HOUSE DOCKET, NO. 3523 FILED ON: 1/16/2015

HOUSE . . . . . No. 1264

The Commonwealth of Massachusetts

PRESENTED BY:

***Diana DiZoglio*, (BY REQUEST)**

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to juvenile violence.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Brian J. Coppola	*400 Merrimack Street, Methuen, MA 01844*	*1/16/2015*
Marcos A. Devers	*16th Essex*	*9/16/2019*
Kathleen O'Connor Ives	*First Essex*	*9/16/2019*

HOUSE DOCKET, NO. 3523 FILED ON: 1/16/2015

HOUSE . . . . . No. 1264

By Ms. DiZoglio of Methuen (by request), a petition (accompanied by bill, House, No. 1264) of Brian J. Coppola, Marcos A. Devers and Kathleen O'Connor Ives relative to juvenile sexual abuse violence. The Judiciary.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to juvenile violence.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1 Sexual Abuse Committed By Students Onto Other Students In Public, Elementary, Middle and Secondary Grade School or Private Day or Residential Elementary, Middle or Secondary School That Are Educating Students Grades Kindergarten-12 Mandated Expulsion Who Are Ages 12-Years-Old Up Until Graduation From High School and Who's Victim Is Two Or More Years Younger Than The Offender As Defined Under M.G.L Chapter 265 Aggravated Rape, M.G.L Chapter 265, or M.G.L 266 or M.G.L 269 Section 10: Alternative Educational Arrangements Made to Expelled Students Under This Act, Whether In A Special Educational Program Or Not And Individualized Behavioral Modification Educational Plans, (IBMEPS): Interim Court Orders Admonishing An Alleged Sexual Offender To Stay Away From Their Victims As Conditions of Bail or Release To The Custody Of Their Parent(s) Or Legal Guardian(s) Shall Constitute Indefinite Suspension From The School, Where the Alleged Offender And The Victim Attended At The Time of The Aforementioned Sexual Abuse Alleged To Have Occurred, Pending Adjudication Of Delinquency or Guilt When M.G.L Chapter 265

Charges Had Also Been Brought Against The Offender Prior To Disciplinary Action On The School Level

Any student who is:

A. 12 years or older, up till he/she graduates from high school and who has not yet to graduate from high school, who commits onto another student, two or more years younger than him/herself:

B. rape, or statutory rape, or molestation, or indecent assault or any other acts of sexual abuse, including, but, not limited to sodomy onto another minor as prescribed under M.G.L 265, all inclusive, to include anal, or oral sexual or unnatural sexual intercourse onto another student who is under the age of 16, or sexual assault of a minor under the age of 14, or aggravated rape of a minor, or forcible rape of a minor or uses a lure or trickery that coerces or uses force onto another student who is two or more years younger than the offender to get the other younger student into a private area, including, but, not limited to a bedroom, bathroom, corridor or any other unsupervised area of a public, or private or a residential school that offers educational services to school-aged children in grades Kindergarten-12 or special needs school-aged children in grades Kindergarten-22-years-old, whether said acts of sexual abuse by the offender occurred in a public, or private elementary, or middle or secondary day school or elementary, or middle or secondary residential school, which both

C. The offender and the victim attend, said perpetrator, upon finding of guilt by the school's disciplinary board, by preponderance of the evidence shall face automatic expulsion from his/her public or private elementary, or middle or secondary day school, or elementary, or middle or secondary residential school. Said child who has been expelled for sexual abuse, or

molestation, or rape or any of the above mentioned sexual acts so outlined in section 1 of this act shall not be permitted to be enrolled into a residential school, so educating children on the grade levels, beginning with Kindergarten up till grade 12, or special needs school-aged children in grades Kindergarten-22-years-old, within or without the Commonwealth of Massachusetts, except for a juvenile detention facility, or jail or a psychiatric care facility when ordered by:

D. A juvenile court or a trial court that has jurisdiction over said matters so prescribed in M.G.L Chapter 265. At the time of expulsion, said school system must provide said expelled offender alternative ways of receiving their education, whether they are home schooled, or a tutor is provided by the said school system or the said school system makes their educational materials available over the Internet, through distance learning. In the case of disabled or special needs students, the school system must provide reasonable accommodations to the alternative educational materials as outlined in a written individualized educational plan, as deemed under applicable state and federal laws. The same mandated expulsion for sexual abuse shall also apply to special needs students pursuant to an Individualized Behavioral Modification Educational Plan, (IBMEP), to which both the special needs student and his or her victim shall have a right to attend the meeting of developing of such Individualized Behavioral Modification Educational Plan, (IBMEP). This Individualized Behavioral Modification Educational Plan (IBMEP) shall be said to be developed at the new educational facility, which the special needs school-aged child, who is 12-years or older and who has been expelled from the child's previous educational facility for a sexual offense has been accepted to, according to the new educational facility's admission requirements and their policies and procedures. The new educational facility, which a previously expelled child attends, whether, or not it is a regular public school, a private school, or an educational facility specializing in special education must

be a day school, to which said previously expelled sexual offender so attends shall render said school-aged child 12-years of age or older, whether or not they are disabled, and shall render said expelled school-aged child to be a “day” student, even in the case, where said specialized educational facility is a residential special educational facility, said special needs child so attending the new facility, upon expulsion from their previous educational facility for a sexual offense, shall also be deemed a “day” student. The purpose of a school system so providing said expelled student alternative education material shall be for the sole purpose of obtaining their high school diploma or GED or another form of certificate that signifies successful completion of the prescribed course of studies. The same mandated expulsion requirements shall also apply to any school-aged child, 12-years of age or older, who engages in aggravated rape as defined under applicable state laws, under MGL Chapter 265, or MGL Chapter 266, or MGL Chapter 269 Section 10. This provision shall also include the hereinafter aggravated rape of a staff member, by a student, who is age 12 or older.

E. Any student who both attends an educational facility that educates school-aged children in Grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22-years-old and is 12-years of age or older who has been brought before a juvenile court or an adult trial court and is ordered by said juvenile court or trial court so having jurisdiction over the criminal matter of an M.G.L. Chapter 4265 sexual offense against a minor or a minor who is two or more years younger than the offender so charged who is ordered by said court to stay away from their victim shall automatically be suspended interim from his/her educational facility pending adjudication of delinquency in a juvenile court or found guilty in an adult criminal trial court. Said student shall be barred from attending said educational facility until such case has been adjudicated as a finding of delinquency or guilt and that said offender

shall remain in the custody of his/her parent(s) or legal guardian(s) as part of a condition of release from The Department of Youth Services or as a condition of Bail in an adult criminal proceeding prior to any school disciplinary action. The same aforementioned provisions of section 1 shall also apply to special needs students within the commonwealth of Massachusetts, and who are school-aged children in grades Kindergarten-22-years-old, whether or not said special needs school-aged child attends a public or private day or residential school so offering educational services to school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22-years-old.

F. School disciplinary action in the case where a juvenile has been charged with a sexual offense up on a minor who is two (2) or more years younger than the defendant so charged, shall occur in conjunction with any criminal court proceeding, once said minor has been charged and arrested for the aforementioned M.G.L Chapter 265 sexual offenses against another minor of whom said minor victim is two (2) or more years younger than the offending student, 12-years of age or older. In the case where criminal proceedings had been commenced against said minor defendant, whether in the juvenile court system or the adult criminal courts, an educational facility may defer said disciplinary action, pending the outcome of the aforementioned M.G.L Chapter 265 court proceedings. This shall be construed to mean that said school disciplinary action may be deferred until the courts had made its findings on said criminal matters. This shall also apply to the charge of aggravated rape hereinafter mentioned, (IBID), M.G.L Chapter 265, M.G.L. Chapter 266 and M.G.L Chapter 269 Section 10, hereunder mentioned.

G. For the purposes of this act, “In conjunction” with any criminal matter shall be defined to mean that the school’s disciplinary board may meet to decide the case on its own

merits at the time of pending criminal proceedings in said juvenile or adult trial court or may defer said disciplinary action on said matter until said juvenile or adult criminal trial court has made its findings. Provided that In the case where there are conditions for release of said minor so charged in a sexual offense case, and the conditions imposed for said release on bail or to the custody of the defendant minor's parent(s) or legal guardian(s) for the defendant to stay away from his/her victim, said school offering educational instructions to school-aged children in grades Kindergarten-12 or in the case of special needs students in grades Kindergarten-22-years-old, said school disciplinary board must defer such cases of disciplinary action until a criminal disposition of adjudication of delinquency or finding of guilt has been determined. The aforementioned requirements shall also apply to private day or residential schools, including, but, not limited to educational facilities that educate school-aged students in grades Kindergarten-12 or in the case of special needs schools, school-aged children in grades Kindergarten-22-years-old.

Section 1B Lure or Trickery to Commit a Sexual Act onto Another Student Defined Under Section 1, Leading A Younger Student To Believe That They Need Medical Treatment, or a Medical Examination Or Are In Danger of Death or Bodily Injury: A Rescue League Not Being Run By Appropriate Staff, School Nurses, School Doctors or Local Fire Departments to Gain Access to the Genital Areas, Whether Or Not The Younger Student is Fully Clothed or Unclothed, Or for the Sole Purpose of A Student, 12 Years or Older to Access the younger student's Private Parts of the Human Body for Exploratory Purposes, Or Exploratory Sex or Sodomy. Also Deemed Eligible for Mandated Expulsion: Students Enrolled In Educational Facilities, Whether The Educational Facility Educational Facility That Educates School-Aged Children In Grades Kindergarten-12 Is A Public, or Private Day Or Residential School; Students

So Enrolled; Presumption Of Not Holding The Qualifications of Authority As Head Of The School's Physical Education Program, School Nurse, School Physician, Fire Department Personnel: Supervisory Provisions for Mild, Moderately or Severely Developmentally Disabled Students Who Are of Physical Age of 12-years-old, But, Developmentally Under the Age of 12-Years-Old and wording to placed in 18 point bold faced fonts onto two cover pages of student's IEP: Mild, or Moderately, or Severely Developmentally Disabled Student To Face Same Expulsion Requirement for a Sexual Offense Committed onto another student who is two or more years younger than themselves or Another Staff Member, Without Consent

Any student who is 12-years of age or older and who has not graduated from high school who uses a lure or trickery to coerce or force a student two or more years younger than him/herself, or another staff member who is not a willing party to commit a sexual act when said luring or trickery is used as a reuse that involves:

A. A medical examination, including, but, not limited to when one minor discusses with another minor, 15 years of age or older that they had been a rape victim, whether or not said rape or sexual abuse had occurred on or off campus, and whether or not said rape or sexual abuse being discussed with said minor student, 15 years of age or older had taken place whether or not such occurred while school was in sessions or out of session on recess or both, or

B. Leading a student who is 2 or more years younger than the offender(s), or the offender(s), leading an unwilling staff member of the school to believe that said student is involved in some form of rescue club or any other school organizations so claimed to be run by any other staff who has the power of authority to do so, such as the head of physical education, or the school nurse, or the school physician, or fire department personnel to render first aid, or

that such student or unconsenting staff member requires first aid to save his/her life. Any student who engages in such acts as defined in section 1 of the Juvenile Violence Act shall also be deemed eligible to face mandatory expulsion from his or her grade school and shall not be permitted to attend a residential grade school that teaches school-aged children in grades Kindergarten-12. Said student enrolled in a school, whether or not the school that educates school-aged children in grades Kindergarten-12 is a public, or private day or residential school, shall be presumed not to have the appropriate qualifications to be 1a The head of the school's physical education program, the school nurse, the school physician, or fire department personnel and shall be presumed not to hold any of these job titles as so stated. Any student 12 years of age up until he/she has completed the prescribed course of study who leads anyone to believe that a houseparent or housemaster of a residential school offering educational services to school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22-years-old, is running a rescue club or a first aid training class to the aforementioned students, for the purpose of luring another student or staff member into fondling or touching of the genital parts of a male or female as part of another student two or more years younger than him/herself or that of another staff member, for the purpose of this act shall also be construed to be trickery for the sole purpose of sexually deviant behavior and that said student so engaging in said trickery that results in sexually deviant behavior shall also be subjected to the same mandated expulsion requirements.

C. This provision shall also apply to school-aged special needs children in grades Kindergarten-12 or in grades Kindergarten-22-years-old, provided that said special needs student is below the intellectual quotient of 70 percent of students his or his age. In such cases, said special needs students shall be closely supervised by all staff members involved in their

education, including, but, not limited to house staff, or houseparents or housemasters, in the case of a residential school that offers educational services to school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children, in grades Kindergarten-22-years-old when said special needs student is of the physical age of 12-years-old, but, functions as either mild, or moderate, or severely developmentally disabled in age or has a psychiatric or emotional disability. This supervisory provision shall apply to any public, or private or residential school, within the Commonwealth of Massachusetts that educates school-aged children in grades Kindergarten-12 or in the case of special needs students, grades Kindergarten-22-years-old, when it is evident that a behavioral problem has been detected by said educational facility staff once said developmentally disabled, or psychiatrically disabled or emotionally disabled student has reached the physical age of 12-years or older and that said behavioral problem is detected by said staff when said special needs student has started to engage in unacceptable behavior that is contradictory with school, or public policy or is considered to be otherwise socially unacceptable behavior. A report of unacceptable social behavior to a staff member either by another student or staff member, to another staff member, shall trigger an alert to the head administrator of said educational facility that said special needs student is, “In Need of Behavioral Supervision.”

The unauthorized use of mouth to mouth resuscitation by a student, who is of the physical age of 12-years-old, but, functions below the physical age of 12-years-old, shall also be deemed eligible for close supervision. Unauthorized use of mouth to mouth resuscitation shall be defined to mean, that a. the person receiving such can speak, and is truly able to breathe on their own, or is not truly choking on any objects, or is unconsenting to such practice, or that such measures of its use is not being properly supervised by said school nurse or is not being practiced in a

physical education class via use of an anatomical manikin doll that replicates a human being for the purposes of first aid training or for the proper use of mouth to mouth resuscitation.

The same definition of unauthorized mouth to mouth resuscitation shall also apply to those with psychiatric or emotionally disabled students, as shall also apply to any other student who does not otherwise have a disability. Any student who is 12-years-old and engages in the unauthorized use of mouth-to mouth resuscitation or any other unauthorized first aid, onto another student or staff member who is truly not in need of such or is unconsenting to the act of the offending student, said offending student shall be expelled from his/her educational facility for a period not to exceed one (1) academic semester, regardless of disability, and in the case of disability, shall be placed under an Individualized Behavioral Modification Educational Plan (IBMEP), upon return from expulsion and that said unconsenting person to the unauthorized use of mouth-to-mouth resuscitation or any other first aid technique that is contrary to school policy or is not done with proper supervision, said unconsenting person to the aforementioned activities shall have the right to be present at the development meeting of the offending disabled student's Individualized Behavioral Modification Educational Plan (IBMEP), whether or not the unconsenting individual is another student or a staff member, who is on or who is not on the special needs school-aged child's Individualized Educational Plan, (IEP) team.

D. said special needs school-aged child who is 12-years of age or older, but, functions under his/her physical age, shall have written on their first Individualized Educational Plan, once they had reached their 12'th birthday the following words on cover pages that follows: "special needs student under supervision due to the type of developmental disability, or a psychiatric disability or an emotional disability that has been diagnosed, and has a strong likelihood that said symptoms of the aforementioned disabling conditions without supervision

and appropriate behavioral modifications would result in said special needs student, so having intellectual or behavioral deficits has the potential of causing harm to him/herself or others and that he/she shall be under the same mandated expulsion rule for a sexual offense that he/she commits onto another student or staff member or the same ten (10) day academic suspension for any violence committed in conjunction with any bullying or hazing or any other forms of violent acts so committed onto another staff or student that produces bodily injury. Said cover pages of the aforementioned Individualized Education Plan (IEP) shall also contain the following statement: “In the event, “any disclosure of sexual abuse that comes to surface years later and is found to had occurred to said victim of said special needs student, upon said victim, after first disclosure, after said student (s) had left after one (1) academic year or has graduated via receiving their high school diploma or some other form of certification that signifies successful completion from his/her educational facility, via 2/3 of the aforementioned psychiatrist and psychologist to whom the sexual abuse victim is seeing, that, A. Such first disclosure once concurred to had been a case of sexual abuse by said student via 2/3 of the psychiatrists and psychologists to whom said victim first discloses said incidents of such nature after attendance at the same school as the alleged perpetrator or graduation from the same school as the alleged perpetrator, that said first disclosure shall be deemed to be latent discoverable emotional injury to the victim and that said alleged perpetrator shall face the same dismissal proceedings by said educational facility’s alumni association’s board of directors or school committee in the case where the educational facility, where the offense has alleged to had taken place has no established 501c (3) non-profit alumni association so affiliated with said educational facility to which said alleged acts of sexual abuse had occurred.

E. Such wording shall be typed in 18 point bold faced font by his/her case manager, and must be signed by the case manager, the head school administrator and his/her parent(s) or legal guardian(s).

F. said student shall also be advised through his/her parent(s) or legal guardian(s), on the appropriate developmental age level, that if their son, or daughter, or ward, commits onto another student or staff member a sexual offense or an act of violence in conjunction with any bullying or hazing or any other acts of violence towards other students or staff member, said son, or daughter or ward must also be subjected to an Individualized Behavioral Modification Educational Plan (IBMEP) or in the case of mandated expulsion for a sexual offense, is permanently expelled from said educational facility and will be placed under an Individualized Behavioral Modification Educational Plan (IBMEP) in his/her new facility where he/she ultimately attends post expulsion. The cover pages of the IEP of said developmentally disabled, or psychiatrically disabled or emotionally disabled student's IEP shall also state in the manner prescribed below that the victim of the offense to which they had committed shall have the right to be present at the aforementioned Individualized Behavioral Modification Educational Plan, (IBMEP) meeting, whether or not said victim is part of the student's IEP team.

G. The aforementioned cover pages of the disabled student's Individualized Educational Plan, (IEP), once he/she has reached their 12'th birthday must indicate the name of the educational facility, the words, "Individualized Educational Plan" of the effected developmentally, or psychiatrically, or emotionally disabled student, their name, date of birth and the words, "Disciplinary Advisory Pages," in 18 point bold fonts, followed by the author of the cover pages and the date of the effected student's 12'th birthday. Upon signing at the end of the cover pages of the effected student's Individualized Educational Plan, (IEP), upon their 12'th

birthday, the words shall follow below the signature lines, “Shall remain on the student’s file until said student has reached their 52nd birthday, which would be said to entail the name of the effected student, followed by the date that said student will reach their 52nd birthday, surrounded by three red asterisks and below shall follow these words, “COVER PAGES NOT TO BE REDACTED BY ANY STAFF, STUDENT, ADMINISTRATOR OR PARENT OR LEGAL GUARDIAN,” also surrounded by red asterisks, and that the words, “COVER PAGES NOT TO BE REDACTED BY ANY STAFF, STUDENT, ADMINISTRATOR OR PARENT OR LEGAL GUARDIAN,” must be placed in all uppercase lettering. This IEP and cover pages shall be said to transfer from grade school to grade school as said developmentally disabled, or psychiatrically disabled or emotionally disabled student either graduates from the first school he attended when he/she was 12-years-old where the plan and cover pages of disciplinary advisory was signed, or the student has been expelled and accepted into a new educational facility, post expulsion.

Section 1C People So Having Power To Instruct Students In Grades Kindergarten-12 In First Aid, or Rescue Techniques or Who Run Volunteer Student Based First Aid or Rescue Clubs Or Do Such AS extracurricular Activity: Job Title; Head of The Educational Facility’s Physical Educational Program, Or School Nurse or Local Fire Department Where The Educational Facility Who Instructs School-Aged Children In Grades Kindergarten-12: Requisite Signature Requirements Of Anti-Sexual abuse, Anti-Bullying and Anti-Hazing Prior To Joining In Such Course of Study, Voluntary Rescue or First Aid Club As An Extracurricular Activity; Same Requirements Shall Also Apply To Private or Residential Schools Instructing School-Aged Children In Grades Kindergarten-12: School District’s Duties To Meet Mandated 185 School Day Requirements Prescribed By the Massachusetts Department Of Education To Ensure That The Academic Year Ends No Later Than the Third Friday of June and No Earlier Than two days

after the Labor Day holiday, Saturday Session, or Reduction of One vacation Day, Or Extended School Days, or Application of Waiver of The 185 School Day From the Massachusetts Department of Education Citing Student And Staff Safety AS Paramount To The 185 Academic Day Requirement or All of the Following Actions: Presumption Of Residential School And Ability To Meet The 185 School Day Requirement And End The Academic Year No Later Than The Third Friday of June And Start The New Academic Year No Earlier Than Two Days After the Labor Day Holiday Of Each Year: Summer School Attendance Eligibility And Summer School Attendance Exclusionary Provision

The staff who shall have the power to instruct school-aged children in activities of first aid or rescue techniques or who organize student based volunteer first aid or rescue missions shall meet the following job title requirements:

A. The head of the educational facility's physical education program, as stated in writing by the aforementioned school administration, as attestation to the job title, or

B. The school nurse of the educational facility, as stated in writing by the aforementioned school administration, as attestation to the job title or

C. The fire department's fire department so located in the district to where the educational facility so educating school-aged children in grades Kindergarten-12, as stated in writing by the aforementioned school administration, as attestation to the job title.

D. It shall be the duty of the chief of the fire department so located in the school district where said educational facility educating school-aged children in grades Kindergarten-12 to furnish verification in writing to the head administrator of the educational facility, fire department personnel who are so qualified to work with children and teenagers enrolled in an

educational facility that instructs school-aged children in grades Kindergarten-12 in issues regarding first aid or rescuing injured people. This written verification shall be made by the chief of fire of the fire department where the aforementioned educational facility is located prior to the start of each academic year, which shall be construed to start no earlier than Two (2) days after the Labor Day holiday of each year and to end no later than the third Friday of June of each year. The same aforementioned section 1C provisions shall also apply to public or private day or residential schools that educate special needs school-aged children in grades Kindergarten-22-years-old.

In the event that there are more than five snow days, it shall be the duty of the school district so running said educational facilities that teach school-aged children in grades Kindergarten-12 or special needs school-aged children in grades Kindergarten-22-years-old to; 1a Have Saturday School Sessions in public or private day schools in proportion to the number of snow days over the allotted five days, or 1b Take one vacation day during the academic year in proportion to the snow days missed over the allotted five days, or 1c Have an extended school day to ensure that the 185 required school days as so prescribed under the regulations of the Massachusetts Department of Education regulations had been met. 1d Apply to the Massachusetts Department of Education for a waiver of the 185 required school days citing student and staff safety under this act as paramount to the 185 school day requirement or 1e Take all of the prescribed actions so mentioned in this act to ensure that the prescribed 185 day requirements mandated under applicable federal and state law and regulations had been met so that the end of each academic year ends on the third Friday of each June and starts no earlier than Two (2) days after the Labor Day holiday of each academic year. Subsection 1a-1e shall not apply to residential schools offering education to school-aged children in grades Kindergarten-12

or residential special educational facilities offering special educational services to school-aged students from infancy-22-years of age, as it shall be presumed that said residential schools can finish the academic year no later than the third Friday of June and start the new academic year no earlier than two (2) days after the Labor Day holiday of each academic year.

Summer school sessions in educational facilities that educate school-aged children in grades Kindergarten-12 shall only be held for students who have more than the allotted number of unexcused absences allotted by each school district, or private day or residential schools that educate school-aged children in grades Kindergarten-12, or students who are of high school grades, nine-twelve (9-12) who wish to voluntarily take more courses to get extra credits. Students so entering summer school shall 1. Not have been involved in any incidents that mandate expulsion, whether for one (1) calendar year for brandishing a gun or dangerous weapon on school premises, or 2. Have not been permanently expelled for having committed a sexual offense as mentioned in this section or 3 had not been suspended for 10 academic days for a section 3 offense as prescribed under this Juvenile Violence Act. 4.

Sentences 1-4 shall be deemed under this Juvenile Violence Act as the Summer School Attendance Exclusionary provision. The aforementioned summer school exclusionary provision shall also apply to school-aged children in grades Kindergarten-12 to private day or residential school so offering the aforementioned educational instructions to school-aged children in grades Kindergarten-12. The same shall also apply to special needs school-aged children in grades Kindergarten-22-years-old.

Sub Section 1C Anti-Sexual Abuse, Anti-Hazing and Anti-Violence In Conjunction With Bullying Pledges: Signature Requirements: Students In Schools That Educate School-Aged

Children In grades Kindergarten-12: Age Requirements For Parental or Legal Guardian Signature: Age Requirements For Both Students And Parental or Legal Guardian Signature: Age Requirement Of Just The Signature of The Student To The Anti-Sexual Abuse, Anti-Hazing and Anti-Violence In Conjunction With Bullying Pledges Prior To participation in Any School Based Organizations, or Extracurricular Activities Or Both: Signature Requirements Of The Anti-Sexual Abuse, Anti-Hazing and Anti-Violence In Conjunction With Bullying Repeated At The Beginning of Each Academic Year

Prior to any student participating in any school based organizations, or extracurricular activity or both, the requisite signatures to Anti-Sexual Abuse, and Anti-Hazing and Anti-Violence Pledges in Conjunction with bullying shall be sought by the school administrator of a public, or private day or residential school offering educational programs to school-aged children in grades Kindergarten-12 at the said age requirements as follows:

A. Any school-aged student aged 5-14-years of age must have the signature of their parent(s) or legal guardian(s) prior to participating in any school based organization, or extracurricular activities or both, said school based organization and extracurricular activities.

B. Any school-aged student 14-16-years of age must sign the anti-sexual abuse, anti-hazing and anti-violence in conjunction with bullying pledge, him/herself and underneath said student's signature to the aforementioned pledges, the signatures of the student's parent(s) or legal guardian(s) prior to their participation in school based organizations, or extracurricular activities or both.

C. Any school-aged student 17-years of age or older, until they complete high school must affix his/her signature to the anti-sexual abuse, anti-hazing and anti-violence in conjunction

with bullying pledge in the presence of the head school administrator or his/her designee prior to participation in any school based organization, extracurricular activities or both. In the case of a disabled person who has a physical disability and who is aged 14-years of age or older, the pledges may be signed with the letter X in the presence of the head school administrator or his/her designee, followed by the signature of his/her parent(s) or legal guardian(s) in the case where said student with said physical disability that prevents him/her from writing their signature, said student's parent(s) or legal guardian(s) must also sign said anti-sexual abuse, anti-hazing and anti-violence in conjunction with bullying pledge in the presence of the head administrator of the school or his/her designee.

D. Any school-aged student who is 18-years of age or older and who has been appointed a guardian by a court due to a disability must acquire said required signature of the anti-sexual abuse, anti-hazing and anti-violence in conjunction with bullying by his/her court appointed guardian and that said guardian must furnish to the head administrator or his/her designee of the school, a copy of documentation of court appointed guardianship at the time of the signing of the aforementioned pledges prior to their participation in any school based organization, extracurricular activities or both. Copies of the aforementioned signed anti-sexual abuse, anti-hazing and anti-violence in conjunction with bullying shall be distributed to the student(s), their parent(s) or legal guardian(s) and copies of the signed pledges by said students, or parent(s) or legal guardian(s) must be kept on file in the office of the head school administrator and also placed on each student's records, acknowledging that said anti-sexual abuse, anti-hazing and anti-violence in conjunction with bullying pledges had been signed.

E. At the start of each academic year, the same aforementioned signature requirements of the anti-sexual abuse, anti-hazing and anti-violence in conjunction with bullying shall be repeated as prescribed in this subsection.

Section 1D Exploratory Sexual Games: Mutually Agreed To, Age Of the oldest Child: Coercion of Power, Not To Be Deemed Exploratory Sexual Behavior: Children In Grade Schools That Instruct School-Aged Children In Grades Kindergarten-12: Duty Of Staff, whether Such School or Educational Institution Instructing School-Aged Children In Grades Kindergarten-12 To Report To The parents Of The Students And The Department Of Children And Families Incidents Of Exploratory Sexual Behavior, Whether Or Not The Educational Institution Is A Public, Or Private Day Or Residential School Instructing School-Aged Children In Grades Kindergarten-12: Penalties To Be Applied To Students Engaging In Exploratory Sexual Conduct, Ages 5-8-Years-Old And 8-12-Years-Old: Provisions Herein Shall Also Apply To Private Day or Residential Schools Instructing Special Needs School-Aged Children In Grades Kindergarten-12 Or Kindergarten-22-Years-Old

Exploratory sexual behavior shall be deemed to have occurred between two (2) minors who are two or more years apart in age when the following criteria have been met:

A. The older of the two minor children are of ages 5-12-years-old and

B. The exploratory sexual activity is of mutual nature and as part of mutual game play and it has been determined that the oldest of the minors herein involved, by said school disciplinary board members that such sexual activities was of consenting nature and as part of mutual game play, absent any evidence of any force or coercion by the older of the two participants or.

C. Did not in any way use power of coercion, or power of authority or both to engage in said sexual activities between the two minors involved or.

D. Two minors who are age 13 and above who are in a dating relationship and that said age spread of the dating relationship is no more than three years apart in age and that both minors involved had obtained parental consent prior to any dating relationship until the younger of the two minors has reached the age of 16-years-old. Absent of parental consent to any kind of dating relationship between two teenage students who are no more than three years apart in age shall be automatically deemed to be unconsensual sexual activity on the part of the oldest minor involved in said dating relationship.

Upon the learning of the exploratory sexual behavior hereinafter occurring between two minors who attend a school, or educational institution that instructs school-aged children in Grades Kindergarten-12 or are special needs students who are school-aged children in grades Kindergarten-12 or in grades Kindergarten-the age of twenty-two (22)-years-old, whether or not the school so having the appropriate licensure to instruct the aforementioned school-aged children in the grades herein mentioned, it shall be the duty of the staff of said educational facility to report said incidents of exploratory sexual conduct once in knowledge of to:

A. The Department of Children and Families and

B. The parent(s) or legal guardian(s) of the minor children so involved in said exploratory sex. This mandated reporting requirement shall apply to all staff members, including, but, not limited to teachers, principals, assistant principals, superintendents, cafeteria workers, school janitors, guidance counselors, school psychologist, school psychiatrist, and in the case of residential schools that offer instructions to school-aged children, whether or not they are an

academy or a special educational school or a preparatory school, who educate school-aged children in grades Kindergarten-12, or in the case of special needs children, grades Kindergarten-twenty-two (22) years of age shall also include housemasters, or houseparents or both. Failure of the aforementioned staff to report exploratory or sexual abuse to the aforementioned entities is guilty of obstruction of justice and such failure to report the aforementioned shall be punishable by imprisonment in state prison for no less than three (3) years, but, no more than five (5) years, or a fine in the amount not to exceed ten thousand dollars, ($10,000.00) or both, said imprisonment and fine.

Upon the knowledge of the parent(s) or the legal guardian(s) of said school-aged children aged 5-12-years-old who has engaged in incidents of exploratory sexual activity; it shall be presumed the responsibility of the parent(s) or the legal guardian(s) of the children so involved to:

A. Correct the behavior of each of their children, via instructing the children so involved in the aforementioned exploratory sexual activities in their family values and that such activity is wrong and:

B. To inform their children so involved in exploratory sexual activities that the aforementioned activities is to cease from re-occurrence, in proportion to both, the physical and developmental age of the children so involved or:

C. Should said exploratory sexual activity continue on a habitual basis, it shall be the presumed responsibility of the child's parent(s) or legal guardian(s), of the aforementioned school-aged children ages 5-12-years-old to seek professional counseling outside of the school and to have drafted an Individualized Behavioral Modification Educational Plan, (IBMEP), in

proportion to the child's physical and developmental age. Said Individualized Behavioral Modification Educational Plan, (IBMEP) shall be reviewed from time to time throughout the academic year, by the child's parent(s), or their legal guardian(s), the educational facility and the aforementioned professional so treating the child for the aforementioned habitual exploratory sexual behavior.

It shall also be incumbent on the aforementioned educational institution, whether, public, or private or residential school so educating school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22-year-old to hand down disciplinary action in proportion to the child's physical and developmental age in the manner so prescribed:

1. Children engaging in exploratory sexual activities and who are of the age of 5-8-years-old shall receive a reprimand from the principal, or the president or the director of any public, or private or residential educational facility so instructing school-aged children in grades Kindergarten-12 or in the case of special needs students, in grades Kindergarten-22-years-old. Said reprimand shall be made orally and followed up in writing and said written copies of said reprimand shall be given to the parent(s) or legal guardian(s) of said school-aged children.

2. School-aged children ages 8-10-years-old who engage in exploratory sexual activity at an educational facility that instructs school-aged children in grades Kindergarten-12 or in the case of special needs students in grades Kindergarten-22-years-old shall face suspension from said educational facility for a period not to exceed five(5) calendar days.

3. School-aged children, ages 10-12-years of age, in an educational setting that instructs students in grades Kindergarten-12 or in the case of special needs students, grades

Kindergarten-22-years-old and who engage in exploratory sexual activity shall be suspended for a period not to exceed more than ten(10) calendar days.

In the case where a five (5) or ten (10) day suspension is handed down, said children so involved in exploratory sexual activity shall be accompanied by either the parent(s) or the legal guardian(s) of the aforementioned minors so involved in said exploratory sexual activities at the hearing on the matter, before the school's disciplinary board as so composed under section 4 of this act. In cases of exploratory sexual activity, it shall be the determination of the board as to whether or not the oldest of the students involved had 1a Came up with the idea of engaging in exploratory sexual activity. 1b Whether or not the aforementioned exploratory sexual activity so engaged in was part of a mutual game or that said minors so involved had mutually agreed to such and 1c Whether or not the oldest of the minor children so involved in exploratory sexual activity had used onto their younger counter-part, coercion, physical power, emotional or psychological power or power of authority or all of the aforementioned powers so prescribed. In the case where said disciplinary board of said school had found that the older of the students involved in exploratory sexual activities, had used physical coercion or power of authority, or all of the aforementioned prescribed powers, it shall be the older of the minor children so involved in exploratory sexual activity who shall face said disciplinary action in proportion to the prescribed ages in section 1 D.

For the purposes of this act, exploratory sexual activity in conjunction with dating teenagers who are of the age of 13-years-old and who do have the parental permission to engage in such dating relationships and of whom the oldest of the two dating teenagers are no more than three years apart in age, no sexual activity, whether or not it is of exploratory or of a dating nature shall be automatically banned on all school premises, or at school sponsored activities or

both, said school premises or at school sponsored activities, whether or not said school sponsored activities takes place on or off school premises.

Section 2 Mandated Expulsions for One Calendar Year for Bringing a Gun or Dangerous Weapon into A Grade School and Exceptions in Cases of Self Defense

Any student who is:

A. 8 years of age or older and is in an educational facility that educates school aged children from grades Kindergarten to grade 12 who brings a

B. gun or a dangerous weapon into any

C. Grade school within the Commonwealth of Massachusetts shall face automatic expulsion from said grade school for a period not to exceed one (1) full calendar year.

D. In cases of Self Defense where imminent threat to bodily injury or death or said student is about to be bodily injured or death is imminent, he or she shall be exempted from the expulsion requirement, unless it has been determined by a court of law that both students who have dangerous weapons at the time of combat had engaged in neutral combat and that said student in question of raising self defense had not taken the proper duty to retreat from combat.

Section 3 Mandated Ten Academic Day Suspensions for Violence In Conjunction With Any Bullying and Hazing Incident That Causes or Threatens to Cause Bodily Injury to Another Student. Students above the Age of Seven-Years-Old: Inclusive of Simple Assault and Simple Assault and Battery: Special Educational Facilities Educating Special Needs School-Aged Children In Grades Kindergarten-22-Years-Old Also Included In Section 3 Mandated Ten

Academic Day Suspensions for Any Violent Act Onto Another Student or Staff Member, Whether or Not The Violence Is in Conjunction With Any Bullying or Hazing Incident or Both

Any student attending a public or private day or residential school and who is over the age of seven (7)-years-old who commits onto another student attending the same said public, or private or residential school that educates students in grades Kindergarten-12 who:

A. In conjunction with any bullying or hazing incident, commits onto another student or staff member an M.G.L Chapter 265 offense in which

B. Bodily harm is intended or

C. Bodily harm is threatened by verbal threat, or assault or any other bodily gesture, which, suggests infliction of bodily injury onto another student or staff member or

D. Commits an M.GL. Chapter 265 offense not inclusive of a sexual offense, but, constitutes a crime against a person, to which a victim is seriously bodily injured or is threatened with bodily injury shall face mandated suspension from said public, or private or residential school where education is sought for school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children, grades Kindergarten-22-years-old, for a period of ten (10) academic days unless such bodily injury was caused during the course of defending one's self, after said student had followed the duties of retreat from combat. In the case of neutral combat, both students, in which both parties are bodily injured or had threatened each other with bodily injury both parties shall face the same mandatory ten (10) academic day suspension period. This provision shall also include simple assault or simple assault and battery. Be it further enacted that the same provisions herein shall also apply to special needs school-aged children in grades Kindergarten-22-years-old who attend any public or private day or residential

educational facility so offering instruction to special needs school-aged children in grades Kindergarten-22-years-old. The same disciplinary provisions shall also apply to any violent acts that inflicts or threatens to inflict bodily injury that does not involve any bullying or hazing or both, or said offending student engages in violent conduct or threatens violence that threatens to inflict bodily injury onto any school employee, including, but, not limited to teachers, or school counselors, or janitorial staff, or food service staff, or in the case of a residential educational facility, whether an academy, or a prep school or one that specializes in special education of school-aged children with disabilities, any house staff, whether paid or volunteers, or kitchen, or cleaning staff. The aforementioned provisions shall also include school administrators, whether or not they are the administrative staff of a public or private day or residential educational facility that educates school-aged children in grades Kindergarten-12 or special needs school-aged children in grades Kindergarten-22-years-old.

E. Any violent act that either threatens or causes serious bodily injury to another student or staff member alone without any said hazing or bullying incident.

Section 3A Developmentally Disabled or Psychiatrically Disabled Special Needs School-Aged Children-Disciplinary Action for Violence In Conjunction With Any Bullying or Hazing Or Any Other Violent Acts Committed Onto Other Students or Staff That Inflicts or Threatens To Inflict serious Bodily Injury: Mandated Ten Academic Day Suspension and Individualized Behavioral Modification Educational Plan, (IBMEP): Developmentally Disabled Or Psychiatrically Disabled Special Needs School-Aged Children Who Are 12-Years-Old and Who's Victim is two (2) or more Younger Than Their Victim-Disciplinary Action for Sexual Abuse: Mandated Permanent Expulsion from Said Educational and Individualized Behavioral Modification Educational Plans (IBMEP)

Any special needs school-aged child in grades Kindergarten-12 or in grades Kindergarten-22-years-old so attending said educational institution so instructing the aforementioned school-aged child who:

A. Engages in acts of violence that causes to inflict physical bodily injury onto another school-aged child or a member of the staff in conjunction with any bullying or hazing incident or who engages in violent acts alone, which has the affect of inflicting bodily injury onto another or

B. Threatens any acts of violence in conjunction with any bullying or hazing incident or that stands alone from any bullying or hazing incident onto another student or staff member shall

C. Be suspended from his or her educational facility for a mandatory period of ten (10) academic days in the same manner as other non-developmentally or non-psychiatrically disabled student would otherwise face and shall be done so by the school's disciplinary board, as set forth in section 4 of this act.

D. Said developmentally or psychiatrically disabled special needs school-aged child who is demonstrated to have no control of their violent rages, due to their disability or any other medical condition, upon return to the aforementioned educational facility following the aforementioned mandated ten (10) academic day suspension shall also be placed under an Individualized Behavioral Modification Education Plan, (IBMEP), to be developed by their team that had developed the special needs school-aged child's Individualized Educational Plan (IEP) and included on the developmental team of their Individualized Behavioral Modification Education Plan, (IBMEP) shall include a private practicing psychologist and a private practicing

psychiatrist who has no working affiliation with the child's educational facility to which he she so attends and in addition to a private practicing psychologist and private practicing psychiatrist, a human services worker from the Massachusetts Department of Mental Health or a human service worker who specializes in developmental disabilities from the appropriate state agency that provides services for the developmentally disabled.

E. In the case where a special needs school-aged child is developmentally or psychiatrically disabled has committed onto another student who is two or more years in physical age younger than the developmentally disabled or psychiatrically disabled student who is at least 12-years-old or older onto another student or staff member of said educational facility a sexual offense as outlined in M.G.L Chapter 265, all inclusive shall face the aforementioned mandated expulsion as outlined in section 1, above and said special needs school-aged student who has committed the aforementioned M.G.L Chapter 265 sexual offenses onto another student two or more years younger in age or onto another staff member and be removed to another educational facility that is duly licensed with the appropriate credentials under applicable laws to educate school-aged children in grades Kindergarten-12 or in the case of a special needs school-aged children, grades Kindergarten-22-years-old, or home schooled or involuntarily committed to an institution so specializing in the care and treatment of behaviorally or emotionally challenged children. Upon said placement into another facility other than home schooling, the same development of an Individualized Behavioral Modification Educational Plan, (IBMEP) shall consist of an Individualized Educational Plan (IEP) team from said new educational facility or institution and in addition to the IEP team, the aforementioned private practicing psychologist and psychiatrist who has no working affiliation with the new educational facility which the child may attend upon acceptance into the new facility by their admissions requirements of the

aforementioned educational facility or institution's policies and procedures. Also included on the Individualized Behavioral Modification Educational Plan (IBMEP) shall be the aforementioned human services professional from the Massachusetts Department of Mental Health or the agency that deals with persons with developmental disabilities. In all aspects of the development of an Individualized Behavioral Modification Education Plan (IBMEP) any victim(s) of a violent or sexual act so perpetrated by a special needs student, upon the finding that said had occurred, shall have the right to petition the educational facility and the offending student's case management team to be present at such Individualized Behavioral Modification Education Plan (IBMEP), whether or not, the victim(s) of such violence or sexual abuse is another student or staff member, who is not involved in the offending student's Individualized Educational Plan (IEP) team.

It shall be the affirmative responsibility of the offending student's IEP team including, but, not limited to their caseworker to ensure that all safeguards are put into place to ensure that said victim(s) of said violence or sexual abuse committed by the offending student is permitted to attending said IBMEP development meeting and to have input into the plan's development to ensure that said offending student is properly supervised, and is in proper behavioral treatment and is not allowed near their victim(s) of said violence or said sexual abuse, which lead to the suspension or expulsion. This aforementioned petition shall also apply to any new educational facility that said offending student so attends upon expulsion from his/her previous educational facility and admission into a new educational facility. Any violated party so aggrieved by the development of an educational institution's development of the offending student's Individualized Behavioral Modification Educational (IBMEP) shall have a right to petition a court of law for civil commitment into a psychiatric facility for the specified period of time, as

deemed under applicable state law, and that at expiration of the civil commitment, said aggrieved party may petition the court for continual civil commitment to said psychiatric facility, and that during said commitment period, an IBMEP shall be developed during said civil commitment proceedings by the aforementioned team and that said IBMEP shall be incorporated into the civil commitment order.

Both parties to an Individualized Behavioral Modification Education Plan (IBMEP) shall be entitled to representation of choice by both the offending student and their parent(s) or legal guardian(s) and the parent(s) or legal guardian(s) of the violated party. The responsibility of the costs of representation for both parties of an IBMEP development meeting or a civil commitment petition and or hearing, or both shall be borne by the school district of the offending student(s) and the cost shall be set to reasonable attorney's fees.

Section 3B Proof of Behavioral or Developmental Disability to Qualify for Behavioral Modification Services in Conjunction with Any Suspensions or Expulsions Handed down by the Educational Facility's Disciplinary Board: Limitations of Educational Facility's Psychologist and Psychiatrist, Restricted to Evaluating Cognitive and Educational Ability: Presumption of Responsibility to Procure Diagnosis

Upon the raising of the issue of developmental, or psychiatrically, or emotionally challenged school-aged child so facing a disciplinary action that involves the aforementioned mandated ten (10) day academic suspension for acts or threats of violence onto another student or staff member or mandated expulsion in sexual abuse cases before the educational facility's disciplinary board, by either the child's parent(s) or legal guardian(s) or any of the child's

teachers or in the case of a residential educational facility that educates school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22-years-old, the cottage or dorm staff, or the offending child themselves, said disability shall be diagnosed by the following professionals:

A. An out-patient private practicing psychologist and an out-patient private practicing psychiatrist who has no working affiliation with the child's public, or private day or residential educational facility and

B. An in-patient private practicing psychologist and an in-patient private practicing psychiatrist, affiliated with an in-patient psychiatric facility and

C. ¾ of the practitioners must concur that said developmental, or psychiatric or emotional or behavioral disorder exists after thorough evaluation and

D. Said findings by the aforementioned ¾ private practicing professionals must be present at said educational facility's disciplinary action to which the issue of developmental, or psychiatric, or emotional or behavioral disability of the offending school-aged child is in question to testify to their diagnosis and findings. This shall also include evaluation as to the requisite state of mind of the offending child at the time of the alleged violent incident or sexual abuse had alleged to have occurred. The functions of the educational facility's psychological and psychiatric staff in the diagnosing of any of the above-mentioned disabilities so outlined above shall be limited to performing educational and cognitive ability testing. In the event that any of the concurring ¾ professionals who had confirmed the diagnosis of developmental disabilities, or psychiatric disabilities, or emotional disorder or a behavioral disorder or all of the aforementioned are unavailable to attend said disciplinary board hearing on the aforementioned

question of disability or requisite state of mind of the offending school-aged child so facing disciplinary action, said professional or professionals who are unable to be present must submit in writing a notarized statement stating the reason for not being able to be in attendance and also a notarized report of their findings to the aforementioned educational facility's disciplinary board so hearing said case of a disciplinary matter concerning student violence or sexual abuse.

It shall be the affirmative responsibility of the offending child's parent(s) or legal guardian(s) to procure said diagnosis of the aforementioned developmental, or psychiatric, or emotional, or behavioral disability or disabilities from the prescribed professionals. In the case where the offending child is 18-years of age or older, the affirmative responsibility shall fall to the offending child, now turned adult under applicable laws, unless said adult is declared incompetent by the appropriate court and appointed a legal guardian, who shall in the case of legal incompetency bear the responsibility of procuring said diagnosis from the prescribed professionals for their ward. Such costs shall be borne by either the parent(s) or legal guardian(s) of the offending student, either through thei8r health insurance plan or that of the child, or that of the student him/herself, or their health insurance plan or in the case of an incompetent student over the age of 18, the cost shall be borne either by the ward him/herself or that of their health insurance plan.

Section 4 Disciplinary Board Composition: Procedures In Cases of Mandated Expulsion Or Suspensions: Board Members to Hear Cases, Due Process Requirements and Timeline of Appeals of Said Mandated Expulsions or Suspensions Lasting More Than Ten Academic Days from Educational Facilities, whether Public or Private Day Schools or Private Residential Schools, who Educate School-Aged Children From Grades K-12 to The Entire School Committee In The District Where the Educational Facility Is Located: Additional Criminal

Prosecution For Hazing, Bullying, or Violence In Conjunction With Any Bullying Or Hazing Incident: Criminal Court Proceedings To Supersede School Disciplinary Action When Criminal Action Is Said To Commence In M.G.L. Chapter 265 Criminal Cases: School Disciplinary Action To Occur After Criminal Court Findings, Or Before Criminal Case Is Commenced, In Cases Where Court Action Has Not Been Commenced Prior to School-Level Disciplinary Action: Exception To School-Level Disciplinary Action-Automatic Expulsion Upon Arrest And Commencement Of Criminal Proceedings In Cases of First and Second Degree Murder

Any school, whether public, or private or residential educational institutions that gives instructions to school-aged children from grades Kindergarten to 12 shall have on its disciplinary board the following:

A. The superintendent of said public, private or residential school.

B. The assistant principal or the assistant to the director of any public, or private or residential school.

C. One teacher of seniority who 1. Does not know anything about the case to be decided and 2. Has worked at said public, or private or residential school for a period of 10 years or more.

D. Three students who are: 1a. In an elementary school and who are in grades 4-5, and who are unfamiliar with the case to be heard before the disciplinary board, and that said students must also had not been expelled or suspended for a period of 10 days for an incident involving sexual misconduct, or violence or had been expelled for one (1) calendar year for bringing onto school premises a gun or a dangerous weapon. 1b. In middle School and who are in grades 7 or 8 or who are in grades 7 or 8 and are elected to student council or student

government and who are unfamiliar with the case to be heard before the disciplinary board, and that said students must also had not been expelled or suspended for a period of 10 days for an incident involving sexual misconduct, or violence or had been expelled for one (1) calendar year for bringing onto school premises a gun or a dangerous weapon. 1c. In high School and who are in grades 11 or 12 or who are in grades 11 or 8 and are elected to student council or student government and who are unfamiliar with the case to be heard before the disciplinary board, and that said students must also had not been expelled or suspended for a period of 10 days for an incident involving sexual misconduct, or violence or had been expelled for one (1) calendar year for bringing onto school premises a gun or a dangerous weapon.

E. Upon issuance of a complaint by either a student or a staff member of any public, or private or residential school where said sexual deviant behavior or the bringing in of guns or dangerous weapons into school or violence in conjunction with any bullying or hazing activities, said principal or president or director of said public, or private or residential schools so administering educational services to school-aged children in grades Kindergarten-12 shall schedule a parent/principal, or director or president conference with the student so alleged to had engaged in any expellable or suspendable offense, which involve either sexual misconduct as so prescribed under M.G.L Chapter 265 or any violent acts as prescribed under M.G.L Chapter 265 and their parent(s) or legal guardian(s) and at such conference, a date for said convening of the disciplinary board so charged to hear said case shall be decided and that written notice shall be given to both the alleged student offender, their parent(s) or legal guardian(s) and any victim(s), their parent(s) or legal guardian(s). Said expulsion hearing shall be deemed to convene within 10 academic days of said principal, or director or president and parent(s) or legal guardian(s) conference of the alleged offender and that all parties involved in said disciplinary matter before

the board shall be entitled to: 1a the right to inspect the case file of the case pending for disciplinary action in cases involving mandated ten (10) academic day suspensions or mandated expulsions. 1B representation by legal counsel of choice of both the defendant and the victim(s). 1c the right of the defendant so facing disciplinary action and the victim of such sexual deviant behavior or violence, whether in conjunction with any hazing or bullying to present witnesses and evidence and the right to examine and cross examine witnesses during said disciplinary matters so being heard before said disciplinary board. 1d the right to present opening and closing arguments. 1e in the case of sexual deviant behavior, the right to have said disciplinary matters heard in a sequestered manner, with signage posted on the meeting room in both print and Braille, the words, “Sequestered Hearing, No One Allowed In Meeting Room During Disciplinary Hearing. 1f in cases involving sexual abuse, the disciplinary board of said public, or private or residential school so administering educational services to school-aged children who are in grades Kindergarten-12 or in the case of special needs school-aged children, grades Kindergarten-22-years-old shall appoint a sergeant at arms to keep order during the proceedings, and to escort witnesses in and out of the meeting room, one at a time as they are called and that said sergeant of arms must not be friends, acquaintances or teachers of either the defendant so facing disciplinary action and the victim(s) of a sexual abuse case brought before said disciplinary board or not be friends, or acquaintances and teachers of any of the witness giving testimony before said disciplinary board. 1g A guilt or innocence shall be determined based on facts, and evidence and testimony by two-thirds (2/3) of the disciplinary board and that said guilt shall be found by preponderance of the evidence presented. 1h Upon determination of two-thirds (2/3) of the board members that the defendant has been found guilty of said offense so alleged in the complaint, it shall be the duty of the principal, or the president or the director of said public

or private or residential school administering educational programs to school-aged children to hand down the appropriate disciplinary action in proportion to the offense so alleged. 1i In the finding of guilt on an M.G.L Chapter 265 sexual offense, disciplinary action so handed down shall be mandated expulsion from said grade schools so offering educational services to school-aged children in grades Kindergarten-12 or school-aged special needs children in grades Kindergarten-22-years-old and in cases involving bringing guns or dangerous weapons into said educational facilities, expulsion for one (1) calendar year, taking into account, whether or not the weapon was used for the purposes of defending one's self from imminent serious bodily injury or death or imminent threat of serious bodily injury or death. 1j said disciplinary action so handed down must be handed down orally at the conclusion of said disciplinary board proceedings and said disciplinary decision so handed down at the conclusion of said disciplinary board meeting shall also be followed in writing to both of the parties involved. 1k Any defendant found guilty of a disciplinary offense that carries mandated permanent expulsion or an expulsion for one (1) calendar year or a suspension lasting ten (10) academic days shall have the right to appeal his case to the full school committee of the grade school he/she so attends and that such appeal must be made in writing to the school committee of the district to which the educational facility that so instructs school-aged children in grades Kindergarten-12 or special needs school-aged children in grades Kindergarten-22-years-old. 1l said Written notice of appeals shall be made to the aforementioned school committee within thirty (30) calendar days to which said disciplinary action was handed down and that such copies of notices of appeals shall be distributed to a. The school's principal, or the school's director or the school's president or CEO and the victim(s) of the guilty defendant and their parent(s) or legal guardian(s). 1m Said guilty defendant's appeals upheld by the full school committee shall have a right to file a final appeal in

juvenile or probate and family court for re-instatement into said educational facility, who educates school-aged children in grades Kindergarten-12 or special needs school-aged children in grades Kindergarten-22-years-old within thirty (30) calendar days of the upholding of the original findings of the school's disciplinary board and that such appeals to said juvenile or family and probate court shall be made in writing to the full school committee, the disciplinary board and the victim(s) of said sexual deviant behavior or violence committed in conjunction to any bullying or hazing. 1n the findings of said juvenile or probate and family court shall be final and binding.

In addition to any school-level disciplinary action for any violent act that occurs in conjunction with any bullying or hazing incident, said student offender so involved in the aforementioned violence in conjunction with any bullying or hazing incident, or stand alone violent acts, said student offender(s) so involved may also face prosecution under the prescribed hazing or anti-bullying act so enacted within the Commonwealth of Massachusetts, and said student offender(s) may in addition to any criminal proceedings under the Commonwealth of Massachusetts' anti-bullying or anti-hazing act, may also be prosecuted for a crime under M.G.L Chapter 265, including, but, not limited to sexual offenses so prescribed herein, whether or not the violence had occurred in conjunction with a bullying or hazing incident or had occurred alone, absent any bullying or hazing.

In the event that an M.G.L. Chapter 265 criminal action is commenced, said criminal proceedings shall be said to supersede any school-level disciplinary action when said case is commenced prior to the aforementioned school-level disciplinary action. Be it also enacted that any school disciplinary action commenced when a court proceeding has been said to take place under M.G.L. Chapter 265, all inclusive, said school-level disciplinary action shall be

commenced after the juvenile or criminal court had disposed of said case, with the exception of first or second degree murder. In cases of first or second degree murder, said juvenile shall be deemed to be automatically expelled from said educational facility, so instructing school-aged children in grades Kindergarten-12 or any special needs educational institution so educating special needs school-aged children in grades Kindergarten-22-years-old, provided that said first or second degree murder defendant has been acquitted, or the case has been dismissed or the case has been vacated. In situations where said cases of first or second degree murder, where an acquittal, or a dismissal of the charges has been rendered by either a judge or the prosecutor of said first degree or second degree murder case, or that said case has been vacated, said student shall be reinstated into their educational facility, pending any further action taken by the school's disciplinary board. This provision shall include, but, not be limited to public or private day or residential schools, so instructing school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22-years-old.

Section 4B Developmentally Disabled, Psychiatrically Disabled, Emotionally Disabled: Same Mandated Ten Day Academic Day Suspension for Violence In Conjunction with Any Bullying, or Hazing or Any Other Acts of Violence Committed Onto Other Students Or Staff: Same Mandated Expulsion Requirements for Sexual Abuse, But, Under an Individualized Behavioral Modification Education Plan (IBMEP):

Any special needs school-aged children in an educational facility, which educates school-aged children in grades Kindergarten-12 or in the case of special Needs school-aged children in grades Kindergarten-22-years-old who is deemed to have been diagnosed with a developmental disability, or a psychiatric disability, or an emotional disability who has been found guilty, but, disabled, by the school's disciplinary board shall face the same ten (10) academic day suspension

period as would their non-disabled peers for violence in conjunction with any bullying or hazing incident or any form of violence onto another student or staff member or shall face the same mandated expulsion for acts of sexual abuse onto other students who are two or more years younger than the disabled offender or has committed sexual abuse onto another staff member so employed at said educational facility.

In the case where such developmental, or psychiatrically, or emotionally disabled special needs student has been found guilty, but, disabled, of the aforementioned offenses of violence in conjunction with any bullying or hazing incident or any other forms of violence onto another student or staff member or of a sexual offense, shall be deemed to be found guilty, but, by reason of disability and shall also be subjected to an Individualized Behavioral Modification Educational Plan (IBMED), to which their victim (s) shall have the right to attend such developmental meeting of such plan, with representation of their choice to be borne by that of the offending student's school district. The offending student shall also be afforded this said representation, which shall also be borne by the offender's school district and that such costs of representation shall be compensated as "reasonable attorney's fees."

Said Individualized Behavioral Modification Educational Plan (IBMEP) may include but not be limited to supervision, change in environment, medication, accompaniment of a behavioral aide specialist in classrooms, temporary home schooling, psycho therapy to be provided by a psychologist who has no working affiliation with the school, to which the child attends and that such psychologist be in private practice. A sexual offense committed by either a developmentally disabled, or psychiatric or emotionally disabled student who is age 12 years or older shall still carry the same mandated expulsion as if said offender did not have the aforementioned impairments, but, in such cases shall be bound in either a new educational

facility or a psychiatric facility, an Individualized Behavioral Modification Educational Plan (IBMEP), as said student shall had been found guilty, but, disabled by said school disciplinary board. In cases where developmentally, psychiatrically, or emotionally disabled students are found guilty, but, disabled in sexual abuse cases, he/she shall not be permitted to be a residential student in any residential school setting, so educating school-aged children or special needs school-age students in grades Kindergarten-12 or in the case of special needs students, grades Kindergarten-22-years-old.

Any new educational facility so accepting a developmentally disabled, or psychiatrically disabled student or an emotionally disabled student who has been expelled for a sexual offense from his/her previous school must in addition to coordinating an Individualized Educational Plan (IEP) shall also develop an Individualized Behavioral Modification Educational Plan (IBMEP) with the victim (s) of the sexual abuse from the previous educational facility to which the offender was expelled from, has the right to be in attendance to have "stake holders'" say in its development and that such IBMEP developmental meeting must be conducted in a private meeting room and done so in a sequestered manner with signage on the doorways indicating that this meeting is a "sequestered" meeting and that no other staff or students not involved in the development of the plan are permitted entry in to the meeting room and that such signage shall also be made in Braille. The same requirements shall hold true for cases involving violence in conjunction with any bullying or hazing incident or any other form of violent behavior, to which a ten (10) academic day suspension has been handed down and said developmentally disabled, or psychiatrically disabled or emotionally disabled offender has returned upon serving the full suspension.

Any victim(s) and their parent(s) or legal guardian(s) who express dissatisfaction with the IBMEP may petition a probate and family court to have said individual civilly committed to a psychiatric facility at which time, upon issuance of an order of civil commitment of the individual offending student, the aforementioned team prescribed above in section 3B of this act shall be present to develop an Individualized Behavioral Modification Educational Plan (IBMEP), with provisions to allow such developmentally disabled, or psychiatrically disabled, or emotionally disabled offending student to have the opportunity to "graduate" from civil commitment based on a review by said court to see that such behavior has improved and that said disabled student may be placed into an educational facility on a probationary period only and that such probation be deemed "disciplinary probation in another educational facility to which the sexual offense had not occurred."

Said Individualized Behavioral Modification Educational Plans (IBMEP) shall be reviewed from time to time to assess the behavioral progress of said offending student so under said IBMEP.

Section 4C Parent/principal or Parent/President or Parent/Director Conference: Alleged Offending Student of Violence in Conjunction with any Bullying or Hazing Incident or Sexual Abuse: Suspension Interim: Medical Suspension Interim in Cases Where Disability is Raised at Conference On the Allegations Made: Duty of Administrators to Inform Victims of Suspension Interim in Cases of Violence or Sexual Abuse: Presumed Duty of School Administration to Inform Parents/Legal Guardians of Students and Students of Allegations of Student Sexual Abuse Between Students or Students and Staff.

Upon notice to the parent(s) or the legal guardian(s) of a student who has alleged to have committed a violent act in conjunction with any bullying or hazing incident, or violence perpetrated onto any other student or staff member, a parent or legal guardian and principal, or parent or legal guardian president or parent or legal guardian director of an alleged offending student facing either a ten(10) academic day suspension for violence or a permanent expulsion for an alleged act of sexual abuse, at said conference shall be present the offending student and their parent(s) or legal guardian(s) to discuss the allegations raised in the complaint. At the conclusion of said conference, said offending student shall be suspended interim the pending case before the school's disciplinary board. Said interim suspension shall not exceed 10 calendar days, unless a defense of developmental disability, or psychiatric disability or emotional disability is raised during conference. In the case where a disability issue is raised, said offending student raising said disability claim shall be deemed medically suspended interim and sent for evaluation by the aforementioned people as listed in section 3B of this act. Said evaluation shall be concluded within twenty (20) calendar days of the conference.

Upon completion of conference, it shall also be the duty of the administrator holding said conference to send to any victim(s) of violent acts alleged or sexual abuse alleged that said alleged student offender has been placed on suspension interim or in the case of the alleged offending student raising disability, medical suspension interim. It shall also be presumed the responsibility of the administration of said schools educating school-aged children or special needs school-aged children in grades Kindergarten-12 or Kindergarten-22-years-old, to send letters home to all parents or legal guardians of all students attending the aforementioned educational facility where a sexual offense is alleged to have occurred. Such letter shall notify all of the parents or legal guardians and the students so attending said educational facility that, "an

incident of sexual abuse between students or between staff and students is alleged to have occurred.” With the approximate date and time that the allegation of sexual abuse had been alleged to have taken place.

Section 5 Alumni Association, or Alumni Reunions or Alumnus Defined:

For the purposes of this act an alumni association in public or private day or residential schools instructing school-aged children in grades Kindergarten-12 or special needs school-aged children in grades Kindergarten-22-years-old shall be said to be defined as the following:

A. A not for profit organization receiving tax exempt status under 501 C that consist of a board of directors and

B. Has due paying members who had left said educational facility after one full academic year of attendance or who had achieved their high school diploma or some form of certificate that signifies successful completion of course of study and that said members of said alumni association have either left said educational facility after one academic year of attendance or have achieved their high school diploma or has completed some form of certificate signifying successful completion of said course of study in good standing, or who had since they had left said educational facility had not been arrested and convicted of a felony under applicable state or federal law or

C. Any educational facility who holds class reunions at intervals of five, or ten, or 25, or 50 years past graduation and that said attendees so attending said reunion had paid the appropriate fees to attend said class reunions, and that such fees for attendance to any class reunion had been made payable to either the class president or the class treasurer of the class in correspondence to the year in which said attendees had received their high school diploma and

that said attendees at said class reunions had left in good standing or who had not, since leaving said educational facility been arrested and convicted of a felony under applicable state or federal law.

For the purposes of this act, the aforementioned definition shall apply to educational facilities that had in the past educated such alumnus who was at the time of attendance as a school-aged child in grades Kindergarten-12 or in the case of special needs school-aged children who had attended said educational facility from grades Kindergarten-22-years-old. Said aforementioned definition shall apply to public or private day or residential schools that had educated said alumnus in grades Kindergarten-12 or in the case of special needs schools, grades Kindergarten-22-years-old.

An exception to the aforementioned conviction requirement that so qualifies as grounds for dismissal from the aforementioned alumni associations or organizations shall be the following:

A. Any student who had either left said educational facility after one academic year or had already achieved their high school diploma or had completed a certificate signifying successful completion of the course of study who had since left said educational facility, and has been arrested and charged with M.G.L Chapter 265, Section 1, First degree murder or M.G.L. Chapter 265, section 2, Second Degree murder or rape or a felonious sexual offense shall be deemed as automatically dismissed from membership of said alumni associations or organizations, unless said individual member(s) can prove that a criminal juvenile or adult court had acquitted them on said charges of the aforementioned first degree murder, second degree

murder, rape, or a felonious sexual offense, or that the aforementioned charges had been dismissed or vacated by a juvenile or criminal court of law.

This provision shall also include, but, not be limited to past students who had been involuntarily committed to a psychiatric facility, by order of a criminal juvenile or adult court, within the commonwealth of Massachusetts for the criminally insane on charges of first degree murder, or second degree murder, or rape or any other felonious sexual offense. Upon reinstatement into the school's alumni association, the individual member(s) so applying for reinstatement must show to either the alumni association's board of directors in educational facilities that have alumni associations or the full school committee a certificate from a juvenile or adult criminal court of law: 1. The member has been acquitted of the charges by a jury or has not been adjudicated as delinquent in juvenile criminal proceedings, or 2. A certificate of dismissal or that said charges of the criminal matter had been dropped by the prosecution or a judge of the criminal charges from the said aforementioned trial court or 3. A certificate showing that said criminal proceedings had been vacated from the criminal matter from the said aforementioned trial court that has jurisdiction over the matter. An appeals court's overturning a conviction or ordering a new trial to which a conviction is later adjudicated as an acquittal by either a judge or a jury shall also suffice as grounds for reinstatement into a school's alumni association or allows a former student to participate in a class reunion, so long as said reversal of said conviction is certified.

Section 5A Good standing Of Alumnus Defined and What Educational Facilities Are Covered under the Definition of Good Standing

For the purposes of this act, good standing shall be defined as:

A. A former student who had been in attendance at an educational facility that offers educational programs to school-aged children in grades Kindergarten-12 or a special needs educational facility offering special educational services to special needs school-aged children in grades Kindergarten-22-years-old for at least one (1) full academic year or

B. A former student who has achieved his/her high school diploma, or GED or any other certification signifying completion of a prescribed course of study from an educational facility that educates school-aged children in grades Kindergarten-12 or special needs school-aged children in grades Kindergarten-22-years-old and

C. Who has not been expelled from said educational facility or suspended for ten (10) academic days for a violent offense upon another student or staff member, whether or not said violent offenses occurred in conjunction with any bullying or hazing incident or who has not been charged with first, or second degree murder, or rape while in attendance at said educational facility or

D. Who has not been convicted in a criminal juvenile or adult court of law of a felony under M.G.L. Chapter 265, all inclusive, and that involve felony offenses that lead to adjudication of delinquency or a finding of guilt, while he/she had attended said educational facility so educating school-aged children in grades Kindergarten-12 or special needs school-aged children in grades Kindergarten-22-years-old. The definitions so outlined under the aforementioned provision shall apply to public or private day or residential educational facilities that have the appropriate credentials to offer educational instructions to school-aged students in grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22-years-old. Said former students who had not met any of the aforementioned

defined criteria of, “left in good standing,” shall not be admitted into any alumni association or alumni organization that so holds reunions, whether yearly, or during the academic year or who hold class reunions specified by their designated intervals of years of celebration of the class’s graduation from high school.

Section 5B Alumni Association Or Alumni Organization Disciplinary Action Involving Sexual Abuse of School-Aged Children Who Had Left An Educational Facility After One Full Academic Year Or Who Had Achieved Their High School Diploma Or Other Certificates Signifying Successful Completion Of Study From An Educational Facility That Educates School-Aged Children In Grades Kindergarten-12 Or Special Needs Educational Facilities That Offer Educational Programs To Special Needs School-Aged Children In Grades Kindergarten-22-Years-Old

Any school-aged student who has either left an educational facility after completion of one academic year or who has successfully completed their high school diploma or had received any other form of certificate signifying successful completion of course of study from an educational facility that educates school-aged children in grades Kindergarten-12 or that educates special needs school-aged students in grades Kindergarten-22-years-old, and had done so in “good standing,” as so defined in this act and who was:

A. 12-years-old or older at the time said sexual offense had alleged to have occurred and they had either left said educational facility after one full academic year or had successfully completed the requisite course of study and:

B. It had been later disclosed after graduation or after, either the victim or the offending student had either left said educational facility after one full academic year or who had

successfully graduated from an educational facility offering educational programs to school-aged children in grades Kindergarten-12 or special needs school-aged children in grades Kindergarten-22-years-old and:

C. Both a victim(s) of sexual abuse and the offending student, who was at least 12-ytears-old until graduation and that said offending student was two or more years older than his/her victim had

D. Been alleged to had engaged in unconsensual or abusive sexual activities on his/her victim(s) during the

E. Decades of the 1970's, or 1980's or 1990's or in the case of special needs school-aged students so being sent into mainstream settings, after the 1972-1973 Roland Consent Decree, (The Ricotti Case) or chapter 766 had passed, on both, the state and federal level shall be subject to alumni association proceedings on the allegations of sexual abuse for mandated dismissal from the aforementioned association or any visits to the aforementioned educational facility when:

F. Said incident comes to disclosure by his/her victim for the first time in the following manner:

G. To an outpatient or inpatient psychologist and a psychiatrist in private practice who has no affiliation with any educational facility that educates school-aged children in grades Kindergarten-12 or special needs educational programs that educate special needs school-aged children in grades Kindergarten-22-years-old of the abusive incident and said victim had confided into a trusted family member of their choice that:

H. The offending student who was at least 12-years of age or older and that his/her victim was two or more years younger in age at the time of allegation of said sexual abuse and that, both, said victim and offender had attended the aforementioned educational facility at the time the alleged offense had occurred prior to either the victim(s) or the offending student had left said educational facility after one full academic year or had graduated with their high school diploma or other certificate signifying successful completion of study, or both, the hereinafter mentioned victim(s) and the hereinafter mentioned offending student had either left the educational facility after completion of one full academic year or both, victim(s) and offending student had graduated from said educational facility with a high school diploma or some other form of certificate signifying successful completion of study. This section shall be construed to cover sexual abusive acts under M.G.L. Chapter 265 sexual offenses including, but, not limited to rape, statutory rape of a minor under 16, sexual assault of a minor under 14, indecent assault of a minor, forcible rape of a minor, aggravated rape of a minor or any other sexual activities onto a minor that can otherwise be criminally charged under M.G.L. Chapter 265, or any incidents of sexual abuse, to which a student prior to leaving said educational facility had been suspended for or expelled for, prior to leaving said educational facility, he or she had attended for one academic year, or he/she had left as a graduate, or

I. Any former student who prior to the passage of this act had been charged and convicted of an M.G.L. Chapter 265 sexual offense, including, but, not limited to rape, and who had since been let back into said alumni association since conviction. Said convicted alumnus who is re-instated back into said alumni association, as an ex-convict of an M.G.L. Chapter 265 sexual offense, including, but, not limited to rape shall be permanently dismissed as a member of such and said to be of, “character no longer in good standing.” The aforementioned provision

shall also apply to alumnus who had been suspended or expelled from said educational facility prior to leave or graduation from said educational facility shall also be deemed as, “character not in good standing,” and shall also be permanently dismissed from said membership. This provision and all of the section 5, 5A and 5B shall also apply to former school-aged special needs students who are alumnus.

Section 5C First Disclosure: Reduced TO Writing by Psychologist and Psychiatrist, Whether out Patient Or In Patient: Two/Thirds To Concur That First Disclosure Of Sexual Activity Was Abusive and Has Caused Latent Discovery of Emotional Injury: Signature Requirements: Signature Of Mental Health Practitioners and Victim In the Presence of A Notary of The Public: Statute of Limitations In Regards To Alumni Association Proceedings for Dismissal of Alumnus

First disclosure of sexual abuse between former students who had attended the same school as their victim and the offender was 12-years in age and his victim at the time of said sexual abuse was 2 or more years younger than the offending student shall be said to have occurred when:

A. Said disclosure was made to a trusting family member, to whom said victim of said abuse was made to such trusting family member in confidence and

B. Said disclosure is made to a private practicing psychologist and psychiatrist in private practice and who is not affiliated with any schools or educational facilities, whether, said educational facility so offering said educational instructions to school-aged children in grades Kindergarten-12 or offering special needs educational services to special needs school-aged children in grades Kindergarten-22-years-old, and that such mental health practitioner is not so

affiliated in any forms with the hereinafter educational facility so educational facility offering educational instructions, whether or not the educational facility is a public, or private day or residential school, so offering said educational instructions to the hereinafter school-aged children in grades Kindergarten-12 or special needs school-aged children in grades Kindergarten-22-years-old and that

C. The victim of said sexual offense had disclosed such to four different psychologists and psychiatrist, to be construed to mean 1a the psychologist and psychiatrist the victim is presently seeing if any at the time of said disclosure, or in the case that said victim is not in treatment at the time, one (1) psychologist and one (1) psychiatrist in the community and one (1) psychologist in an in-patient psychiatric facility and one (1) psychiatrist also from an in-patient psychiatric facility, and

D. Upon evaluation, two/thirds(2/3) out of the four private practitioners must concur that in their view, sexual abuse had occurred between both the victim and the oldest of the two student or student (s) so involved in said sexual activities had been alleged to do so, and had lead to emotional injury at the time of said first disclosure as an adult of child sexual abuse and

E. Said first disclosure report be reduced to writing and that a notary of the public be present at the time of such signing of said report, by the victim of the sexual abuse and two/third (2/3) of the mental health practitioners in concurring medical opinion that said sexual abuse had occurred between a victim and the offending student (s), while both the victim and the offending student (s) were in attendance at the same educational facility at the time said offense had alleged to occurred.

A victim of the aforementioned sexual abuse may ask the family member he/she had confided into to be present or communicate via phone to the four different practitioners in the mental health professionals to whom the victim is seeing at the time of first disclosure. Any information that comes to light from the family member said victim had confided into must be included into the evaluation documentation to be signed by the victim and the practitioners who the victim is seeing at the time of disclosure, in the presence of a notary of the public.

The name of Said family member, to whom the victim had confided into, shall not be included in the evaluation report.

Said family member, to whom the victim had confided into shall not be required by any alumni association's board of directors or the full school committee to testify on the matter in said motion for dismissal of the offending member at the time of dismissal hearing on the matter, unless given permission by the victim of the sexual abuse to do so or by order of a court.

There shall be no statute of limitation pertaining to when first disclosure is said to be made, however, there shall be a twenty-seven (27) year statute of limitation for dismissal proceedings in an alumni association or an alumni organization, which shall begin to toll from:

A. The date of first disclosure or

B. The date from which the incident had occurred or

C. The date to when such written first disclosure had been delivered to the educational facility's current head administrator or

D. First disclosures to the aforementioned above that had been made prior to passage of this act, whichever, comes later.

Section 5D Duty of Current Administrator To Report First Disclosed Cases of Sexual Abuse Between Students: Department of Children and Families and Educational Facility's Alumni Association's Board of Directors or School Committee: Failure to Report Past Incidents of Sexual Abuse Between Students: Penalties and Revocation of Professional Licensure

Upon receipt of a notarized documentation of first disclosure of sexual abuse alleged to have occurred prior to:

A. Both the victim and the offender, so attending the same school where said incident had alleged to have occurred had either graduated from said educational setting that instructs school-aged children in grades Kindergarten-12 or school-aged special needs children in grades Kindergarten-22-years-old or

B. One or both of the parties had left said educational facility that educates school-aged children in grades Kindergarten-12 or special needs school-aged children in grades Kindergarten-22-years-old had left said educational facility after one or more academic years of attendance prior to graduation from High School, it shall be the affirmative responsibility of the current head administrator so in charge of said educational setting to report said alleged incidents of sexual abuse to the Department of Children and Families as if it had occurred at time of receipt of the aforementioned notarized documentation of first disclosure, by said victim and the evaluating practitioners so involved during first disclosure and to the board of directors of the educational facility's alumni association, or in the case where said educational facility does not have an official alumni association situated in said educational facility, to the full school committee. Failure of said current administrator to forward said first disclosures to the aforementioned board of directors of the educational facility, or the full school committee, in the

case where no official alumni association exists and to the aforementioned Department of Children and Families is guilty of obstruction of justice and shall be punishable by imprisonment in state prison for no less than three (3) years or a fine of twenty-five hundred dollars, ($2,500.00) or both said imprisonment and fine. Said administrator who fails to meet the aforementioned reporting requirements shall have his/her professional license revoked and can never be an administrator of an educational facility that educates school-aged children in grades Kindergarten-12 or special needs school-aged children in grades Kindergarten-22-years-old. This provision shall be inclusive to public or public day or residential schools that educate school-aged children in grades Kindergarten-12 or special needs school-aged children in grades Kindergarten-22-years-old.

Section 5E Motion for Dismissal from Educational Facility Alumni Associations or School Premises: Proceedings to Be Sequestered: Due Process: Finding of Guilt or Innocence and Appeals of Such Findings of Guilt

Upon receipt of the first disclosure of sexual abuse from the current administrator of the school at time of delivery of notarized documentation of first disclosure documentation of sexual abuse, it shall be the duty of an Alumni Association's board of directors or the school committee in educational facilities educating school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22-years-old, it shall be the duty of the educational facility's alumni association's board of directors or in the case where said educational facility so educating said school-aged or special needs school-aged children in the aforementioned grade levels or age levels to hear cases of past sexual abuse between victims and the offending students who both attended the same educational facility at the time said sexual abuse has alleged to have occurred in the following manner:

1. Within sixty (60) days of said delivery of said notarized documentation of first disclosure.

2. In a sequestered manner, with signage on the meeting room that reads, meeting is SEQUESTERED-DO NOT ENTER THIS ROOM

3. Written notice to both the victim of said sexual abuse so alleged and the alleged offending student of the date of hearing and that said hearing notice must detail the allegations of sexual abuse as grounds in the motion for dismissal proceedings, and the right of representation by the victim and the offending former student or if both parties are former students, right to representation of choice of both said victim and offending former student.

4. The right to examination and cross examination

5. The right to present evidence in said motion for dismissal proceedings

6. The right of the parties to present witness testimony on his or her behalf

7. Present in the meeting room shall be A the victim of the alleged sexual abuse. B the accused. C representation of choice by both parties in the matter. D the educational facility's alumni association's board of directors so hearing the case or in the case where said educational facility does not have an alumni association, the full school committee so hearing the case.

8. Witnesses shall be called into the meeting room one (1) at a time and said proceedings shall be guarded by a security guard in the meeting room and another security guard situated where the witnesses are awaiting their turn to give testimony.

9. The presentation of opening and closing arguments by the representatives of the parties involved in said motion for dismissal proceedings

10. The finding of guilt or innocence in the matter of the alleged sexual abuse allegation must be decided by two-thirds (2/3) of the alumni association's board of directors in educational facilities that have organized alumni associations or two-thirds (2/3) of the full school committee in educational facilities that have no official non-profit alumni association organization. Said guilt shall be by preponderance of the evidence.

11. At the conclusion of such motion for dismissal proceedings on the matter concerning passed sexual abuse, once a decision has been made by either the board of directors of the educational facilities alumni association in educational facilities that have an official alumni association or the full committee of the school committee of an educational facility that has no organized alumni association, such decision must be handed down by the president of the educational facility's board of directors of the educational facility first orally and in the case of an educational facility of an educational facility that has no official alumni association, the decision must be handed down orally by the chairperson of the school committee. Upon oral communication, by the president of an educational facility's alumni association or by the said chairperson of an educational facility that has no official alumni association, such communication and adjudication of dismissal of the said sex offending former student, the finding of the decisions by the boards must be followed-up in writing within ten (10) days of the oral decision and in such written notification, there shall be included a written notice of a former student sex offender's right to appeal the case to the full board of trustees or the mayor and the city council of the city or town which the educational facility where the offense had occurred and that the offending student who has been found guilty of said sexual abuse shall have thirty (30) days from receipt of written notification of said finding of guilt to make such appeal to either the board of trustees or the mayor and the city council in which the school so attends has. In the case

of no board of trustees, said written appeal shall be made to the mayor and the city councilor who in each case shall issue a hearing on the appeal within ten (10) days of receipt of the written request of an appeal on a motion for dismissal for sexual abuse for reinstatement into the school's alumni association or to attend any reunions of former students may have reunions at for their graduation class years. In said appeals process, consideration to overturn the board of directors or of an educational facilities or school committees' decision of permanent dismissal from school premises and any reunions must examine any errors in due process and whether or not the presentation of evidence was presented fairly and impartially and whether or not said decisions were made according to impartiality and fairness. Upon review of the case on appeal, said decision must be made in writing within twenty-one (21) days after receipt of the request of the appeal. This appeal to either the educational facility's board of trustees or the Mayor and City Council shall be deemed to be final and binding on the parties involved.

12. Said notice of appeal of the finding of guilt shall be given to the victim of the sexual abuse, their representatives and the educational facility's alumni association or the full school committee.

13. Said finding of guilt after all hearings and appeals had been concluded shall be said to deem that said former student sexual offender has been deemed to be found to had left or graduated as "not in good standing by reason of disciplinary action." Such finding of "Not in good standing by reason of disciplinary action," shall be said to be retroactive, as if the sexual offending student had been expelled at the time the sexual abuse had occurred, but, shall have no effect on any high school diplomas, or certifications retained or any other awards for academic performance or any other awards for any other participation in any other school-based activity that the former student had achieved, as said diplomas, or certification of completion of studies

or awards had been earned prior to first disclosure of the aforementioned sexual abuse that had occurred while both the victim and the offending former student had attended the same school prior to the earning of any diploma, or certificate of completion of course of study, or any awards earned or both, by the offending former student, prior to first disclosure of said sexual offense.

Section 5F Motion for Dismissal Proceedings Notices to Incompetent Former Students Who Are Victims and Sexual Offenders: Sent To Parents or Legal Guardian When the Parties to Such Proceedings Are Declared Wards

Any former student who was a victim of a sexual abuse committed by another former student, who was 12-years-old or older and who's victim was two or more years younger than the offending student, who attended the same educational facility that educates school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22-years old who are 18-years of age or older and who has been declared incompetent by a court that has the appropriate jurisdiction to declare said former student incompetent, notices of said alumni proceedings, and decisions, and appeals and final decisions shall have notices sent to:

A. The legal guardian appointed by the court that serves as the guardian or guardians of the ward or:

B. In the case where the former student's parents are appointed guardians of the wards, to the former student's parent(s).

C. Both victim and alleged sexual former student offender shall both receive any notices concerning alumni association or school committee proceedings, findings and appeals and the final decisions of the appeals.

D. The incompetent persons' provision in section 5F shall pertain to former students who are age 18-years of age or older and who had been declared incompetent by a court that has the appropriate jurisdiction to declare a person incompetent and who has been appointed a guardian.

Section 6 Retaliation Defined: Definitions to Affect All Educational Facilities within the Commonwealth of Massachusetts

Upon a case of sexual abuse being brought before either the school's disciplinary board for automatic expulsion or ten (10) academic day suspensions for violence that had occurred in conjunction with any bullying or hazing or any other forms of violent acts in conjunction with said bullying or hazing or that are done separate from, or the school's alumni association or school committee in the case of sexual offenses, retaliation shall be defined as the following:

A. A friend or family member or a bunch of friends or family members who embarrass or humiliates any party so involved in the aforementioned disciplinary proceedings prescribed herein or:

B. Any staff member or school administrator who discourages disciplinary action or criminal actions to be taken for the sake of protecting the educational institution's reputation, whether said disciplinary action is taken on the school level, or pursued in criminal court or in the case where one of the parties involved in a sexual abuse case is a former student at the time of said alumni association disciplinary proceedings for dismissal or school committee proceedings for dismissal from said educational facility's premises. Or:

C. Any physical violence or verbal threats of violence that occurs between either of the parties, or their friends, or their family members, or school staff or administration to thwart

any disciplinary matter from moving forward in cases of violence or sexual abuse committed by students who are in educational facilities that educate school-aged children in grades Kindergarten-12 or any special needs educational facilities that educate special needs school-aged children in grades Kindergarten-age 22-years-old.

D. Threats of disciplinary action or disciplinary actions taken against any other student or staff member who is either victims of sexual abuse or violence in conjunction with any bullying or hazing or violence that is separate from any bullying or hazing, or threats of violence. This provision shall apply to school administration, other students or other staff who are not affiliated with the case at hand or who are friends or family members of any of the parties so involved in said disciplinary actions being taken out against another student or staff member for sexual abuse or violence in conjunction with bullying, or hazing or acts of violence that is separate acts from any bullying or hazing.

The aforementioned definitions of retaliation shall apply to educational facilities that educate school-aged children in grades Kindergarten-12 or in educational facilities that educate special needs school-aged children in grades Kindergarten-22-years-old and any post secondary educational facility, such as a college, or a university, or a technical school or a vocational or trade school, whether or not the aforementioned educational facilities are a public day, or private or residential educational facility on all educational levels that are located within the Commonwealth of Massachusetts The prescribed definition of retaliation shall apply to all educational facilities within the Commonwealth of Massachusetts and shall include all educational facilities on all educational levels.

Section 6A Penalties for Retaliation Criminal and Civil Liability for Retaliation

Any person who engages in any of the following acts as mentioned in section 6 herein of this act is guilty of retaliation based solely on disciplinary action being taken for acts of sexual abuse or violence and that such acts of retaliation is punishable by a fine of no less than five thousand dollars ($5,000.00) and imprisonment in state prison for a period of no less than five (5) years.

In addition to any criminal actions arising out of retaliation, any person to have engaged in the aforementioned retaliation as defined in section 6 herein of this act shall also face civil liability for discrimination and tort liability in an amount to be determined in proportion to the retaliation so engaged in.

Any victim of retaliation who has been suspended or expelled or dismissed from an alumni association or school premises for the sole purpose of bringing about a complaint of sexual abuse or violent actions of other students or staff members shall be re-instated into said educational facility, or said alumni association or be allowed to visit on school premises, so long as no disciplinary action is being taken against said individuals for having lied under oath to a disciplinary board, or alumni associations' board of directors or school committee about said sexual abuse or violence perpetrated by other students or staff members, during said disciplinary matters on the aforementioned sexual abuse or violence so committed by other students, former students or staff members. Said disciplinary action for lying about said sexual abuse or violent actions occurring shall be deemed to be perjury and shall be prosecuted under applicable law for perjury.

Section 7 Two Week Medical Leaves for Students Attending Educational Facilities That Educate School-Aged Children In Grades Kindergarten-12 or Special Needs School-Aged

Children In Grades Kindergarten-22-Years-Old Who Have Medical Treatment Including Rape Test Kits and Surgical Procedures On the Reproductive Parts of the Body or the Breast Region During the Academic Year to Run from Two Days After the Labor Day Holiday till the Third Friday of June: No Roommates For Students Attending Residential Educational Facilities that Educate School-Aged Children In Grades Kindergarten-12 Or Special Needs School-Aged Children In Grades Kindergarten-22-Years-Old: Two Week Mandated Medical Leaves for Medical Procedures On Reproductive Organs Or Other Private Parts of the Human Body to Be In Effect When Said School-Aged Child or Special Needs School-Aged Children Reaches the Age of 11-Years-Old

Any school-aged child attending an educational facility that educates school-aged children in grades Kindergarten-12 or special needs school-aged children in grades Kindergarten-22-years-old and who is eleven (11) years-old or older who is scheduled to have medical procedures or an emergency rape test kit on any of the following parts of the human body, which shall include, but, not be limited to the:

A. Testicles or

B. Penis or

C. Vagina or

D. Breast or

E. Uterus or

F. Any other part of the human anatomy deemed to be designated as “Private parts,”

of the human body shall be dismissed from said educational facility for a period of two (2)

academic weeks in the case of an elective medical treatment so occurring on said “private parts,” of the human anatomy during the academic year to be deemed as to start no earlier than two (2) days after the Labor Day holiday and to conclude no later than the third (3rd) Friday in June. Said student so having the above-mentioned medical treatment, whether elective or on an emergency basis shall during the two (2) academic week’s medical leave remain in the custody of their parent(s) or legal guardian(s) and shall not be on school premises until the two weeks are up or until the student has recovered from said procedure.

It shall be the sole responsibility of the child’s parent(s) or legal guardian(s) during the two academic weeks to do the following:

1. Bring his/her child to the physician so performing the medical treatment on said school-aged child’s “private parts,” of the human anatomy to have the physician show and explain to the child via use of a manikin or paper doll, the “private part(s),” of their body that is subjected to the elective or emergency medical treatment.

2. Have his/her child seen by both a psychiatrist and a psychologist in an outpatient and private practicing facility that is not affiliated with any educational facility educating school-aged children within the Commonwealth of Massachusetts for an evaluation to see if the child understands what the physician so doing the procedure is doing on the appropriate physical or developmental age of the child and to evaluate whether or not the child understands that he or she has no right to touch the “private parts,” of the human body of any other person, in proportion to the child’s physical and developmental age level.

3. Follow all necessary steps given by the treating physician prior to and in preparation for any medical or surgical procedure on their "private parts," of their body and post treatment instructions so given by said physician so giving said medical treatment and

4. Have his/her child return back to the original psychologist and psychiatrist from the aforementioned outpatient practicing facility for post treatment evaluation of the said child's understanding of the procedure and behaviors had changed in understanding prior to said procedure in proportion to the physical and developmental age of the child.

5. Secure the academic work that will be missed during the two academic week period that the child is out, via a tutor, over the Internet or via temporary home schooling. In the case of a special needs school-aged child, such educational material so missed during the aforementioned two academic week medical leave shall be reasonably accommodated according to the child's Individualized Educational Plan, (IEP).

6. Prior to said school-aged child returning to his/her educational facility from the said two(2) academic week medical leave, secure the before and after treatment evaluation reports from the aforementioned psychologist and psychiatrist, so performed during the two(2) academic week medical leave.

7. Have any strategies mentioned in the aforementioned report that sets guidelines to prevent said school-aged children from molesting other students' or staff members' "private parts," of their human anatomy.

8. Set up between the parent(s) or legal guardian(s) and the school, an Individualized Behavioral Modification Educational Plan, (IBMEP) that addresses prevention of molestation to others so attending or working in said educational facility. Said Individualized Behavioral

Modification Educational Plan, (IBMEP) shall be developed and implemented within the first two academic days of the child's return to school from said two (2) academic week medical leave for medical treatment on the aforementioned "private parts," of their body.

9. In the case of residential educational facilities that educate school-aged children in grades Kindergarten-12 or special needs school-aged children in grades Kindergarten-22-years-old, upon said student returning to the aforementioned residential school from a two(2) academic week medical leave for treatment on the "private parts" of his/her human anatomy, said child shall not be placed in a room with any other students who are 12-years of age or older, who resides in the same dorm or cottage as the aforementioned student who had elective or emergency medical treatment on the aforementioned, "reproductive," or, "private parts," of the human anatomy, whether or not the student is male or female, for the remainder of the academic year, and that said child's name must have a red asterisk(*) next to his/her name indicating that he/she is not to be roomed with any other student 12-years of age or older who resides in the same dorm as the student who had returned from said medical leave as mentioned above, during the remainder of the academic year and that said student must be placed in either a room with thoroughly CORIED and SORIED staff members, so CORIED and SORIED in all 50 states and internationally if they came from any other country besides the United States of America, or placed in a single room by themselves, when they are age 13-years-old or older. In the case where said placement cannot be provided to said residential child so returning as a resident student from his/her two(2) academic week medical treatment on his/her "private parts," of the human body, said child must remain a day student for the remainder of the academic year and it shall be incumbent upon both the child's parent(s) or legal guardian(s) and the town to which the child is domiciled in to provide transportation to and from school at the end of each academic

day and that these provisions shall be in effect in proportion to the remainder of the academic year since the two (2) academic week medical leave. In the case where said residential school-aged child is attending the aforementioned residential school from out of state and that said home destination is out of state and more than 45 minutes away from the aforementioned residential school or said residential student must travel by air or long bus trip, it shall be incumbent on the parent(s) or legal guardian(s) of the out of state residential student temporarily home schooled by said parent(s) or legal guardian(s), using the materials that other students in his/her class is using at the end of the two(2) academic week medical leave. This may be accomplished by the residential school providing a tutor or providing the same materials over the Internet as distance learning. It shall further be incumbent on the residential school to reasonably accommodate the educational materials for an out of state special needs child as outlined in their Individualized Educational Plan, (IEP).

It shall be presumed to be the responsibility of the child's parent(s) or legal guardian(s) of any school-aged children so attending a residential school to notify the said school, whether or not the medical treatment on their child's "private parts," of their child's human body is an elective procedure, or in the case of an emergency, involving the "private parts," of the child's body, to notify the head administrator of the child's school, who shall, in turn notify the school's health department, the child's teachers and in the case of a residential school where said school-age child attends, the senior houseparent or senior housemaster, who shall in turn place next to the residential student's name a red asterisk(*) signifying that said student is not to be placed with any roommates who are age 12 or older except for thoroughly CORIED and SORIED staff members in all 50 states, as it pertains to criminal records and sexual offenses on children, or that said student be placed into a single room when he/she is 13-years-old or older or in the case

where said accommodations cannot be made, said residential student is to be deemed a day student for the remainder of the academic year proceeding any elective or emergency medical treatment on said school-aged child's "private parts," of their body. In the event that said student is domiciled out of the Commonwealth of Massachusetts and lives more than 45 minutes away from said residential school, said student must remain at their out of state domicile with their parent(s) or legal guardian(s) and shall be entitled to receive their educational material from said residential school via a tutor or through distance learning via the Internet, and said residential school that the child attends must provide this instruction throughout the remainder of the academic year and in the case of a special needs school-aged child, said reasonable accommodations as outlined in the child's Individualized Educational Plan (IEP) shall be presumed the responsibility of the residential school said child attends and that the aforementioned educational materials provided with the aforementioned reasonable accommodations shall be provided throughout the remainder of the academic year, to which the elective or emergency medical treatment has occurred on the "private parts," of said school-aged child's body. A tumor, or injury, or pain or a rape test kit or a rape examination to the "private parts," of a school-aged child 11-years-old or over shall also be deemed instances of emergency medical treatment or whatever the child's parent(s) or legal guardian(s) and the treating physician deems to be an emergency need for medical examination or treatment on the, "private parts," of the school-aged child's human body.

In the case where a school-aged child or a parent or the legal guardian of a minor child apprises the school staff or in the case of a residential school, the head houseparent or head housemaster that the school-aged child has been the victim of a rape, whether said rape occurred on campus or off campus, said house staff so employed in the same dorm to which the rape

victim currently resides shall follow the same aforementioned, “No roommates,” provision and procedures and also must not at anytime, should the child discuss the incident with them, shut the child off, at anytime during the healing process and or during any judicial process to which the child rape victim may be involved in.

In the circumstances where no staff member knows about said minor being raped, whether said incident occurred on or off campus, and whether or not school was in session at the time, should said rape victim student start discussing any aspects of the rape incident that had occurred, whether on campus or off campus or while school was in session or out of session with any other student, who resides in the same dorm as the said victim and that said other student, to whom the victim is having discussion with, regarding said rape incident and that said other student is 15-years of age or older or is the roommate of the rape victim, and that said roommate is 15-years of age or older, must report to the house staff in the dorm or cottage to which they both live, the fact that said student to whom they were having conversation with had started talking about said rape incident and that said staff member must then be in consultation within one academic day, to the head administrator of the residential school and the school’s health department, and the child’s parent(s) or legal guardian and that in such conversation with said head school administrator, the school’s health department and the child’s parent(s) or legal guardian, said head house staff in the dorm to which said child rape victim resides must inform the aforementioned entities that said child rape victim has opened up to another student age 15 years or older, including, but, not limited to his/her roommate(s), or other dorm or cottage mates or both, said dorm or cottage mates and his/her roommate.

Failure of said head houseparent or head housemaster to follow the aforementioned procedures shall face automatic termination of employment from said residential school and also

may be held civilly liable to said child rape victim and their family in an amount not to exceed twenty-thousand dollars ($20,000.00). Any student who is either the roommate(s) or dorm or cottage mate and who is 15-years of age or older to apprise said staff member that said child victim had discussed any rape incident or any aspects of said rape incident, whether or not said rape incident occurred on or off campus and whether or not said rape incident had occurred while school was in session or not in session, shall be deemed expelled from said school setting for one (1) academic semester. At said time, during the academic year that a house staff member becomes apprised of said rape incident with said minor child, if said minor child is roomed with any roommate(s) who are age 12-years or older said child rape victim shall have next to his/her name the aforementioned red asterisk, indicating that he/she is to receive different rooming accommodations without any student, thus, this shall follow the same procedure as prescribed in section 7 of this act, otherwise known as the Juvenile Violence Act of 2015. The aforementioned section 7 procedures shall be deemed as protocols of rooming students who had any medical treatment, whether elective or emergency on his/her, “private,” parts of the human anatomy or that of the reproductive parts of the human anatomy.

Failure of a head houseparent or head housemaster to follow the aforementioned protocols of placing said red asterisk around said student’s name upon knowledge of a procedure concerning the, “private,” parts of the human anatomy or the reproductive system shall lead to mandated termination of employment and in addition to said mandated termination of employment, may face criminal liability, which shall be deemed as appropriate charges and prosecution for neglect of a minor under the age of 18-years-old and civil liability not to exceed twenty-thousand dollars($20,000.00).

Any dorm or cottage student, or any other student so being educated in a day public or private or residential school, or any other educational facility that educates school-aged children in grades Kindergarten-12 or in the case of special needs school-aged child in grades Kindergarten-22-years-old, who preys upon a recovering rape victim child, via using such incident to engage in unauthorized mouth to mouth resuscitation, or any other unauthorized touching of said rape victim child, and that such action is used to explore or act out onto the rape victim child shall be deemed to be trickery as so defined under section 1B of this act, otherwise known as the Juvenile Violence Act of 2015. Said student, who engages in said emotional trickery to lure exploration of the, "private," parts or the reproductive parts or both of the human anatomy of the rape victim shall be presumed to be engaging in sexual abusive activities, via emotional trickery, and coercion, and thus, shall face the same mandated expulsion for child on child sexual abuse.

Section 8 Training of First Aid and Sexual Education: Who May and May Not Administer This Type of Training: qualifications of Delivery of First Aid training: Duty of Parents or Legal Guardian to Instruct School-Aged Children in Sexual Education: Qualified Trainers of First Aid Prohibited from Living On Campuses of Residential Schools Instructing School-Aged Children in Grades Kindergarten-12 or Special Needs School-Aged Children in Grades Kindergarten-22-Years-Old: Methods of First Aid Training: Parents or Legal Guardians Presumed Criminally Liable for Sexual Abuse Committed By Their Children or Ward: Tort Liability, No More Than $20,000.00 for Sexual Abuse Committed By Their Children or Ward: Criminal Liability Shall Be Deemed As Contributing to the Delinquency of a Minor: House Staff, or House Masters or Houseparents: Also presumed Civilly and Criminally Liable for a Sexual Abuse Committed onto Another Student or Staff Member

The course of first aid training may only be administered to school-aged children in grades Kindergarten-12 or Special Needs School-aged children in grades Kindergarten-22-years-old, whether the educational facility is a public or private day or residential educational facility by the following people who meet either of the following qualifications:

A. The head of physical Education, or:

B. The school nurse, or:

C. The school's general physician or:

D. The fire department personnel of the fire department to which the school is located in by a person designated by the fire chief and that said fire chief must notify the head school administrator of the educational facility as to who is designated to give instructions to school-aged children training in first aid.

E. Said fire personnel shall also undergo the additional requirement of being CORIED and SORIED in all 50 states for criminal records of crimes committed against minor children under the age of 18-years-old and sexual offenses of minor children under the age of 16 and sexual offenses and crimes committed against persons with developmental disabilities.

Any persons so prescribed herein to administer instruction in first aid shall be prohibited from living on a residential school campus in any dorms or cottages. Those who are qualified to give first aid training to school-aged children in grades Kindergarten-12 or special needs school in grades Kindergarten-22-years-old shall also be prohibited from being house staff in any residential dorms or cottages or any other areas that have student sleeping quarters in a residential school.

First aid training of any school-aged children who has not achieved their high school diploma shall be administered through the use of anatomical manikin dolls or cadabras, which medical students use to train to become doctors or students who study to become nurses or those who study to become life guards or medical attendants or orderlies in either a doctor's office or a hospital.

It shall be the presumed duty of a school-aged child's parent(s) or legal guardian(s) whether or not the school-aged child is special needs or a regular student to give instruction to their child or ward in sexual education, via the use of a manikin doll, or cadabras, or paper dolls or books explaining to the child their private parts of the body and that it shall also be the presumed duty of the parent(s) or legal guardian(s) of their school-aged children or ward to inform their child that they have the right to not have their private parts touched and that they do not have a right to touch the private parts of any other child or staff member in the school setting without mutual consent of the other person. It shall also be the presumed responsibility of the child or ward's parent(s) or legal guardian(s) to inform their child or ward that he or she cannot use any force or trickery of authority to touch someone else's private part or engage in any form of sexual abusive activities while at school or out in society.

Any parent or legal guardian who fails to adhere to these presumed responsibilities as a parent or legal guardian shall be presumed both criminally and civilly liable to any victim(s) to which their child or ward sexually abuses. Such tort liability shall be in the amount of no more than $20,000.00. Any parent(s) or legal guardian(s) child or ward who commits a sexual offense onto another student who is two or more years younger themselves, or commits sexual abuse onto a staff member, or any other person may be charged as contributing to the delinquency of a minor and shall face the aforementioned penalties of contributing to the delinquency of a minor

as deemed under applicable state laws. The same aforementioned charge of contributing to the delinquency of a minor shall also apply to the house staff in the case of a boarding school, in sexual abuse cases. Said house staff who contribute to the delinquency of a minor via allowing for any kind of sexually deviant behavior or who does not conform to the code of providing proper supervision to their students, to which they care for, in a case of sexual abuse shall be punished by a fine of two-thousand dollars($2,000.00) or imprisonment in state prison for no less than three(3) years or both, said fine or imprisonment and also must be terminated from employment in a residential school that educates school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children, grades Kindergarten-22-years-old.

This provision shall also be construed to extend this presumption of liability to house staff, or houseparents or housemasters who work as such in a residential school, where a student who is 12-years or older and their victim(s) is two or more years younger than the offending student shall also be held criminally liable as contributing to the delinquency of a minor and shall also be subjected to tort liability in an amount of no more than $20,000.00, as it shall be the presumption that said house staff, house master or houseparent so supervising said residential students in residential schools that educate school-aged children in grades Kindergarten-12 or special needs students in grades Kindergarten-22-years-old are acting in place of the parent(s) or legal guardian(s), while said student is residing at the school, but, said houseparent, or house staff or housemaster shall also be deemed as not the actual parent(s), or legal guardian(s) or family members of the students so residing in said residential school that educates school-aged children in grades Kindergarten-12 or special needs students in grades Kindergarten-22-years-old. This presumption shall apply to all sexual abuse cases involving minor children who are 12 years of age or older and their victim(s) are two or more years younger or any staff member, to

which a minor student 12-years of age or older who commits unconsensual sexual acts onto another staff member, by means of force or coercion to engage in sexual activity.

Section 9 Requirements for First Time Enrolled Students Notarized Statement from Parents or Legal Guardians Regarding Sexual Abuse Training: Notarized Statements Regarding Sexual Education Taught to School-Aged Children or Special Needs School-Aged Children: Notarized statement Requirements Each Academic Year for Students Attending Residential Schools Regarding Sleeping Quarter Entry and Exit Policies and Dorm or Cottage Entry and Exit Policies: Failure to Meet Signature Requirements

Notwithstanding any law or policy to the contrary, prior to the enrollment of each new student into a public, or private or residential school, or a charter school or an agriculture school, upon enrollment of new students attending the aforementioned schools that offer educational services to school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22-years-old, prior to said student's enrollment into any of the aforementioned schools, it shall be the affirmative responsibility of either the child's parent(s) or legal guardian(s) to have signed in the presence of a notary of the public a statement consenting to the fact that within one month of the child's enrollment, that their son, or daughter or legal ward will participate in sexual abuse training to be conducted by a police department, by an officer who has been thoroughly CORIED and SORIED for criminal offenses against children to instruct first time school age children in sexual abuse prevention at the appropriate age level of the children so attending said training and that said children so in attendance shall be made fully aware of the auspices of this act as to what the consequences will be should a student who is 12-years or older engage in an act of sexual abuse onto another student who is two or more years younger in physical age or another staff member. Failure to fulfill the signature requirements by

the student's parent(s) or legal guardian(s) or the student, him/herself prior to his/her being enrolled into a school or a new school for the first time, shall deem said student not to be officially enrolled until said signature requirements of attendance in sexual abuse training has been fulfilled. Said signature must be signed within ten (10) days prior to the student being enrolled into school for the first time or when the student has been enrolled into a new school for the first time. It shall also be the duty of the parent(s) or legal guardian(s) or the student, him/herself to also sign in the presence of the aforementioned notary of the public the envelope to which said signed document is to be mailed in to the head administrator of the school facility to which the student will be attending. Said mailing envelope shall also be signed by the person notarizing said signature of the consent to sexual abuse training.

When a newly enrolled student has reached their sixteenth (16'th) birthday prior to his new enrollment into another school or becomes 16-years-old at the time of said enrollment into a new school, it shall be the affirmative responsibility of the student to sign in the presence of a notary of the public a statement consenting to sexual abuse prevention training, provided, however, said student is not under guardianship due to mental incompetence as deemed by the family and probate court. In such cases, the affirmative responsibility to sign said consent to sexual abuse prevention training shall fall to his/her appointed guardian.

In the case where a school-aged child in grades Kindergarten-12 or in the case of a special needs school-aged child in grades Kindergarten-22-years-old, it shall be the sole responsibility of his/her parent(s) or legal guardian(s) to sign in the presence of a notary of the public ten(10) days prior to the start of school, a copy of said residential school's policies with regards to the entering and the exiting of the sleeping quarters and the entering and exiting of the whole cottage or dorm for classes or other school related activity. This notarized statement shall

be signed ten (10) days prior to the start of each academic year, said to start no earlier than two (2) days after the Labor Day holiday and to end no later than the third Friday of June, of each academic year. Upon said residential student reaching sixteen(16) years-old, it shall be the sole responsibility of said student to sign in the presence of a notary of the public on an annual bases and within ten(10) days prior to the start of school, a notarized copy of the residential school's sleeping quarter's entering and exiting policies and dorm or cottages' entering and exiting policies, provided, however, said residential student is not under a guardianship appointed by the family and probate court due to mental incompetence. In the case where such is the case, said legal guardian shall have the affirmative responsibility to signing in the presence of a notary of the public said sleeping quarters entering and exiting and dorm or cottages' entering and exiting policies, during the school day or during school sponsored activities, within ten(10) days prior to each academic year. Failure of the aforementioned parent(s), or legal guardian(s) or the student, him/herself when he/she reaches the age of 16 to sign said sleeping quarter and cottage or dorm entry and exit policies in the presence of a notary of the public shall result in said student being listed as, "Day Student Status," until his/her parent(s), or legal guardian(s) or the student, him/herself, once he/she has reached 16-years-old has fulfilled the aforementioned signature requirements of the school's sleeping quarters entering and exiting and dorm or cottage entry and exiting policies.

Any parent(s), or legal guardian(s) or students age 16-years or older wishing to participate in school sponsored sexual education classes shall, prior to the beginning of any sexual educational training, must sign in the presence of a notary of the public a consent form allowing for said to student to participate in sexual education program so offered by said school facility. Failure of a parent or legal guardian or the student, him/herself to sign said consent to be

enrolled or participate in school sponsored sexual education training shall be said to ban said student from participation in such training for one full academic year. In the case where a student is 16-years or older and has been declared legally mentally incompetent to sign said consent, it shall be the sole responsibility of the student's parent(s) or legal guardian(s) to provide said signed and notarized consent for their child or ward to participate in school sponsored sexual educational training.

Section 9A Informing of School-Aged children who are 12-years or older of the Mandated Expulsion Provision for Sexual Abuse Committed onto Another Student 2 or More Years Younger than the student or Any Staff Member and Consequences of First Disclosure of Sexual Abuse that Comes Up After Said Student Either Graduates or Leaves his/her Educational Facility After One Academic Year

It shall be the duty of the head administrator of any school that educates school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22-years-old to send via a letter to each student's parent(s) or legal guardian(s) upon the 12'th birthday of each student a statement that any student who commits onto another student who is two or more years younger than the student who is being sent said letter, or a staff member an act of sexual abuse that by law, he/she faces automatic mandated expulsion, upon determination of guilt by preponderance of the evidence by the aforementioned school disciplinary board as composed in Section 4 of this act.

Also included in this mailing shall also be a statement that if it comes to surface years later, after said student had either graduated or left said educational facility after attendance for one full academic year, via confirmed first disclosure by ¾ of the people in the mental health

department, the victim who attended the same school as the offender, and then a report is forwarded onto the head administration that said student's case shall by law be reported to the Department of Children and Families and that his/her case shall also be forwarded onto either the school's alumni association's board of directors, provided however that said educational facility has an alumni association as defined in Section 5 of this act, or in the case where there exists no alumni association, the case is to be referred to the full school committee, who shall hold a hearing on the matter within 60 days and that upon the finding of guilt by a preponderance of the evidence by either the educational facility's alumni association's board of directors or the school committee in the case where said school has no established alumni association, said former student shall be banned from coming onto campus and belonging to the school's alumni association, to which other students who are otherwise in "Good Disciplinary Standing," are afforded.

Section 10 Right to Self Defense to Supersede any Anti-Bullying Policy, School Policy, or Ethics When Another Student or Staff Member is in Threat of Grave and Imminent Danger of Serious Bodily Injury or Death Or Are Being Placed in Grave, Imminent Danger of Bodily Injury or Death By the Aggressor Who Provoked the Confrontation in the First Place

In such events where either another student or staff member who is a victim of bullying, or hazing or any act of standalone violent by either a non-special needs school-aged child in grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22-years-old and whom either the staff member or the student is the primary aggressor in combat, who places either a another student or staff member in imminent threat of serious bodily injury or death or who's violent action is forceful that said aggression of either the aggressive student or staff members violent actions causes serious bodily injury or death to

his/her victim, said victim shall have the right to resort to self defense to protect him/herself from danger of serious bodily injury or death as deemed necessary under applicable law. Said right to resort to the use of self defense in incidents where a threat of serious bodily injury or death is imminent or actual serious bodily injury is said to occur by the aggressive party, when a duty to retreat such combat becomes unavailable. Said right to the use of self defense in the aforementioned circumstances shall be said to supersede any anti-bulling policy, or any policy, or any crisis intervention policy, or any laws against corporal punishment when the aforementioned occasion of threat of imminent serious bodily injury or death or actual serious bodily injury or death is to occur. The use of self defense as a means of survival or escaping the possibility of serious bodily injury shall in no way be deemed to mean the use of corporal punishment.

Section 10A Corporal Punishment Defined: Consequences of Its Use: Time Outs in Enclosed Areas of a School; Procedures of Use and Time Limitations

The term “Corporal Punishment shall be defined to mean the following: 1. Paddling of a child when such paddling is not used as a means of self defense by a teacher or a principal or another figure of authority for the purpose of escaping the threat to or the actual occurrence of imminent serious bodily injury or death. 2. Use of force that is provoked by a figure of authority for their mere convenience. 3. Exposing school-aged children to the elements by a figure of authority, such as a principal, a director of a school, a teacher, a cafeteria worker, and a house parent or house master in the case of a residential school. 4. Physical restraint of a school-aged child when such is not necessary and is only being carried out to satisfy the mere convenience of a staff member or a figure of authority. 5. Excessive time out periods in an enclosed and isolated place that is locked so that the school-aged child cannot get out. 6. Exposing a child to the

elements via the undressing of the child and then placing them into an enclosed area with doors closed and windows opened during inclement weather, or extreme heat, or cold temperatures. 7. Exposing a school-aged child to the elements outside of the school building or the dorm or cottage in the case of a residential school without proper attire, conducive to the current weather conditions at the time said incident of exposure is to have occurred. The sending of a school-aged child to a time out area fully naked, or with their undergarments exposed shall be deemed to be a case to be investigated for sexual abuse, or bullying or hazing. Any staff member who uses any of these forms of corporal punishment hereinafter defined shall face automatic termination from employment from the school where he/she worked at the time of incident and that such termination shall be placed on the staff member's employment record and reported by mandated reporters to the Department of Children and Families. Such record of the hereinafter incidents of corporal punishment so defined shall be opened to public inspection and said staff member who had engaged in the use of corporal punishment shall be said to forfeit his/her right to work in the education system in any capacity within the Commonwealth of Massachusetts. Any figure of authority who imposes a time out period on a school-aged child in an enclosed area, whether the staff be from a public, or private, or agricultural, or a chartered school, or a residential school must set the time out period to last no more than ten(10) minutes and must be within the vicinity to where the time out facilities the staff member is using, including, but, not limited to a student's bedroom, in the case of a residential school and must have in their possession a timing device to let them know that the time out period is up and then come to inform the student that said time out period has expired.

Section 11 Summer Camps That Have School-Aged Children Under Age 18 to Be Deemed Educational Facilities and Under the Same Mandated Reporting Requirements and All Other Auspices of This Act

Any summer camp or summer program, whether public, private or residential that offer camping or educational experiences to school-aged children under the age of 18-years-old or special needs school-aged children under the age of 18-years-old shall for the purposes of this act be deemed to be an educational facility and thus, its staff shall be bound by the same mandated reporting requirements for child abuse to the Department of Children and Families. Any youth summer camps shall also be bound by all auspices of this act.

Section 12 Locking Mechanisms on Classroom Doors, Bedroom Doors, and Video Surveillance Equipment: Audible Sound Recording Authorized in Student Bedrooms with Warrant upon Probable Cause of Criminal Activity or an Investigation into Criminal Activity

Notwithstanding any school policy or any special policy, it shall be the duty of a public or private day school, or a chartered day school or an agricultural school to install locks onto their classroom doors using gypsum doors and that said locking mechanism must be contained in the door knobs on the doors, and also shall include on the inside of each door a pop-out spring lock on said doors that when opened, the lock button on the door knob pops out to allow for easy access during an emergency or at the end of the class period. All staff using the class room facilities must have on hand keys to these classrooms at all times and copies of these keys must be made and given to the chief of the fire department in the town where the school is located.

In public schools, or private day or residential schools, or charter schools or agricultural schools, or residential schools, that have school-aged children ages 14-years of age or older and

have in both girls or women's rest areas or boy's or men's rest areas, where there are enclosed sit down stalls, including, but, not limited to handicapped accessible stalls shall have an easy accessible locking mechanism on its stall doors that can be opened from the inside, either through an easily sliding latch or a pop-out spring lock inside the door knob itself, so that when the door knob is turned, the push in lock button pops out so that the student or staff members can enter and exit easily and so that when the stall door is locked, this shall indicate that the stall is being occupied by another person. In the case where a disabled person may need help from staff or a PCA, the PCA, at the permission of the disabled person shall be allowed to enter the stall with them and said PCA shall have the ability to lock the door when both the disabled person and the PCA are in the handicapped stall so being occupied at the time, by, said disabled person and their PCA. The PCA or the disabled person, or both, shall have easy access to the knob on the stall door with the spring locking mechanism that pops out the lock button when the occupants of the stall are finished. This shall also apply whether or not the enclosed sit down stall has a sink for washing hands or other body parts or not. The defense of the educational facility being deemed as a special needs educational facility shall be barred as a defense to non-compliance with section 12 of this act.

All common areas of a public, or private, or charter, or an agricultural school shall have its common areas equipped with updated video surveillance equipment that is viewable to the school's security office and also to that of law enforcement.

In the case, where a school that educates school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22 years-old, said residential school shall follow the same section 12 requirements under this act, and in addition, must also have adequate updated video surveillance equipment placed in all dorms or cottages

and such video surveillance equipment must be placed in the common areas of the sleeping quarters and the common areas of the dorms or cottages said school has on its premises.

In cottages or dorms where there are housed school-aged children who are age 10 years or older, all bedroom doors, except the two “sick” areas of each dorm or cottage, which the school must designate, shall be equipped with the same gypsum doors and have the same spring locking mechanism contained in the knob of the door to allow for easy exits of the students so occupying those bedrooms in the event of an emergency.

There shall be no locks placed on the two designated “sick” rooms as designated by the residential school and that said residential school must post signage on the designated bedrooms as “sick” rooms, which may only be entered by medical personnel, or the town’s police department, or thoroughly CORIED and SORIED staff members in all 50 states, or ambulance crews, or the sick child’s parent(s) or legal guardian(s) or any other family member 18 years of age or older designated by the child’s parent(s) or legal guardian(s) to remove and transport home, said sick child. At least one “sick” room must be designated on the first floor to accommodate mobility challenged school-aged children who use crutches, or power chairs, power scooters or wheelchairs.

Any other bedrooms that are not otherwise designated as “sick” rooms must in addition to having locks on the doors, contain on the bedroom door, the name(s) of the students who have been assigned to occupy said bedroom during the academic year. All staff members of the dorms or cottages that have students residing in them that are age 10 years or older must have made and on hand copies of the keys to the bedroom doors and that said keys must remain in their possession at all times. Copies of the keys to the bedroom doors must also be made to be given to

the chief of fire in the town or city where the school is located and also to the local police chief of the town or city where the school is located.

School-aged children who are 16 years or older and who are shown to be responsible to handle their own bedroom shall be entitled to a key to his/her bedroom, so long there is no other occupant in the same bedroom who is A under 16-years-old and B Who has been shown to not be capable of being responsible for the care of the bedroom, which the two or more students occupy.

All enclosed bathroom stalls in all of the dorms or cottages of a residential school, including, but, not limited to handicapped accessible enclosed stalls must also have a locking mechanism placed on the doorway to the enclosed stall that can be easily opened by the occupant of the bathroom stall in the event of an emergency. This provision shall apply to cottages or dorms that house residential students ages 10 or above. Upon the locking of the enclosed lavatory stall by the occupant at the time it is in use, this gesture shall indicate to any other student using the same bathroom facilities that the enclosed stall is in use and is being occupied at the time, and that any other occupant needing to use the lavatory stall must knock on the door and receive an answer that the stall is occupied. In the case of a blind or deaf/blind or a student with developmental and communication challenges, they shall have one free pull on the door to indicate that the door to the lavatory stall is either in use or not. If the aforementioned developmentally, or blind, or deaf/blind or communication disabled student pulls the door and finds that he/she cannot open the lavatory stall, said lavatory stall shall be presumed to be "occupied," by another student or person and that said challenged student must go to his/her care staff, who shall in turn, depending on the urgency of the challenged student needing a lavatory,

allow for the challenged student to use their designated lavatory, so long as both the student and the caretaker is of the same gender.

In the case of a day special needs school or a regular day or private public school, there shall be designated a unisex lavatory and bathroom located on the first floor of each classroom building. Said unisex bathroom facilities shall be equipped with a sink and enclosed lavatory stalls with a locking door on each stall.

Upon probable cause that criminal activity has been committed on residential school premises, law enforcement upon criminal complaint must go to a court of law to obtain a warrant to have installed in the sleeping quarters a voice surveillance device for the sole purposes of conducting an investigation into alleged criminal activity or collecting any evidence in connection with any alleged criminal activity. Said warrant shall state the nature of the crime(s) being investigated in a criminal complaint and the sleeping quarters of the individual(s) being investigated for criminal activity.

Section 13 Age and Educational Requirements of House Staff or Houseparents Hired and Working in Residential Schools: Salary Requirements: Administration Required to Have Open Door Policies to Discuss Working Environment of House staff or House Parents or Salary Negotiations of House staff or Houseparents: Prerequisite Trainings and Re-Certification in Basic First Aid, Cardio Pulmonary Resuscitation and Crisis Prevention Intervention: House Staff and Chaperones of School-Sponsored Activities No Familial Relationship to Students: No Familial Relationships with Students Hired House Staff or Houseparents: Open Door Policies of School CEO’s, Directors and Chairpersons of Residential School Board of Trustees Regarding Safety Issues and Concerns of Sexual Abuse, Extended to Parent(s), or Legal Guardian(s) and

Family Members 18 Years or Older Designated by Parent(s) or Legal Guardian(s) on Enrollment Forms Each Academic Year.

Notwithstanding any policy, or law or any job description of positions of house staff or houseparents to potentially be employed in a residential school that educates school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22-years-old, the following age and educational requirements shall be promulgated by law to have the aforementioned qualifications and salaries to be paid to house staff or houseparents so hired to work in a residential school that educates school-aged children:

A. Said newly hired adult who is hired to be a house staff or houseparent must be 21 years of age or older, and must also had obtained their bachelor's degree and must also be enrolled in a master's degree program leading to a career in childhood education, or special education, or physical education or a profession in human services.

B. Must pass a Criminal Offender Record Inquiry and a Sexual Offender Record Inquiry in all fifty (50) states.

C. Must had not been convicted of a felony offense involving a minor child or a sexual offense involving a minor child or both, said felony or sexual offense onto another minor child prior to hire. Any person promoted to senior house staff or houseparent shall be of the age of 25-years or older and has been properly trained in Crisis Prevention Intervention, Cardio Pulmonary Resuscitation and basic first aid and shall not be offering any such training in such to other students living in their dorm or cottage to which they are a senior house staff or houseparent.

D. No staff member working as house staff or houseparents shall be involved in the training of basic first aid or Crisis Prevention Intervention to any of the school-aged children so living in the cottage or dorm to which they supervise.

E. All newly hired staff members who are hired to work in a cottage or dorm of a residential school must be trained and certified in basic first aid, cardio-pulmonary resuscitation and Crisis Prevention Intervention and also must be informed of the right to resort to the use of self defense should they be in imminent threat of serious bodily injury or death or are placed in danger of serious bodily injury or death and that said use of self defense for their survival or personal safety shall not be deemed as corporal punishment.

F. No hired house staff, or houseparent or in the case of an overnight school-sponsored activity sponsored by any school, whether public, or private, day or residential school, or charter school or agricultural school, that lasts more than twelve (12) hours in duration, chaperone staff or volunteer chaperones, shall not be related as a relative, or married to or a parent or legal guardian of any school-aged children, who are residents of a residential school or who are in attendance of a school sponsored activity that lasts twelve (12) hours or more in duration, whether or not said school sponsored activity is to occur during the academic week, or the weekend, or over school breaks, including, but, not limited to summer vacation.

G. All house staff or houseparent employed by a residential school shall be recertified in basic first aid, cardio pulmonary resuscitation and crisis prevention intervention two weeks prior to the start of each academic year. At the end of the recertification, all staff member shall be reminded of their rights under law to the use of self defense in cases where they

are in imminent threat of serious bodily injury or death or are in danger of serious bodily injury or death.

H. Any chaperone or volunteer chaperones involved to supervise school sponsored activities, whether on or off school premises must be trained and certified in basic first aid, cardio pulmonary resuscitation and crisis prevention intervention two weeks prior to when the school-sponsored activity lasting twelve (12) hours more in duration. All chaperones participating in the supervision of school-sponsored events lasting twelve (12) hours or more in duration shall also be advised by the head school administrator of the rights under law to the use of self defense when in imminent threat of serious bodily injury, or death or are in imminent danger of serious bodily injury or death.

It shall be the duty of the residential school to pay house staff or houseparents a salary that is commensurate with their educational background and experience level. It shall also be the duty of the residential school to provide health insurance and legal liability benefits regardless of whether or not the house staff or houseparent has worked at the school for a period of one (1) year or is a newly hired house staff member or a houseparent.

It shall be the affirmative responsibility of the CEO, or the director and the chairperson of a residential school's board of trustees that educates school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22-years-old to maintain an open door policy for house staff, or houseparents, or teachers, or families of the students attending said residential school to discuss working conditions, in the case of the staff, salary negotiations in the case of the staff, and safety concerns or cases of sexual abuse between minors and staff, or child on child sexual abuse, or lack of supervision

issues by house staff or houseparents, with students and parent(s) or legal guardian(s) of the school-aged child or any other family member 18-years of age or older, who is designated by said parent(s) or legal guardian(s) of the school-aged child. Said appointed family member must also have their name and relationship to the school-aged child placed on the enrollment forms and on the student's school records each academic year the student is in attendance and that said family member so appointed by a student's parent(s) or legal guardian(s) have the right to be present during said discussions with top administrators hereinafter mentioned in the absence of the parent(s) or legal guardian(s) or have the right to be present with said parent(s) or legal guardian(s). Said concerns of lack of supervision, or corporal punishment or child on child sexual abuse, or student on staff sexual abuse shall be placed on record and said school administrators must report the aforementioned matters to the Department of Children and Families in the time frame and manner as prescribed by applicable state laws.

Section 14 School Sponsored Activities Lasting Twelve (12) Hours or More In Duration: Approval to Be Sought By Head Administrator of the Schools, Whether or Not the Educational Facility is a Public, or Private Day or Residential School and Also the Massachusetts Department of Education and the Department of Children and Families: Request of Approval Documentation Requirements: School Sponsored Activities on Academic Nights Running Past 11:00 PM Presumption As If Lasting 12 Hours or More in Duration: School Sponsored Activities Running Past 12:00 AM on Non-Academic Nights Presumption As If Running 12 or More in Duration: School Sponsored Activities Being Held in the Homes of Teachers, Staff Members or Houseparents or Housemasters Prohibited

Any activity, whether educational or extracurricular that is being sponsored by a public, or private day or residential school, or agricultural school, or a vocational school, or a day or

residential special needs educational facility, that is planned to last at least twelve (12) hours or more in duration, including, but, not limited to overnight activities that take place whether such occurs on or off school premises, at another facility within or without the Commonwealth of Massachusetts must be well planned in advanced and must be approved by the head administration of the educational facility, and the Massachusetts Department of Education and the Department of Children and Families. Upon request for approval of said educational or extracurricular activities so planned to last twelve (12) hours or more in duration, including, but, not limited to overnight activities, whether they occur on or off of school premises within or without the Commonwealth of Massachusetts must include, said request for approval must be made in writing by the department of the school facility wishing to host said school event and in said written request shall include:

A. The nature of the activity which is planned to last twelve (12) hours or more in duration, including, but, not limited to overnight stays.

B. The location of the activity to be sponsored

C. Number of participants projected to attend, followed by age range of said participants

D. A plan of supervision by chaperones and staff

E. Emergency plans in case of fire or medical emergency

F. The name of a designated trained person who is in attendance as a supervisor who is certified to render basic first aid, Cardio Pulmonary Resuscitation and Crisis Prevention Intervention, followed by a signed statement by this designated staff member so designated to

render such aid that states, that they are only able to render said basic first aid, or Cardio Pulmonary Resuscitation, or Crisis Prevention Intervention or all of the aforementioned and that they are in no way designated to train any attendees of said activities in the aforementioned basis first aid, or Cardio Pulmonary Resuscitation, or Crisis Prevention Intervention or all of the aforementioned.

G. The job title of the school department personnel who is planning on sponsoring or hosting a school related activity lasting in duration of twelve (12) hours or more, including, but, not limited to overnight school sponsored activities.

H. A statement signed by all paid and volunteer supervising staff, or chaperones, or both, supervising staff and chaperones that they are not related as relatives, or dating partners, or spouse or parent or legal guardian to any of the student participants so participating in activities lasting in duration of twelve (12) hours or more, including, but, not limited to overnight school sponsored activities, which take place on or off of the school premises.

I. Promulgated policies signed by both the student attendees and the staff, against child on child sexual abuse, and hazing and violent activities, whether or not such activities occur as part of a hazing or bullying incident or a standalone incident. For the purposes of this act notwithstanding any special policy, guidelines, or laws the following words shall have the following definitions:

J. Academic Nights shall be deemed to be nights that run from Sunday Night through Thursday Night of each academic year, to which school is in session

K. Non-Academic nights shall be deemed to run from Friday night through Saturday Night, or a Sunday Night, in the case where a Monday holiday is observed or in the case where school is in recess during the school year.

Notwithstanding any law, or policy or guidelines hereinafter set forth, any extracurricular activity or any school sponsored event that runs after 11:00 PM on the nights starting with Sunday night through Thursday night of an academic week shall be presumed to be scheduled as if such has lasted twelve (12) hours or more in duration and shall be subjected to the same approval requirements of any school sponsored or extracurricular activities as set forth in this section. Any school sponsored or extracurricular activity that runs on Friday Night or Saturday night, or Sunday night in the case where a Monday holiday is observed or which occurs during school recess except for summer vacation period that runs until 12:00 AM shall be presumed to last as if the activity was scheduled to last twelve (12) hours or more in duration and must also be subjected to the same approval requirements as hereinafter set forth in this section.

In all cases extracurricular activities or school sponsored activities shall be prohibited from taking place on the home premises of any teacher, school staff member, or employee, or administrator, or any houseparent or housemaster, in the case of residential schools that educate school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22-years-old. this provision shall also take the same effect on public day or private day educational facilities that educate school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children, in grades Kindergarten-22-years-old.

In the event of an emergency during any type of school sponsored event, whether or not they last twelve (12) hours or more in duration, the coordinator shall have on his/her roster of attendees the emergency contact information of the students participating, the emergency contact information of any of the supervisory staff and or chaperones and also the on call contact phone number of the head school administrator.

Section 15 Announced and Unannounced Visits to Educational Facilities By Parents and Other Family Members: Schools Effected: Names of Visitors Allowed to Visit Student on File With School Administration On Enrollment Roster: Other Family Members visiting Student Must Be 18-Years of Age or Older and Have No Criminal Records of Felonies Against Children and No Convictions or License Suspensions or Revocations for Impaired Driving As Defined Under Applicable Massachusetts Laws

Notwithstanding any special policy or guidelines of any educational facility that educates school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22-years-old, a school-aged child's parent(s) or legal guardian(s), or a sibling or another relative who is related to the child either by blood, through marriage into the family or by adoption who is 18 years of age or older and who has not been convicted of a felony crime against a minor child or a sexual offense against a minor and who has not been convicted of an offense of driving while under the influence of alcohol or any other kind of mind altering substance or any other substance that would impair their ability to drive a motor vehicle.

Any other family member 18 years of age or older who is permitted to visit the child at their school, whether announced or unannounced must be placed by the master enrollment roster

of record with the head administrator of the educational facility and that such appointed relatives who have permission to visit the child at his/her school shall at least once an academic year undergo a CORI and a SORI background check by the school. Each appointed family member 18 years of age or older must also undergo a registry of motor vehicles background check to check driving records regarding offenses related to impaired operation of a motor vehicle, including, but, not limited to driving while under the influence of alcohol, or other mind altering substance or any other actions that impaired driving to which a driver's license was suspended for or revoked for.

In the case of an unannounced visit, which occurs at a residential school that educates children in grades Kindergarten-12 or in the case of special needs school-aged children, in grades Kindergarten-22-years-old, the child's parent(s) or legal guardian(s) shall have a right to appoint two school staff members or teachers who is not a school administrator, but, can be the head of houseparents or house staff of the whole school to be apprised of the unannounced visit and who will be making said unannounced visits to the child of the parent(s) or legal guardian(s). said appointed staff upon contact of the informed unannounced visitor who is a relative of the child, who is not the parent(s) or legal guardian(s), at least one of the appointed staff members or teachers, or supervisor of houseparents or house staff must accompany the relative to the cottage or dorm to which the visit is to commence. No staff who is appointed to be apprised of unannounced visits by familial visitors other then the child's parent(s) or legal guardian(s) must not be employed in the cottage or dorm to which the child is residing in.

In the case of a public day or private day school where unannounced visits are made, the parent(s) or legal guardian(s) of the child shall direct the relative 18 years or older, so visiting their child, under permission thereof, to go to the school's security office and sign in at the

school security, who shall in turn inform the principal and the school teachers of the child that a visitor is there to see the child, so being visited.

Section 16 Announced and Unannounced Visits By Parent(s), or Legal Guardian(s) or Family Members 18 Years or Older In Residential Schools That Educate School-Aged Children in Grades Kindergarten-12 or in the Case of Special Needs School-Aged Children in Grades Kindergarten-22-Years-Old: Procedures to Be Followed By Dorm or Cottage Staff on Duty at Time of Visit: Logs: Entry Requirements into Visitor's Logs: Logs to Be Placed in Conspicuous Area of Cottage or Dorm: Logs to Be Three-Ring Bind Books: Labeling of Logs: Family Visitor Log: Student Sign Out Logs

Notwithstanding any special policy, law or guideline of any residential educational facility that educates school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22-years-old, the parent(s) or legal guardian(s) or family member 18 years of age or older who has been CORIED and SORIED for felony, or sexual offenses or both against minors and who show no convictions thereof, shall by permission of the child's parent(s) or legal guardian(s) of a school-aged child under the age of 18 have the right to visit the child in the cottage to which they reside in whether the visit is announced or unannounced, regardless of any disciplinary matters pending against the child or any disciplinary action being carried out against the child being visited by said parent(s), or legal guardian(s), or by designated family member(s) appointed by said child's parent(s) or legal guardian(s). Any staff member who by reason of disciplinary reason disrupts said visits, whether announced or unannounced shall contact the child's parent(s) or legal guardian(s) via telephone and explain the reason for disrupting the visits. It shall be the discretion of the child's parent(s) or legal guardian(s) as to whether or not the visit shall be postponed or not. Within two(2)

academic days, the reasoning for the disruption of the visit shall be placed into writing along with the notes taken by said staff member on duty as to the conversation with the child's parent(s) or legal guardian(s) along with the decision regarding the visit being allowed to continue or not, by the child's parent(s) or legal guardian(s) logged into the staff log and that such written information shall be handed to the head housemaster or head houseparent in seniority and also the school administrator running the program to which the cottage or dorm that is being operated at the time such visit and disruption of said visit had occurred. Failure of a house staff to follow the aforementioned procedures shall face mandated suspension from their duty for a period of five (5) business days without pay or compensation and that such suspension shall be said to take effect within the following business week corresponding the failure to follow the guidelines as set forth, provided, however, that the following business week does not fall on the week of a school break or during summer vacation. In situations where the following business week falls during a school recess or summer vacation, said five (5) business day unpaid suspension shall be said to be served on the first business week that school is back in session from school recess or summer vacation.

Each dorm or cottage shall have log forms contained in loose-leaf three ring binders with labeling on the log books. Each cottage shall have two log books labeled conspicuously and placed in a conspicuous location on a table in the cottage or dorm's main hallway, on its first floor. One log shall be labeled "Family Visitor Log Book," and the other log labeled "Student Log," to indicate when a student age 16 years or older has left campus on their own and when they are expected to return, in the case where the student leaves campus unaccompanied by his/her parent(s), or legal guardian(s) or other relatives 18 years of age or older. The staff member on duty at the time of student entry shall be present to sign underneath the name of the

student's name, their name. Absent the signature of a staff member underneath that of the student in the student sign out log, shall be said to presume the staff member (s) on duty in the cottage or dorm at the time of the sign out, in the student log, to not be in good faith of their supervisory duties of said students in the residential setting to which the student so resides.

Notwithstanding any special policy, or special law or any other policy of a residential cottage or dorm to which school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22-years-old, whether or not a visit from the child's parent(s), or legal guardian(s) or any other family member in relation to the child and who is 18-years or older and who has been appointed by the parent(s) or legal guardian(s) of the child makes any announced or unannounced visit to the child to whom they are visiting, said parent(s) or legal guardian(s) or any other family member appointed hereinafter by said child's parent(s) or legal guardian(s) to visit said child shall place into the family visitor log, the name of the student being visited, the family member's name, the relationship to the child and whether the visit is announced or unannounced to the dorm or cottage to which the child resides. Said family member visitor shall have the right to place into said log entry any comments made as to the reason for the visit, what will be taking place during the visit, whether or not the visit will take place on or off campus or any comments about the conditions of the cottage or dorm, or the staff on duty in said cottage or dorm and any behaviors observed between staff and students or towards other students, whether or not said behavior is of a violent or non-violent nature and that occurs within plain view, followed by the signature of the child's family member so making such visit, and that of any of the staff members of said cottage or dorm who happens to be on duty at the time, and the signature of any school employee who is not in employment or affiliation to the cottage or dorm to which the child so being visited resides. Said

impartial employees so appointed by the child's parent(s) or legal guardian(s) to monitor parent(s), or legal guardian(s) or family member visits by family members 18 years of age or older shall at the beginning of each academic year furnish their contact information as to where they can be reached to the child's parent(s) or legal guardian(s). At the time of visitation by other family members 18 years or older, so appointed by said child's parent(s) or legal guardian(s), to visit child whether announced or unannounced shall also be given contact information as to where the impartial staff member monitoring the family member visitor log's signing to the family member to whom is visiting the child, in the case that while a visit, whether on or off campus results in an emergency that first brings to disclosure any incidents of campus rape, or sexual assault, or student on student violence, or any staff on student abuse, whether physical or emotional, or staff on student sexual abuse or rape. Said appointed and impartial staff member upon appraisal of the child's parent(s) or legal guardian(s) or other family member 18 years of age or older so visiting the child, that said visited child has disclosed to them in confidence, said duty of the appointed impartial staff member so monitoring said log entry of said family visit shall report said first disclosure of any campus rape, or sexual abuse, or student on student violence, or staff on student rape, or sexual abuse, or physical or emotional abuse to the student so being visited to the head school administrator who shall in turn make reports according to applicable mandated reporting of abuse on children laws to the Department of Children and Families in a timely manner as prescribed under said mandated reporter of abuse laws applicable within the Commonwealth of Massachusetts.

In the case where a sexual assault or rape is disclosed to the child's parent(s), or legal guardian(s) or the child's visiting relative and that such rape or sexual abuse had occurred within one (1) day or the day of the visit, said appointed staff member shall apprise the child's visiting

parent(s), or legal guardian(s) or visiting family member 18 years or older, not to have the child take a shower that night and that said appraisal shall be written in notes to be amended as a lean on entry into the family member visitor's log when said visit has concluded. Failure of said staff member to follow the mandated reporting requirements shall be automatically terminated from employment at said school and shall be barred from any further employment in an educational institution, which educates school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children, grades Kindergarten-22-years-old and shall face prosecution for obstruction of justice under applicable state laws. Any staff member or security personnel who advises a child's parent(s), or legal guardian(s) or visiting family member of a child rape or sexual abuse victim, whether or not the rape or sexual abuse occurred between staff and student or child on child, to, "Take a Shower," when said incident of rape or sexual abuse has been apprised of immediately after it happened shall be prosecuted for Tampering with evidence and hindering the prosecution of said manner and such conduct of said staff member shall be punishable by imprisonment in a state prison for no less than five (5) years and a fine of no less than ten-thousand dollars, ($10,000.00), but no more than twenty-thousand dollars ($20,000.00) or both, said imprisonment or fine.

In the case where an unannounced visit by said child's parent(s), or legal guardian(s) or any family member 18 years of age or older so appointed to visit said child in his/her cottage or dorm, only the impartial staff member so defined by this act shall be apprised of said unannounced visit and said impartial appointed staff member shall accompany said visitor to the child and must remain there until the family visitor log has been signed and attested to by either a house staff or houseparent on duty at the time of the visit or another student, who is not on duty and who is 14 years of age or older to attest to said family visitor log entry. Any family visitor

log entry attested to by either a student 14 years of age or older or by another staff member who is not on duty at the time of said unannounced visits shall presume the staff members officially on shift according to their time sheets or roster at said cottage or dorm at said time of unannounced visits to said child shall be presumed to not be carrying out their supervisory duty in good faith and shall be subjected to the same suspension and expulsion terms as deemed under this act.

In the case where at the time of any announced or unannounced visit to the child so being visited, any student who is not designated as staff on duty and who is age 14 or older, who signs said visitor log underneath the family visitor shall be deemed witness to such visit taking place and that the signature of any student 14 years of age or older who signs thereof, shall be said to presume staff on duty in said cottage or dorm at the time said visit has occurred, to not be carrying out his/her supervisory authority to the cottage or dorm to which said staff member works.

At the end of the family visitor's log the following statement shall appear in all upper case letters surrounded by three red asterisk, NOT TO BE REDACTED BY ANY STAFF MEMBER OR SCHOOL ADMINISTRATOR. Absentee the signature of any of the staff members on duty below the three red asterisk followed by the words, "NOT TO BE REDACTED BY ANY STAFF OR SCHOOL ADMINISTRATOR," said family visitor, the student witness and the staff member appointed by said child's parent(s) or legal guardian(s), who are not affiliated in employment or by any other means with the cottage or dorm to which the child resides at said residential school, and who knows the family members who will be visiting said child during each academic year, shall beneath the red asterisk on each line, draw three big letter x's to indicate that there are no more blank spaces in said log entry, followed by

their initials on each side of the three letter x's and then below the drawing on each line of the three big x's and their signed initials outside the margins of the three x's on each side, the family member, the witnessing student and the staff member appointed by said parent(s) or legal guardian(s) that are not affiliated in employment at said child's cottage or dorm, and who knows at the beginning of each academic year the family members permitted to visit the child of the parent(s) or the legal guardian(s) of the child, shall once again place their signatures to attest to the fact that the family visitor log of the child being visited has no more blanks on that page or pages of that log entry of the student so being visited.

In the case where said witnessing student age 14 years or older is disabled, via visual impairment or print reading challenge, said family member in the presence of the other witnessing staff member who knows about said family member visitation of said child, said family member may verbally describe to said disabled student the information being placed into said family visitor log and may at the direction of the witnessing student, assist him/her in placing said signatures or initials.

Upon completion of the filling out of the family visitor log, signed absentee an on duty staff member so assigned to the cottage or dorm to which the child so resides during the school year, said appointed staff member in the presence of the visiting family member and the witnessing student or staff member (s) on duty if present at the time of said visit shall open the lose-leaf binders of the book it is contained in and remove the page or pages of the log entry and place the filled log entries into a long envelope that has a clip and he/she must seal said envelope containing said log entry and said sealed envelope must be signed below where it has been sealed, by the family member visitor, the witnessing student or staff member (s) on duty at the time of said visit and the staff member so appointed by said child's parent(s) or legal guardian(s)

who knows the names of the family member who will be visiting the child throughout the academic year. Upon signature of said envelope containing the log entry, said envelope shall than be handed off to the principal of the school or the head principal of the educational program to which the cottage or dorm is run under.

Any staff member so employed by said cottage and who is on duty at the time of said family visit who shows up at the time the log has been already filled in and signed, and who tells the witnessing student to the signing of the family visitor log, that they had been nosey or will face consequences for being said witness to said signing of said log absentee said staff member on duty at the initial signing of the family visitor log shall be informed that:

A. The visitor log has already been signed and attested to.

B. The log entry to which you were absentee to is deemed a “leaned on,” log entry to be defined as subject to investigation and overnight audit to take place within 24 hours of the log signing of the goings on in said dorm to which the announced or unannounced visit has just occurred

C. That the disciplinary action of a student for bearing witness to the family visitor log to which the staff member on duty was supposed to be present at said signing in the first place may be prosecuted for intimidating a witness should he/she send the witnessing student away to another area of said dorm or cottage to which said family visitor log is to be the subject of investigation of the school administration thereof, and

D. The penalties for failing to carry out the supervisory duties of the cottage or dorm, while you were on duty shall be as followed: 1. First offense five business day’s suspension without pay from employment. 2. Second offense ten business day’s suspension without pay

from employment, and 3. Third offense, permanent termination of employment from said residential school to which the staff member working the dorm or cottage has engaged in the lack of supervision of the students thereof. Said appraisal to said absentee on duty staff member (s) shall be made orally by said staff member who is appointed by said parent(s) or legal guardian(s) of the minor child so being visited by said family member, the family member and the witnessing student to the log entry.

Section 17 Disclosure of Any Incidents of Student on Student Violence, or Staff on Student Violence, or Child on Child Sexual Abuse or Staff on Student Sexual Abuse During Family Member Visits: Custody of School-Aged Child Pending School Administration/Parent(s) or Legal Guardian(s) Conference and Disciplinary Action Against Child on Child Physical Abuser or Sexual Abuser: Notice of Suspension Interim of Sexual Abuser to Said Family member Appointed to Be Visiting with the Child and the Child Victim's Parent(s) or Legal Guardian(s) or No Contact Order Against Student Physical Abuser: Procedures: Custody of Child to Appointed Family Members During School Week Upon Disclosure of Staff on Student abuser, Committed by School Employee or Sexual Abuse Committed By School Employee: Suspension of Employment Interim Formal Disciplinary Hearing Before School Disciplinary Board: Notice of Removal Interim of Staff Employee Alleged to had Engaged in Physical or Sexual Abuse Upon the Child, to the Family Member and Parent(s) or Legal Guardian(s) Caring for the Child Interim Commencement of Disciplinary Procedures to Be Taken Against Said Staff Member So Employed: Procedures

Upon visitation between a school-aged child in grades Kindergarten-12 or in the case of Special Needs school-aged children in grades Kindergarten-22-years-old and their parent(s) or legal guardian(s) or any family member 18 years of age or older, so designated by said child's

parent(s) or legal guardian(s) to have contact with their child, should it be disclosed during said visits whether or not said visit occurred on campus or off campus, that said child has been violently abused by another student, or staff member of the school, or sexually abused by another student, who is 12 years or older and who the victim of the sexual offense was two or more years younger than the offending student, or violent abuse between a staff member and the student so being visited or any sexual abuse perpetrated by said staff member by the student so being visited, said visiting child's parent(s) or legal guardian(s) or said family member shall have the right to remove said student victim so being visited from campus over-night and that said staff member who is in knowledge of the family members who are allowed to visit said child shall be contacted and that he/she shall be informed that said student has been removed from campus over-night following disclosure to such abuse having occurred. Upon return of the student and either the visiting parent(s) or legal guardian(s) or other designated family member age 18 years or older, said staff member so appointed by the child's parent(s) or legal guardian(s) and who said staff member is not in employment or has any affiliation with said dorm or cottage said residential student resides in shall be present with the returning student and the aforementioned visitor who shall in turn receive back in hand the log entry of the visit that had been entered at time of visit, but, prior to the disclosure of the aforementioned abuse. An amendment to said visitor log entry shall be made via a blank page or pages describing the type of abuse that has been disclosed and the names and cottages or dorms or the positions or classroom or areas of the school to where the act of abuse took place, the names of the alleged perpetrators, the date, and the approximate time the abuse is alleged to have occurred, the type of abuse alleged and a description of the abuse, and any staff member so employed by the school who was on duty at the time said abuse is alleged to had occurred if remembered by the victim. At the time said

amendment of the visitor log has been made via the use of separate pages, said visitor log and said separate sheets of papers detailing the alleged incident shall be signed once again by the family member who had signed the original visitor log, the witnessing student, if the staff on duty at the time of the original signing of the visitor log was not present and the staff member who knows of the family member so visiting the student at the time said original log entry was made. In the case the staff member(s) on duty had signed the visitor log, underneath the family member visitor was present, he/she must sign their signature to said amendment to the visitor's log if they had signed the original family member visitor's log. Upon completion of the amendment describing any abuse, whether physical or sexual, in the presence of the aforementioned visiting family member, the student witness who originally bared witness to the original log entry or staff member(s) on duty who bared witness to the aforementioned original log entry, said family member shall have the right to attach via use of a stapler the amendment to the original log entry, via additional pages containing the aforementioned information regarding the alleged on campus abuse. upon attachment to said original visitor log entry said staff member appointed by said child's parent(s) or legal guardian(s) who is in complete knowledge of said family members who would most likely have contact with said child must in the presence of the aforementioned witnesses seal the amendments into the original log entry and upon sealing of the original visitor's log entry and the stapled amendments accompanying such, said sealed, long envelope shall be signed by the family member who originally made the visit and signed the original visitor log entry and the witnesses present at said original visiting log entry, followed by the words on the outside of the envelope, and on its face, in all uppercase letters, "NOT TO BE REDACTED THIS FAMILY VISITOR LOG BEARS A "LEAN ON SUBJECT TO INTERNAL INVESTIGATION."

Said amended log shall be handed over forthwith to the head administrator of the school, who must in turn read its content, including, but, not limited to any amendments detailing any disclosed abuse and he/she must make an oral report to the Department of Children and Families as required by applicable state mandated reporting laws, followed by a written report to said Department of Children and Families as prescribed by applicable mandated state reporting requirements. Said family member shall have the right to remove said student from campus over-night at the conclusion of said child's classes and that said student may be transported by said appointed family member to the child's home where they reside with his/her parent(s) or legal guardian(s) provided, however, the student is a day student. Said school administrator shall apprise the people that provide transportation of the child to and from school that said child will not be riding the bus or special needs van, due to extenuating circumstances. In the case the student is a residential student, he/she may be taken back to the appointed family member's place of residence and transported home on Fridays, when his/her classes are through, to the aforementioned child's parents(s) or legal guardian, or if said disclosure had occurred during the week, said student, so alleged to be abused, may be placed with the appointed family member until such time as the school's head administrator has in the case of child on child violence or sexual abuse commenced a parent(s) or legal guardian(s) director of the school, or president of the school or principal conference, which shall be said to result in the commencement against the offender of disciplinary action, and that in the case of student on student sexual abuse, said alleged offender must be suspended interim any finding of guilt or innocence by said school disciplinary board as outlined in section 4 of this act, or in the case of violent abuse that is not of a sexual nature, said offending student of the abuse ordered removed by said school authority so conducting the conference shall do, pending disciplinary action to be taken by said school

disciplinary board as outlined in the aforementioned section 4 of this act. Both the parent(s) or legal guardian(s) of said victim of said abuse shall be apprised that disciplinary action has been said to commence via conference of the aforementioned school administrator and the offending student's parent(s) or legal guardian(s) and that said offender has been suspended interim in the case of sexual abuse, or in the case of student on student violence, said offending student has been ordered by said school official to have no contact with his/her victim. The visiting family member who has temporary custody of the student until said disciplinary action has been commenced and that such actions had been taken shall also be notified by the school and that it is safe for the visiting family member to return said student to residential living, in his or her original dorm or in another dorm or cottage to which the alleged offender does not reside.

In the case of staff on student abuse or sexual abuse, said parent(s) or guardian(s) of said child, to whom is the victim of said abuse may remain in their custody or the temporary custody of the appointed family member, in the event that said staff on student abuse, whether physical or sexual has been disclosed during original visit, said adult family member so appointed by said child's parent(s) or legal guardian(s) shall have the right to retain temporary custody of said student until said disciplinary action against said alleged staff member offender has commenced, via staff member/school administrator conference, and that it has been informed by said administrator of said school that said staff member abuser, whether he/she has allegedly committed physical abuse or sexual abuse has been removed from school campus, pending any employment termination hearing by said school disciplinary board as outlined in section 4 of this act. Said parent(s) or legal guardian(s) shall also have the right to have the child provided a tutor at home until said notice of disciplinary action against said staff has been commenced and that said staff member allegedly to had committed physical or sexual abuse has been removed by said

school administration from said employment interim any disciplinary action hearing by the school's disciplinary board as outlined in section 4 of this act.

Section 18 Length of Time of Preparation to Be In Compliance with This Juvenile Violence Act upon Passage: Schools Covered Under This Act and All of Its Auspices

Upon passage of this act, otherwise known as the Juvenile Violence Act of 2015, all schools, including, but, not limited to public day schools, private day schools, residential schools, chartered schools and agricultural schools, which are licensed, or chartered or both to provide educational services to school-aged children in grades Kindergarten-12 or in the case of Special Needs school-aged children in grades Kindergarten-22-years-old shall have one full calendar year to make any adjustments of schedules, and staffing, and premises to be in full compliance with this act, otherwise known as the Juvenile Violence Act of 2015. It shall be the duty of the administration of all schools so licensed or chartered, or accredited or both, licensed and chartered and accredited that provides education to school-aged children in grades Kindergarten-grades 12 or in the case of Special Needs school-aged children in grades Kindergarten-22-years-old to within one calendar year of the passage of this act to negotiate schedules of payments to reflect the true salaries that house parents or house staff who are at least 21 years of age or older and who are in master's degree programs leading into the field of childhood education or human services, in terms that are commensurate with their experience they posses upon hire, and that such pay must be at minimum, $20.00 an hour or commensurate with any extra skills or experience said houseparent or house staff may have upon hire or one calendar year after passage of this act, otherwise known as the Juvenile Violence Act of 2015. House staff or houseparents so working with special needs students shall be hired at a minimum

pay of $25.00 and upward, depending on skills, education and experience level, at hire or starting one calendar year of passage of this act, otherwise known as the Juvenile Violence Act of 2015.

Section 19 Educational Facilities Covered Under the Umbrella of the Juvenile Violence Act of 2015

Notwithstanding any school policies, regulatory policies, or any other special laws to the contrary, this act, otherwise known as the Juvenile Violence Act shall be said to cover any and all educational facilities, including, but, not limited to public day or private day schools that educate school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22-years-old, and residential schools, whether or not such is an academy, or a preparatory school, or a special needs school that educates school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22-years-old, and chartered schools, that educate school-aged children in grades Kindergarten-12 or special needs school-aged children in grades Kindergarten-22-years-old, and vocational technical schools that educate school-aged children in grades 9-12, or in the case of special needs school-aged children, in grades 9-22-years-old, otherwise known as vocational technical high schools and special agricultural schools that educate school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22-years-old and trade schools that educate school-aged children in grades Kindergarten-12 or in the case of special needs school-aged children in grades Kindergarten-22-years-old, which are offering educational instructions to school-aged children from grades Kindergarten until graduation from high school, whether, or not the student graduates at 17-years-old, or 18-years-old or in the case of special needs school-aged children who shall have the right to remain in school until he/she has reached their 22nd birthday and is thus deemed to be

graduated from high school at said time, said special needs school-aged student has reached their 22nd birthday and that said educational facility is operating their facilities within the Commonwealth of Massachusetts, whether or not they may have satellite facilities in jurisdictions other than the Commonwealth of Massachusetts.