

HAMPDEN CHARTER SCHOOL OF SCIENCE EAST - WEST



Student Code of Conduct 2022-2023

Updated: 6/2022

In accordance with M.G.L. c. 76, s. 5, Hampden Charter School of Science East shall not discriminate nor tolerates harassment based on race, color, national origin, creed, sex, ethnicity, gender identity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language or a foreign language, or prior academic achievement. HCSS has a zero tolerance for harassment based on these areas

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OVERALL GOAL AT HCSS

HCSS has as its goal is to help every student fulfill his or her intellectual, social, physical, and emotional potential. Everything in and about the school has been designed to create an orderly and distraction-free

environment in which all students can learn effectively and pleasantly. Substitute teachers, part-time teachers, mentors, and tutors have the same authority and rights as the regular classroom teachers. In addition, before and after school activities are regarded as class time.

DISCIPLINE - POSITIVE REINFORCEMENT

The teacher will reinforce positive behavior through any of these ways:

- Oral praise
- Note to parents
- Phone call to parents
- Class rewards
- Field trips
- Notes to student
- Notes accompanying report cards
- Notes on papers, tests, etc.
- Academic & Behavioral Rewards
- PBIS Program

PBIS PROGRAM

HCSS East-West will utilize a PBIS program to reward and acknowledge positive behavior. HCSS East-West will institute a tiered reward system with additional incentives for students reaching certain thresholds either during the quarter or the semester.

CLASSROOM EXPECTATIONS

- Students are expected to be respectful of teachers, classmates, and themselves at all times. Following the individual classroom rules will help create an environment intended to maximize learning. Each teacher will discuss classroom policies and expectations.
- No violence will be tolerated at HCSS. Violent or destructive acts will result in consequences determined by the Administration, depending upon the severity of the act.
- Racial slurs, verbally abusive language, or bullying will not be tolerated.
- Dishonesty (such as cheating, plagiarism, and stealing) will be handled with severe consequences. Plagiarism—taking ideas or writings from another person and offering them as original ideas—will not be tolerated. Repeated offenses of academic dishonesty shall prompt full scrutiny of all student grades and may result in re-testing of previous examinations.
- Students are expected to be in every class on time.
- Students must be fully prepared for all classes. Chronic unpreparedness will prompt a referral for disciplinary consequences.
- Littering of any kind is not allowed.
- Eating is not allowed in the hallway and classrooms. Food and beverages are restricted to the cafeteria. Only water that is stored in clear plastic water bottles are permitted in the classroom and hallway.
- We learn best through imitating others; older students are expected to model good behavior for

younger students.

One or a combination of the following consequences for violating daily classroom rules may be implemented:

Options and Procedures:

Each discipline case will carry its own merit and will be decided according to the facts accompanying the case. Effort will be made to discipline students while maintaining them in regular school programs. Parents are encouraged to become actively involved in the disciplinary process. In many cases, however, the following discipline procedures may take place:

- Bus privileges may be revoked for acts of misbehavior.
- Students may have campus driving privileges revoked.
- Students may be placed on social probation
- Students may be suspended from school when they are a danger to themselves or others, or when they demonstrate a chronic inability or unwillingness to abide by school regulations.
- Students may be required to perform school-based community service.
- Students may be required to pay restitution, be assigned special projects, or asked to write a letter of apology.
- A student may be expelled from school.
- In addition to disciplinary consequences, a student may be referred for counseling, risk assessments, or psychological and/or educational evaluations.

HALLWAY EXPECTATIONS

As in every part of the Hampden Charter School of Science East-West, students are expected to behave in the halls. Everyone in the School should make an effort to control noise. Students should not shout or slam lockers. When classes are in session, students, teachers, and parents passing in the hallway are expected to keep their voices low. ***Students must possess a pass when traveling the halls during class time.*** Running and horseplay in the hallway is prohibited. Safety for all students is important at school. Students are asked to *stay to the right* when traveling through the hallways or on the stairs.

BREAKFAST/ LUNCH/ CAFETERIA - FOOD/ BEVERAGES

The cafeteria is intended to be a pleasant place where students may eat lunch in a relaxed atmosphere. Students may bring their own lunch or eat school lunch. Students are not allowed to order or have take-out brought into or delivered to school. Good behavior is expected at all times. In order for lunch services to be as efficient as possible, student cooperation is necessary. Students are expected to follow the guidelines listed below:

- Students are not recommended to share food and beverages. Students will be held responsible for all contents within their possession or consumption.
- Neatness and cleanliness are everyone's responsibility.
- Nothing should be left on the tables at the conclusion of lunch.
- Each lunch group is responsible for cleaning up after their scheduled lunch time.

- Students may not take food or drinks from the cafeteria, except for water.
- No food or drinks are to be brought into hallways or classrooms by students.
- Students must go to the cafeteria only during their assigned lunch.
- All students will remain in the cafeteria during their lunch time. Students must ask for permission to leave the cafeteria during this time.
- Students are not permitted to leave the school grounds to pick up or order lunch.

SCHOOL BUS RULES AND REGULATIONS

Bus transportation is available to eligible students and is a privilege for our students. The school day begins when the student boards the bus and ends when the student exits the bus. During this entire period the student is under the jurisdiction of the school administration. All school rules apply when students ride the buses. Misconduct of any kind on a bus may result in disciplinary action up to and including suspension from the bus.

STUDENT LOCKER POLICY

All student lockers are HCSS-EAST/WEST property and are subject to inspection at any time. Student lockers are subject to random searches. Students are held responsible for all contents within their assigned locker.

Students will be issued assigned lockers at the opening of the School. You may not trade lockers with another student. It is not recommended to share your locker with another student. All student lockers must remain tidy and be able to be closed for proper storage of materials and belongings.

For safety reasons, *only unframed, collapsible book bags will be permitted to be stored in school lockers.*

Backpacks/purses/computer bags are not allowed in class. Students should keep these items in their lockers.

Students are not allowed to tamper with locks. For security purposes, *no outside locks will be permitted unless permission is granted by administration.* Hampden Charter School of Science East-West is not responsible for lost or stolen personal belongings.

Bringing Personal Electronic Devices to School:

All electronic devices, including but not limited to cell phones, smart watches, earbuds, etc... must be kept out of sight and turned off and in the school assigned locker between 7:50 am - dismissal. Hampden Charter School of Science is not responsible for any lost or damaged devices. During school hours, parents should continue to call the school for any emergency situation. We will contact your son/daughter. Do not try to contact them by cell phone or pager.

DISCIPLINARY MEASURES AND CORRECTIVE ACTIONS

Discipline problems have been classified as minor and major infractions. In an effort to ensure uniformity in utilizing the discipline code, the guidelines on the following pages have been developed consistent with Massachusetts Law.

The code of discipline applies whenever a student is on school grounds, is at a school-sponsored activity, is on public or private transportation to or from school or a school-sponsored activity, is walking or waiting for transportation to or from school or a school-sponsored activity, or engages in serious misconduct outside the school that causes disruption or disorder to the school environment. Throughout the discipline procedure, the substantive and procedural rights of the students, as well as the teachers, will be observed.

Students who violate the following rules on school premises or at school-sponsored or school-related events including athletic games, or on the way to or from school or such events as named above, whether on foot, on school-provided transportation, on public transportation, or on private transportation, or while waiting for any form of transportation, will be **SUSPENDED** or, in some cases, **EXPELLED**. Expulsion means the loss of a seat at HCSS.

Students are **NOT** allowed to bring to school dangerous objects of no reasonable use to school, such as knives, guns, mock guns, studded belts or bracelets, or other weapons or weapon paraphernalia prohibited by state law.

Minor Infractions

Along with the established disciplinary procedure, Hampden Charter School of Science East-West will implement a Discipline Point System (DPS) in which students will be given points for inappropriate behavior. Each teacher and staff must use this system and the administration has the discretion to implement certain consequences for students who have earned points above a set limit. Parents will be notified about the consequences and the behavior resulting in the DPS system.

1. Every Level 1 unwanted behavior has a numerical point.
2. Every teacher is required to mention our DPS in his/her syllabus and use it.
3. Students can receive DPS points from any staff member at any place in the building.
4. A student may receive "Praise Points" for positive and/or improved behavior.

LEVEL	Category	Offense	Points
	Being Disrespectful	Antagonistic behavior	1
		Inappropriate behavior to another student	1
		Vulgarity	1
		Talking back to the teacher	1
		Other	1

Level 1

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	Being Defiant	Disturbing class	1
		Excessive talking	1
		Failure to Follow Instruction	1
		Safety Violation	1
		Other	1

Consequences and Corrective Actions for Minor Infractions

Point	Action	Consequence
Any point	Teacher email/phone call to parents	
Accumulation of 5 points	Grade Chair/Advisor Phone Call	Advisor meets with student
Accumulation of 10 points	Admin Phone Call	Not Eligible for PBIS Rewards
Accumulation of 15 points	Admin Meeting with Parent	Social Probation and not Eligible for School Activities/Field Trips
Accumulation of 20 points	Admin Meeting with Parent	3 Days of Structured Day
ADMINISTRATION RESERVES THE RIGHT TO USE ITS DISCRETION WHEN DETERMINING DISCIPLINARY CONSEQUENCES.		

Major Infractions

School-related offenses include those occurring on school grounds; during a school-sponsored activity; on public or private transportation to or from school or a school-sponsored activity; while walking or waiting for transportation to or from school or a school-sponsored activity; when serious misconduct outside the school will have an adverse effect on the maintenance of discipline in the school.

LEVEL	Offense
Level 2	Electronic Device Policy Violation
	Leaving class without permission/ Accessing non-student areas
	Leaving campus without permission
	Inappropriate use of technology/materials
	Disrespect to staff or authority
	Defiance of staff or authority
	Excessive tardiness /Truancy
	Academic Dishonesty / Cheating / Plagiarism
	PDA
	Forgery

	Stealing/Possessing/Vandalizing or Defacing School or Private Property
	Chronic Disruption
	Conspiracy
	Provoking/Harassing/ Intimidating Behavior
	Reckless Vehicle Use
Level 3	Arranged/Arranging Fight
	Assault
	Threat
	Possession / Use of tobacco products (including vaping materials)
	Under the influence of alcohol or in possession of alcohol
	Engaging in acts that promote promiscuity and/or sexual contact
	Bullying/Chronic/Hazing/Sexual Harassment school offender
	Give a False Bomb Threat/Fire Alarm
	Repetitive Level 2 Incidents
Level 4	Arson
	Education Staff Assault and/or Battery
	Possession, use, or sale of illegal drugs or controlled substances knowingly and unknowingly
	Felony
	Possession of an illegal* or dangerous weapon

Level 2 and above incidents require completion of the mini course and follow-up assignment before the student returns to the class.

ADMINISTRATION RESERVES THE RIGHT TO USE ITS DISCRETION WHEN DETERMINING DISCIPLINARY CONSEQUENCES. SUSPENSIONS MAY BE GIVEN FOR ANYWHERE BETWEEN ONE DAY AND THE REMAINDER OF THE SCHOOL YEAR.

In-School Suspension (ISS)

In-School Suspension is the exclusion of a student from all classes, from school, and from school activities for a specified time.

- Students who are assigned In-School Suspension suspension will complete school assignments/packages and will not be able to leave the designated area unless supervised. Failure to comply with all regulations while participating in In-School Suspension may result in additional days of suspension, either in or out of school.
- The Director (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 Director (or Designee) determines that the student committed the disciplinary offense, the Director (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 Director (or Designee) decides to impose an in-school suspension, the Director (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 Director (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 a meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible.
- If the Director (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 Director(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 Director or Designee, if such a meeting has not already occurred).
- The Director (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 Director (or Designee) and the parent.
- If the suspension results in less than 10 cumulative days, then the decision is not eligible for appeal to the Director. If the In-School Suspension results in more than 10 cumulative days, an appeal may be filed with the Director following the directions in the “Due Process For Disciplinary Removals” section.

Out-of-School Suspension (OSS)

Students placed on out of school suspension may not be on school grounds for the duration of the suspension, and are ineligible to participate or attend any extracurricular activity (including athletic events) for the duration of the suspension. It is the student's responsibility to contact teachers for missed work. Students who have been suspended will be allowed the equivalent amount of time given to all students to complete any missed assignments for full credit. Any additional time may be granted only at the discretion of the assigning teacher. Students on out of school suspension are placed in the custody of their parents or guardian.

Offenses that may warrant an Out-of-School Suspension include, but are not limited to:

- Repeated offenses for which the student has already earned consequences
- Misbehavior or disruption while assigned to In-School Suspension
- Leaving school grounds without permission
- Serious or continued disrespect of a fellow student including, but not limited to, hazing, bullying and harassment
- Serious disrespect of faculty, staff or other members of the school community
- Assaulting another student
- Using or possessing tobacco products
- Making verbal or physical threats, empty or otherwise, that threaten the safety of another individual

within the school community.

- Setting off false alarms (i.e.; fire, elevator)
- Gambling
- Cheating
- Being charged with a felony (which could also warrant expulsion, see M.G.L. c. 71, §37H1/2 in Appendix A-1)

As part of the process, a parent/guardian conference should occur. A student who is suspended is automatically prevented from participating in the next regularly scheduled interscholastic activity or competition in which he/she is involved and may be barred from all extracurricular activities for up to two weeks.

Expulsion

Expulsion is defined as the exclusion from Hampden Charter School of Science East/West on a permanent basis at the discretion of the Director with the potential for appeal to the Superintendent/CEO.

MA law (M.G.L. c. 71, §37H, §37H1/2 and §37H3/4) provides for the expulsion of students for the following Disciplinary Offenses:

- Possessing a dangerous weapon including but not limited to a knife or a gun
- Possessing a controlled substance as defined in M.G.L. c. 94C including but not limited to illegal drugs (e.g. marijuana) and prescription medication that is not prescribed to the student.
- Assaulting educational personnel including but not limited to school and central office administrators, teachers, in-class support teachers, counselors (i.e. threatening assault, hitting, kicking, punching, slapping, pushing)
- Being convicted of a felony or being found guilty of committing a felony either by admission or by adjudication, where the student's continued presence would have a substantial detrimental effect on the general welfare of the school. aa
- In addition to any of these infractions, any breaches of Federal law, Massachusetts state law, or local laws of Springfield, may be handled in cooperation with the law enforcement officials and may constitute grounds for disciplinary action.

The following are examples of disciplinary subjects of concern; however it is not an extensive list.

Hampden Charter School of Science East/West reserves the right to impose discipline for conduct that is not described in these rules. Hampden Charter School of Science East/West will not be limited by the provisions of our rules in imposing discipline as long as the decision was not made arbitrarily or capriciously.

CELL PHONES	At Hampden Charter School of Science East/West, we understand that cell phones are now a part of everyday life for many students. However, cell phones will not be allowed to be a distraction to the learning environment. The following simple restrictions will be placed on the use of cell phones during the school day. Cell phones may be used before or after
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	<p>school. Absolutely no photographs or videos may be taken inside the school building without permission. Students may not make phone calls or send text messages during class and cell phones may not be used during transition between classes. Students who continuously violate these rules will have their device confiscated and it will not be returned until the end of the school day. Incremental discipline may be used. We ask that Parents/Guardians do not try and contact their son/daughter on their cell phone during class because it is a direct violation of this policy.</p>
CHEATING, FORGERY &/OR PLAGIARISM	<p>By committing plagiarism or cheating, a member of the community is not acting with integrity. Academic penalties will be enforced during these types of situations. Parent contact will be made as well as additional consequences.</p>
CLASS CUT	<p>Students at Hampden Charter School of Science East/West are expected to be where they are supposed to be, when they are supposed to be there. Teachers take attendance for each class period. When a student is not in the class, and is not on the absence list, the teacher calls down to the office. The student services team then searches for that student. If the student is found s/he will be returned to class with teacher-facilitated discipline. If the student has cut multiple times, s/he may be referred to the Dean's office. Possible suspension may result from this infraction.</p>
ELECTRONIC DEVICES	<p>Students are allowed to bring electronic devices (MP3 players, IPODs, game systems, headphones, etc.) to school, and allowed to use them before or after the school day. Headphones can be used in the classroom only with teacher permission. At all other times, these items should be kept in lockers and turned off. Hampden Charter School of Science East/West is not responsible for the loss or damage of any such devices. Continued abuse of this policy will result in confiscation of the device, parent contact, and possible revoking of the privilege of having electronic devices here at Hampden Charter School of Science East/West.</p>
FAILURE TO COMPLY WITH DISCIPLINARY INTERVENTIONS	<p>Hampden Charter School of Science disciplinary interventions are designed to hold students accountable and/or to provide students with the opportunity to learn and develop new skills. Any student who refuses or fails to comply with any disciplinary intervention imposed by the school will be subject to further disciplinary action, up to and including suspension from school for a period of up to 90 days.</p>
DISRUPTING THE LEARNING ENVIRONMENT	<p>When a student's behavior makes it impossible for others to learn, action will be taken. A student may be referred to the Dean's office for conferencing. Suspension from school may result from continuous disruptions.</p>
LEAVING SCHOOL BUILDING / PROPERTY	<p>While in school, the student is the school's responsibility. Leaving the building/property during the school day is unacceptable because the school cannot ensure the student's safety. Any student needing to go outside for any reason must have permission from an adult in the building. Once a student is dropped off on school property, the student must remain on the premises. No student will be allowed to leave school grounds and then return without proper permission. Any student leaving the building/property without permission may be referred to the Dean's office. Possible suspension may result from this referral.</p>

HORSEPLAY	<p>Horseplay is any behavior that is perceived as unsafe either by a participant or an observer. Sharing space with others requires us to be thoughtful about how our behaviors affect those around us. We are each responsible for behaving in ways that demonstrate respect for ourselves and for others. All members of the community should be able to move around school without concern of being accidentally bumped or pushed over. Horseplay is behavior that is, or has potential for becoming, unsafe to you, others, or to your surroundings. Some examples of horseplay are: picking up other students, hitting, biting, knocking students against the wall, fooling around near breakable objects, etc. Possible suspension may result from this referral.</p>
MAJOR LAB SAFETY VIOLATION	<p>Hampden Charter School of Science East/West science labs are a place for learning and exploration of scientific concepts. Maintaining the safety of these environments is critical so that students and teachers do not become injured as a result of misbehavior. Any inappropriate behavior that results in injury to a Hampden Charter School of Science East/West student or staff member may be referred to the Dean's office. Possible suspension may result from this referral.</p>
PUBLIC DISPLAYS OF AFFECTION	<p>Students will be expected to use discretion and good judgment regarding the ways in which they physically behave with one another in school or at a school sponsored event. It is each student's responsibility to learn to behave appropriately in the company of others. Students are expected to refrain from behaviors that they expect, or that they have been told, create discomfort or distraction for others. Possible suspension may result from this referral.</p>
COMPUTER ACCEPTABLE USE POLICY	<p>In order for a student to use the Hampden Charter School of Science East/West Internet connection, s/he must read and sign the Technology Policy document. The most important prerequisite for someone to receive access is to take full responsibility for their actions while on the internet. All users shall assume full liability: legal, financial, or otherwise for their actions. Hampden Charter School of Science East/West will not be liable for anyone connecting to the internet through this hookup. Failure to abide by the regulations set forth by the technology policy or any other inappropriate use of school computers shall result in the loss of the student's computer account pending administrative review and possible disciplinary action (see Student Acceptable Use Policy for more detail).</p>
THEFT	<p>Hampden Charter School of Science East/West strives to be a community of integrity, safety and responsibility. Theft has no place here. Lost or stolen items should be reported immediately to any adult in the building. If an item is found by a student, it should be brought to the main office for safe keeping. All efforts will be made and an investigation will take place in order to find the lost or stolen item(s). If a student is found to be in possession of stolen property, or in the act of stealing, the consequences will be serious. Restitution and suspension may result from this behavior.</p>
VANDALISM	<p>As a community here at Hampden Charter School of Science East/West, we take pride in where we go to school. It is expected that all members of the community will treat all aspects of the school with respect. School vandalism is considered a community wide issue and responsibility. Any person(s) caught defacing, destroying, or altering any object of school property or property of any other person, will be reported to the owners. Those responsible will clean, repair, and reimburse for the value of the objects that have been</p>

	<p>damaged. Parents may be called if the vandalism is serious enough, or if this has occurred more than once for this person(s). In keeping with the Hampden Charter School of Science East/West value of community, if no one admits to the vandalism, advisors may be chosen at random to assist in the cleanup efforts. Possible suspension may result from this referral.</p>
<p>VERBAL ASSAULT</p>	<p>We strive to keep your learning environment at Hampden Charter School of Science East/West safe and orderly. Verbal Assault is defined as unprovoked or unwarranted spoken speech that is violent, hostile, attacking, threatening, profane, antagonistic, intimidating, and/or loud, or any combination of these. Generally the more of these elements that are present, the more severe the assault. However, any one element alone or in combination with others may constitute verbal assault. Possible suspension may result from this referral.</p>
<p>THREATS</p>	<p>Hampden Charter School of Science East/West will be a safe and orderly school environment. Threats made by any member of the community are taken very seriously. As a community, Hampden Charter School of Science East/West will not tolerate any threats made either directly (verbal or written) or indirectly (through another party, on the computer, etc.). Peer mediation may be able to solve some incidents; however, possible suspension may result from this referral.</p>
<p>FIGHTING</p>	<p>Any student that is involved in a fight will be brought to a suspension hearing immediately. Fighting will not be tolerated in our community. The student involved may also face potential suspension of up to 90 (ninety) days. Physical contact is taken seriously by all members of Hampden Charter School of Science East/West and has a direct impact on our ability to keep the school a safe and orderly learning environment.</p>
<p>FIREARMS/WEAPONS</p>	<p>Bringing any weapon to school (knowingly or unknowingly), using a weapon on school grounds or at a school activity, or having a weapon in a locker or on the bus are grave offenses, are against school rules and regulations, and are against the law. Suspension and/or expulsion and contact with legal authorities may be a result of this behavior. Weapons can include knives, guns, razors, chains, or any other object sharpened into a blade and any item used to cause injury or threaten injury. Students found in possession of any knives, guns, bats, bottles, explosives, fireworks, etc. or realistic facsimiles thereof, will be subject to the penalties stated above.</p>
<p>GANG AFFILIATIONS</p>	<p>Gang issues are a priority concern of all public schools. Any gang activity is strictly prohibited on school grounds or at any school activity. A gang is defined as an organization, either formal or informal, of three or more persons that has a common name, identifying sign(s), and members who individually or collectively engage in criminal activities. (See MA General Laws, Chapter 265, Section 44). Gang criminal activity includes, but is not limited to, intimidating others, threatening others, or participating in, and/or enticing others to participate in any form of physical violence involving persons or property. Other activity could be the display or possession of gang symbols, soliciting others for membership, requesting payment of dues, bullying, harassing, degrading, disgracing, or any other activity that may cause harm to another in the community. Gang identifiers, which may change periodically, will not be allowed to be displayed by any member of the Hampden Charter School of Science East/West community at any time</p>

	<p>during school, at school sponsored activities, or at school events. Students may not display any sign, gesture, handshake, insignia, symbol, color, combinations of colors, apparel or accessories which have been designed as gang identifiers. Examples of gang identifiers include but are not limited to: 5-6 point stars, arrows, pitchforks, crowns, identifying numbers, or groups of names or initials, certain articles or combinations of clothing. This list of identifiers may be updated at any time. We realize that students may become involved in gang activities without fully understanding the consequences of such membership. Gang violence and prevention information shall be made available to all students as appropriate. Notification of parents, suspension from school, and parent conferences can all result from this type of activity.</p>
HABITUAL SCHOOL OFFENDER	<p>At Hampden Charter School of Science East/West, we expect all students to manage themselves and their behaviors in accordance with school expectations. Any student who habitually violates the Hampden Charter School of Science East/West code of conduct may be subject to suspension from school for a period of up to 90 school days. Hampden Charter School of Science East/West may also file a Habitual School Offender CRA Petition with the juvenile court.</p>
HARASSMENT	<p>Harassment of any kind does not belong at Hampden Charter School of Science East/West. This type of behavior not only can have disciplinary consequences, but legal consequences as well (see Appendix). Any student found to be harassing anyone in the community may be suspended from school. At Hampden Charter School of Science East/West, we expect all individuals to treat each other with respect and dignity. We are committed to creating and maintaining an atmosphere in which no members of the community are subjected to such treatment.</p>
SEXUAL HARASSMENT	<p>Sexual harassment in any form is not allowed at Hampden Charter School of Science East/West. Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct which interferes with work performance or creates a hostile environment. A hostile and intimidating environment can include the use of profanity, name-calling, telling off-color jokes, making sexist comments and innuendoes, or showing explicit or offensive pictures. The range of behaviors includes leering, pinching, grabbing, suggestive verbal comments, spreading sexual gossip, pressure for sexual activity and any unwanted physical conduct of a sexual nature. Violations of this policy may result in initiation of parent contact and restorative action planning. School suspension and possible suspension may result from this behavior</p>
HAZING	<p>“Hazing” is defined by law as; 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. 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 of 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. This also includes 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. This type of behavior is against the law in Massachusetts (Chapter 269, Section 17 of General</p>

	Laws). Anyone who is found to be hazing another student shall be brought forth to the appropriate legal authorities, as well as face school disciplinary action.
ALCOHOL	The use, distribution, consumption, being under the influence, or possession of any alcoholic beverage while coming to school, on school property, or at school functions, is prohibited. School suspension, parent contact, and possible long term suspension may result from this behavior. Violations of this policy may be referred to the appropriate legal authorities for further action.
DRUG POLICY	Any student who possesses, distributes, is under the influence of and/or sells drugs will be subject to suspension/expulsion. For the purpose of this policy, drugs include but are not limited to, prescription medications, marijuana, paraphernalia, as well as all drugs defined by Chapter 94C of Mass. General Laws. Suspension and/or expulsion may result and the appropriate legal authorities may also be contacted for further action. Regardless of what the current law may be, students found in possession of substances including, but not limited to, “synthetic marijuana” (“Spice”, “K2”), Salvia Divinorum”, “bath salts”, inhalants or over the counter drugs will be subject to potential suspension from school. Students who are abusing substances may use Hampden Charter School of Science East/West counseling resources to obtain information and referrals for help. At Hampden Charter School of Science East/West, we are all responsible for keeping the learning environment as safe and orderly as possible. Anyone involved with drug activity is not working towards that goal.

The Code of Conduct for Hampden Charter School of Science East-West provides for graduated penalties for students who engage in repeated misbehaviors despite the prior imposition of appropriate disciplinary measures. *Under progressive discipline, more severe penalties will be imposed on those students who engage in a pattern of persistent misconduct. Alternate or additional consequences may be imposed by the Director (or Designee).*

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 by 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 the school immediately. If you fail to inform the school prior to bringing an attorney to a

hearing, and the school's attorney is not present, then the 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. HCSS East/West hereby notifies you that it may have its legal counsel present at any hearings and meetings involving student discipline.

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 Director.

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 Director.

Any student who assaults the Director, school and central office administrators, 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 Director.

Any student who is charged with any of the misconduct detailed above has an opportunity for a hearing before the Director.

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 Director.

After said hearing, the Director may, in his/her discretion, decide to suspend rather than expel a student who has been determined by the Director 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/CEO.

The expelled student shall have ten days from the date of the expulsion in which to notify the Superintendent/CEO of his appeal.

The student has the right to counsel, at his or her own expense, at a hearing before the Superintendent/CEO.

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 Hampden Charter School of Science East/West Education Service Plan.

If the student withdraws from the Hampden Charter School of Science East/West 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.

NOTICE OF RIGHTS UNDER G.L. c. 71 §37H1/2

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 director of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by the director 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/CEO.

The student shall have the right to appeal the suspension to the Superintendent/CEO. The student shall notify the Superintendent/CEO in writing of his/her request for an appeal no later than five calendar days following the effective date of the suspension. The Superintendent/CEO 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/CEO shall have the authority to overturn or alter the decision of the Director, including recommending an alternate educational program for the student. The Superintendent/CEO shall render a decision on the appeal within five calendar days of the hearing.

The Superintendent/CEO's decision shall be the final decision of the school 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 Director of a school in which the student is enrolled may expel said student if the Director 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/CEO.

The student shall have the right to appeal the expulsion to the Superintendent/CEO. The student shall notify the

Superintendent/CEO, in writing, of his/her request for an appeal no later than five calendar days following the effective date of the expulsion.

The Superintendent/CEO 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/CEO shall have the authority to overturn or alter the decision of the Director, including recommending an alternate educational program for the student. The Superintendent/CEO shall render a decision on the appeal within five calendar days of the hearing.

The Superintendent/CEO's decision shall be the final decision of Hampden Charter School of Science East/West with regard to the expulsion.

Students who are suspended or expelled under §37H1/2 are entitled to receive educational services during the period of suspension or expulsion under Hampden Charter School of Science East/West's Education Service Plan.

If the student withdraws from the charter school and/or moves to another school district during the period of suspension or expulsion, the new school/district/district of residence shall either admit the student to its schools or provide educational services to the student under the new school or district's education service plan.

NOTICE OF STUDENT AND PARENT RIGHTS UNDER G.L. c. 71 §37H3/4

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 37H1/2, as detailed above.

In every case of student misconduct for which suspension may be imposed, the Director or his/her 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 Director or his/her designee is considering and/or decides to implement a removal from school as a consequence for student misconduct.

Students who are suspended under §37H3/4 are entitled to receive educational services during the period of suspension or expulsion under HCSS East/West's Education Service Plan. If the student withdraws from the charter 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 §37H3/4

Unless the Director or his/her 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 Director or his/her designee 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 Director or his/her 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 Director or his/her designee concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing;
- e) the date, time, and location of the hearing;
- 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 Director, the student's short and long term suspension hearing rights and the right to appeal the Director's decision to the Superintendent/CEO (*see* Hearing Rights section below).

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

The Director or his/her designee has the authority to remove a student from school temporarily when a student is charged with a disciplinary offense and the principal 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 Director or his/her designee's judgment, there is no alternative available to alleviate the danger or disruption.

The Director is required to notify the Superintendent/CEO 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 Director or his/her

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

HEARING RIGHTS

Director or his/her designee *Hearing under §37H3/4: 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 Director or his/her designee is for the Director or his/her 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 Director or his/her 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 Director or his/her designee should consider in determining whether other remedies and consequences may be appropriate.

Based on the available information, including mitigating circumstances, the Director or his/her designee shall determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.

The Director or his/her 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.

Director's Hearing under §37H3/4: 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:

- a) In advance of the hearing, the opportunity to review the student's record and the documents upon which the Director 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; and
- e) If the student or parent requests an audio recording, the Director 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 Director shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Director should consider in determining consequences for the student.

Based on the evidence, the Director 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 Director 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 Director and the parent. If the Director 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 Director;
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 Director's decision to the Superintendent/CEO.

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/CEO within five (5) calendar days of the effective date of the long-term suspension;
- b) provided that within the five (5) calendar days, the student or parent may request and receive from the Superintendent/CEO an extension of time for filing the written notice for up to seven (7) additional calendar days; and that
- c) the long-term suspension will remain in effect unless and until the Superintendent/CEO decides to reverse the Director's determination on appeal.

Superintendent/CEO's Hearing under §37H3/4

A student who is placed on long-term suspension following a hearing with the Director has the right to appeal the Director's decision to the Superintendent/CEO.

In order to appeal the Director's decision to impose a long-term suspension, the student or parent must file a notice of appeal with the Superintendent/CEO within five calendar days of the effective date of the long-term suspension (in the alternative, within five calendar days of the effective date of the long-term suspension the parent may request and receive from the Superintendent/CEO an extension of time for filing the written notice for up to seven additional calendar days).

If the appeal is not timely filed, the Superintendent/CEO may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

The Superintendent/CEO shall hold the hearing within three school days of the student's request, unless the student or parent requests an extension of up to seven additional calendar days, in which case the Superintendent/CEO shall grant the extension.

The Superintendent/CEO 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/CEO to participate. The Superintendent/CEO shall send written notice to the parent of the date, time, and location of the hearing.

The Superintendent/CEO 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/CEO shall issue a written decision within five calendar days of the hearing. If the Superintendent/CEO determines that the student committed the disciplinary offense, the Superintendent/CEO may impose the same or a lesser consequence than the principal, but shall not impose a suspension greater than that imposed by the Director's decision.

The decision of the Superintendent/CEO shall be the final decision of the school.

In-School Suspension under §37H3/4

The Director or his/her designee may use in-school suspension as an alternative to short-term suspension for disciplinary offenses. The Director or his/her 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 Director or his/her designee determines that the student committed the disciplinary offense, the Director or his/her 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 Director or his/her designee decides to impose an in-school suspension, the Director 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 Director or his/her 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 a meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible.

If the Director or his/her 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 Director or his/her 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 Director or his/her designee, if such a meeting has not already occurred). The Director or his/her 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 and the parent.

Removal from Privileges and Extracurricular Activities

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

Education Services and Academic Progress under §37H3/4

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. Students 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.

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.

Hampden Charter School of Science East/West 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.

The Director 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.

Hampden Charter School of Science East/West'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 Hampden Charter School of Science East/West expels a student or suspends a student for more than 10 consecutive school days, the school 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.

DISCIPLINE OF STUDENTS WITH SPECIAL NEEDS

Special Education staff must be directly involved when exclusionary discipline is being considered for special education students.

The Code of Conduct must describe the discipline procedures that apply to students who have been identified as having special needs and requiring modifications to the regular code of conduct, as required by their Individualized Education Plans (MGL c. 71B § 3). Hampden Charter School of Science East/West does not discriminate on the basis of sex or disability (M.G.L. c. 76, s.5).

In general, the discipline of a student who has been identified as having special needs pursuant to federal law or the Individuals with Disabilities Education Act (IDEA) is subject to the requirements of the student's Individualized Education Plan (IEP). The IEP for every special needs student should indicate whether the student can meet the requirements of the regular discipline code, or if a modification is necessary.

- If a modification is necessary, it must be described in the student IEP.
- A record of all offenses punishable by suspension committed by special needs students must be kept.
- If it becomes apparent that a student identified as having special needs or referred for a special

education evaluation (prior to the misconduct) may be excluded from school for a total of ten days in any school year (including both in-school and out-of-school suspensions), the student's special education team or 504 Team must be convened prior to the suspension beyond the ten days.

- Federal and state laws regarding students with disabilities must be followed. If the behavior is not a manifestation of the student's disability, then the discipline code will be followed. If the Team determines that the conduct is a manifestation of the disability, the student will return to his placement. However, the Team may decide to modify the student's program or recommend a different placement for the student.
- In all cases, the school will provide educational services to the student for suspensions of greater than 10 days.

MEDICATION POLICY

Medication should not be brought to school unless it is essential to the health of the student. If a student must take medicine at school, these procedures must be followed:

- The medication to be administered by designated school personnel must be brought to school by the student's parent/guardian.
- The school must receive a Medication Administration Consent Form signed by the student's physician and parent/guardian. (This form can be found on the HCSS website or it can be printed by most doctor offices)
- If it is a prescription medication being brought in, the following information must be clearly printed on the prescription bottle:
 - Student's Name
 - Name of the medication
 - Dosage
 - Time the medication must be taken.

All medication will be kept in a secure location in the nurse's office. Students are not allowed to carry any medication on them or in their lockers during school. This includes but is not limited to Tylenol, Ibuprofen, inhalers, vitamins, or prescription medications.

Students are not allowed to use personal cell phones to call home if ill. Doing so may result in disciplinary action.

BULLYING AND HARASSMENT

See "Bullying Plan"