code Of Conduct. Initials _____

My advisor explained any parts of the NLCS Code Of Conduct that are confusing to me. Initials _____

I agree to abide by the expectations outlined in the NLCS Code Of Conduct Initials _____

Student Signature _____ Date: _____

Parent/Guardian Section (If student is under 18 years old)

If you need explanation or translation of this code of conduct, please contact the school at 978-825-3470 and ask to speak with your student's advisor or Jen Thomas, the Coordinator of Student Support. We will gladly discuss this document with you and meet with you if necessary to guarantee that you understand this document before you sign it.

I have read and understand the NLCS Code Of Conduct. Initials _____

I agree that my son/daughter will abide by the expectations outlined in the NLCS Code Of Conduct Initials _____

Parent/Guardian Signature _____ Date: _____