

# **Athol-Royalston Regional School District**

## **Elementary Student Handbook**

**2018-2019**

**[www.arrsd.org](http://www.arrsd.org)**

Athol Community Elementary School  
Main Office 978-249-2406 / (FAX) 978-249-2428

Royalston Community School  
Main Office 978-249-2900/ (FAX) 978-249-4110

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Dear students and parents of the Athol-Royalston Regional School District,

It is the hope and expectation of the District that all students have a welcoming, safe, positive, and productive 2018-2019 school year. In an effort to meet this goal, each school has developed a student handbook that provides all members of each school community with information regarding policies, procedures, and services. Handbooks are reviewed yearly by school councils and are ultimately approved by the Athol-Royalston Regional School Committee. It is the District's view that information and expectations outlined in this handbook will foster the appropriate school environment for students and their families, as well as teachers and administrators. Please be familiar with the information provided in this handbook, use it as a reference, and contact the building principal if you have any questions regarding its contents.

At the request of a parent or student whose primary language is not English, a translated student handbook or student code of conduct will be made available by the District.

Sincerely,

The A.R.R.S.D. Administrative Team

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**ATHOL COMMUNITY ELEMENTARY SCHOOL**

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School Committee Members and Contact information are available on the website

### **District Mission Statement**

The Athol-Royalston Regional School District is committed to providing a challenging educational experience that inspires students to acquire the knowledge and skills to become responsible citizens in the global community.

### **District Vision**

The Athol-Royalston Regional School District in partnership with the community provides a safe, innovative, and vibrant learning environment for all students. We foster academic excellence by implementing best practices, improving facilities, appreciating diversity, and requiring accountability. Our graduates are life-long learners and discerning users of technology who exercise social and civic responsibility and adapt to an ever-changing world.

### **Non-Discrimination**

Athol-Royalston Regional School District has a non-tolerance for any form of harassment or discrimination based upon race, color, national origin, sex, sexual orientation, gender identity, or religion.

\*This Handbook provides important information for Parents/Guardians and Students. It is not intended to cover all policies, rules, and regulations used to operate the school. If you have any questions, please feel free to call us at any time.

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## **ACADEMICS**

### **Assessments/ District Determined Measures**

Students will complete at least two benchmark assessments, which are tied to the Massachusetts Curriculum Frameworks, in Math and English Language Arts during the school year. These assessments help us determine if important skills and concepts have been mastered and help inform instructional practices.

### **Homework**

Learning is a lifelong process that involves not only the students and teachers, but parents/guardians as well. Homework assignments are a critical part of the learning process and curriculum and aim to:

- Reinforce and extend upon material taught during the day;
- Encourage more in-depth study of specific topics at a pace and time appropriate for each student.

At the elementary level sharing literacy with your child is very important and 20 minutes of daily reading time can make a huge difference in their vocabulary development and critical thinking. We encourage you to share in the reading experience with your child by reading with them, and alongside them, for 20 minutes each day. We encourage all students to use their Agenda to write down all homework assignments given every day in their classes. In addition to reading, your child may have an additional time to complete work. We generally use the 10 minute rule for each grade level. (Kindergarten: 10 minutes, Grade 1: 20 minutes, Grade 2: 30 minutes and Grades 3 and 4: 40 minutes)

### **Report Cards**

Report cards are sent home three times per year for students in grades 1 and up. Kindergarten report cards are issued twice per year. Good communication between parents and teachers by means of conferences and reports are essential in understanding the children's needs and their progress in school.

### **Grading**

Teachers assign grades to report all aspects of a student's classroom performance: effort, achievement, homework, class work, and tests as well as special requirements that vary from class to class. Teachers should make expectations clear to students as well as learning objectives.

### **Daily Schedules/Dismissals**

Individual school schedules are available at the schools. It is important that you note the times your child can arrive to school, when breakfast begins and dismissal times and procedures. All students are dismissed at 12:00 on half days. All students who are not leaving school on a bus or leaving school with a parent/guardian after school MUST have a note from the student's parent/guardian.

## **School Policies and Procedures**

### **Daily Attendance**

Our school learning day begins at 8:30 AM and ends at 3:05PM. Children should plan to arrive between 8:15-8:30. Attendance will be taken during all classes daily.

### **Tardiness to School**

If your child arrives late to school, they should check into the main office prior to going directly to class. As a school community, we look forward to building learning experiences with your child and do not want them to miss any opportunities that will make them successful. However, if your child is unable to arrive to school on time, a meeting may be requested by the principal to develop an attendance plan that will help them be successful.

Please inform your child's school, as soon as possible before 8:45 a.m., if your child will be absent due to illness or other reasons. As a school, we want every opportunity for your child to be met with success; we will pay close attention to attendance and have every expectation that all students attend school on a regular and consistent basis.

### **Absences**

Please contact the Principal, in advance, to notify the school of any planned absence. Students are responsible for completing all owed work following an absence. We value your child's education and if a student accumulates **7 unexcused absences** (See MGL Ch. 76, S. 2) a meeting will be setup with the principal to develop a plan to get the student to school consistently. An excused absence is defined as a documented medical excuse, bereavement, family/catastrophic emergency, observation of religious holiday, court appearance, DCF commitment, suspension or principal approval. Your child's success is important to us and we want them to share in the experiences throughout the whole school day.

In accordance with Chapter 76, Section 1B, Parent(s)/guardian(s) will be notified by the Principal when a student has at least five (5) days in which the student missed two or more periods unexcused in a school year, or who has missed five (5) or more school days unexcused in a school year so that the Principal and parents can meet to develop an action plan to improve student attendance.

### **Chronic Absenteeism**

Students under the age of sixteen are required by law to attend school. Students under age sixteen who have more than eight (8) unexcused absences will have a Child Requiring Assistance (C.R.A.) filed by the school with the Orange courthouse.

### **School Closings/Delayed Openings**

In the event of a storm or hazardous road conditions or other emergencies requiring schools to be closed, announcements will occur over the following radio stations or will be listed on the following television stations: WCAT (700) AM, 99.9 FM in Orange, WSRS (96.1 FM) in Worcester, WJDF (97.3) in Orange, WWLP, TV 22 Springfield, WGGB TV 40 Springfield, WCVB TV 5, and WBZ (TV4) in Boston.

Parents may also opt to be included in the One Call Now to get telephone messages about school closings.

### **Student Release Procedures**

If it is necessary for your child to leave school during the day, he/she will need to be excused by the classroom teacher and signed out in the office by the adult picking the child up. Children will only be released to adults listed on the registration form or with a note from parent/guardian. Adults picking up children may be asked for identification if school staff does not know them.

### **Pledge of Allegiance and Moment of Silence**

At the commencement of each school day the teacher in charge of the first class/homeroom shall lead the class in the recitation of the “Pledge of Allegiance to the Flag,” and shall also announce a period of silence not to exceed one minute in duration, during which silence shall be maintained and no activities engaged in.

### **Computer Use Policies**

We encourage students to use the computers at the school to do their writing and research assignments as well as other assignments that teachers have developed that use technology. The computers are available to students throughout the day as well as after school when a student is supervised by one of our teachers. There shall be absolutely no food or drink permitted near the computers. For access to the Internet, please see the Internet Use Policy.



## **Internet Use Policies**

Students must abide by all District and School Internet Use Policies and must have a signed contract on file in the office in order to use the Internet.

Internet access is coordinated through a complex association of government agencies and regional networks. The operation of the Internet relies heavily on the proper conduct of the users, who must adhere to strict guidelines. The district staff has the right and obligation to monitor student internet activities. Please remember that Internet access at school is a privilege, not a right.

If a student violates any of the district's acceptable use rules, applicable state and federal laws, or posted classroom and district policies, the student may be subject to the loss of access or privileges and any other district disciplinary options as determined by the administration.

### Acceptable Use

- Students must use the Internet only for legitimate educational purposes.
- Students must access the Internet only with adult supervision.
- Students must notify a teacher or the computer technician immediately if you come across inappropriate content.
- Student's must be provided the opportunity to gain entry into a file, either to read or change information or transfer files that are appropriate for learning.
- Students must treat all forms of technology appropriately and use delicate hands at all times.

### Unacceptable Use

- Threatening, obscene or pornographic material is prohibited.
- Accessing other student's accounts
- Using the technology to create a negative school experience for classmates and other ACES students.
- Accessing, downloading, displaying, transmitting, producing, generating, copying or propagating any material that advocates illegal acts, that contains ethnic slurs, or racial epithets; or that discriminates on the basis of gender, national origin, sexual orientation, gender identity, race, religion, ethnicity, disability or age.

## **General Information**

### **Food and Drinks**

Students are provided with snack time at school in the AM and some in the PM. Acceptable snacks can be sent in to eat during those times. Growing bodies and growing minds do best with healthy snacks including: veggie sticks, fresh fruit, granola bars, and protein rich items such as cheese sticks or yogurt. Students are responsible for cleaning up after themselves and disposing of trash (especially when eating outdoors). Carbonated beverages are not allowed at school for snack or lunch.

**Please be conscious and courteous of food allergies at school and in your child's classroom. Many students have food allergies that can be life threatening.**

### **Electronic Devices**

Cell phones are primarily allowed for emergency use only. The student's cell phone must be turned off and MUST remain in the child's backpack or with the teacher at all times. If a student is using a cell phone and does not have permission, the device will be confiscated and sent home with the student at the end of the day. The school district cannot be responsible for any lost, damaged, or stolen cell phones or electronic devices.

### **Field Trips**

School field trips are scheduled throughout the year. Students generally leave school and visit a public area for educational purposes. Students are representing their school when they participate in one of these trips. When students participate in school sponsored field trips, they are expected to follow all school rules. All students have the opportunity to participate in field trips regardless of any special circumstances, including but not limited to special needs or lack of ability to fund the trip. Scholarships are often available to cover the cost of field trip for eligible families.

The building principal may choose to exclude a student from a field trip or special program due to poor behavior. Parents will be notified prior to the trip/program.

### **Field Trip CORI**

All volunteers and chaperones on a school trip must have a CORI form on record. Cori forms are available in the school office.

### **Delivering Items to Students During School Hours**

If a member of a student's family needs to bring the student an item during school hours (instruments, lunch, homework) they will deliver the item(s) to the main office. Party invitations are not to be delivered if anyone in the classroom is excluded.

### **Media Center**

The Media Center is an area for learning. The print and non-print materials are meant for student study, research and browsing. We expect students to follow these guidelines:

- If you need to take materials out of the library, please check them out.
- When you are ready to leave the library, please check out at the desk.
- Please return all materials on time.
- Students are responsible to replace lost or damaged library books

### **Lost and Found**

Misplaced articles should be turned in to the lost and found. Please check lost and found after lunch each day. Articles unclaimed will be donated to the Salvation Army (November, February, May, June).

### **Lunchroom Procedures**

We provide universal free breakfast and lunch for all elementary students. This includes one meal per student. Students may choose to enjoy breakfast or lunch free of cost or bring food from home. Students will be sent to get their lunch after everyone is seated. After getting their lunch, students are expected to be seated in the lunchroom. Lunch is a time to talk quietly with friends and relax a bit. Students are expected to treat our dining room as they would a nice restaurant.

- Please sit at the tables, not on the tables.
- Food stays on your plate or in your mouth.
- Pick up all trash from your table and from the floor area around your table.
- If something has spilled on your table or on the floor, please get paper towels to clean it up or ask for help.
- Talk with the people at your table, not people a distance away.
- Stay seated unless you are getting food or taking care of trash.
- Raise your hand to ask an adult permission to clear your tray.
- When you are done eating we ask that you return your trays and dispose of garbage.
- Remain at your table in the cafeteria until you are dismissed.
- If you need to leave the cafeteria for the restroom, you need to ask an adult for permission and take a pass
- Do not leave the cafeteria with open food.

Lunch menus go home at the beginning of each month and are posted on the district website.

### **Pets and Animals**

The use of pets and animals in the classroom can be a valuable educational experience. However, the very presence of such animals creates the potential for health concerns. Permission to bring a pet and/or animal into the classroom to share must be received from the Principal and the pet and/or animal must be accompanied by the student's parent. Pets are not allowed on buses.

## **Rules of Dress**

We consider school our place of learning for students as well as staff. It is important that we all dress in ways that make it possible to do our work well. This means wearing clothing that is comfortable, safe, clean, and not distracting to others. Specifically, we require that:

- Students must wear appropriate footwear at all times.
- Students may not wear items of potential safety concern. (ie. Roller blade type shoe) Administration will make a decision as to what may be unsafe.
- Students may not wear hats, hoods, caps, bandannas while in the building.
- Students may not wear clothing that contains “obscenities, fighting words, incitement or defamation on them.” (A guide to Rights and Responsibilities of Massachusetts Students, page 21.)

*If your dress is inappropriate, we will have you call home for a change of clothes or we will provide a change of clothes for you.*

## **Winter Weather Wear**

Students must wear winter coats, boots, hats and mittens in order to participate in recess during cold weather. Students who wish to play in the snow must also wear snow pants/suits. Students choosing not to wear appropriate clothing to school must play in designated area(s).

## **Visitation Procedures for Parents, Volunteers, and Guests**

In the interest of keeping our school safe, we are highlighting our procedures for visiting our school. We would ask that when entering our school, visitors ring the bell at the entrance door, buzz in, sign in at the office and wear a guest tag. Visitors must have made prior arrangements to visit classrooms. Tardy students and early dismissals will take place in the main office area to minimize classroom disruption. When you drop off items or materials for your child, please leave it at the office and they will be given to your child. Our students’ safety is our number one concern.

## **Written Notes**

Children should bring a “school note” or written permission by parents for:

- an early dismissal (to be released only to authorized individual at the office)
- going home other than the usual manner
- going to an after school activity
- excusing child for absence from school for any reason
- tardiness
- going with someone other than parent after school

Please make all arrangements for students ahead of time. Calling in daily instructions for your child or the teacher is disruptive to the school day. The school office is especially busy at dismissal time. Please, only call with a change in your child’s dismissal procedure in the event of an emergency. All other instructions should be sent to the office via a note in the morning. Thank you for your cooperation in this matter.

## **Bus Rules**

Please read the bus rules outlined below and adhere to them whenever students ride on a school bus. All students will practice bus evacuation procedures twice during the school year.

### Waiting for the Bus

- Students should be at their bus stop ten minutes before the published pick-up time.
- Students should use common sense around roadways and avoid crossing streets when possible.
- Students should not move toward the bus to board until the bus has come to a full and complete stop.
- Appropriate behavior is expected at the bus stop.

### Riding on the Bus

- Students are to be seated quietly at all times while buses are in motion and cannot change seats.
- Student will sit with your back against the seat and feet in front of you- no feet in the aisles.
- Students will NOT eat food while you are on the bus.
- Nothing is to be thrown either on the bus or out the windows.
- Listen carefully and obey any directions issued by the driver.
- All body parts (hands, arms, etc.) must remain in the bus at all times.
- No switching seats or moving while the bus is in motion. ▪  
Use appropriate language and volume.

### Unloading from the Bus

- Students will not leave their seat until the bus has come to a complete stop and the driver has opened the door.
- Students will follow the instructions of the bus driver.
- Students will leave the bus in a quick but courteous manner without pushing any other pupils.
- Students who must cross a street as they depart the school bus, must walk in front of the bus (never in back) at a distance of at least 12 feet from the bus.
- Students will observe all safety precautions as you travel from your bus stop to home.

### Loss of Riding Privileges

- Students engaging in unsafe or inappropriate behaviors may be suspended from riding the school bus for a period of time. Any such suspension will be determined by the school principal.

# Student Support

## **Child Study Teams**

Each elementary school within the district has a child study team consisting of members of the faculty and the building administration. This team discusses students who may be experiencing academic and behavioral difficulties in school. Parents or teachers may refer any student experiencing said difficulties. This may result in additional strategies to ensure student support, including but not limited to examining a student's progress in relation to grade level curriculum standards using a tiered system of support or Massachusetts Tiered System of Support (MTSS) model. MTSS is a general education process of providing high-quality, scientifically-researched instructional practices based on your child's needs, monitoring your child's progress, and adjusting instruction & interventions based on your child's response rate of success.

The school district endorses a three step process of identifying student needs. This process is followed by a tiered approach to intervening. Depending on the significance of a student's learning difference and the effectiveness of tiered interventions, this approach may result in the development of a district curriculum accommodation plan, a positive behavioral intervention and support plan, the development of a 504 accommodation plan if a student has a substantial impairment, or possibly a referral for evaluation to determine if a student is eligible for special education.

## **MTSS Model/ Tiered Systems of Support**

**Step 1: *Formal Assessments***-Every child is assessed at least twice a year in reading and math. We utilize a range of formative and summative assessment data to track how students are doing in comparison to benchmark expectations.

**Step 2: *Analyze Student Data***- Assessments results are analyzed to identify the learning needs of all students.

**Step 3: *Provide Differentiated Instruction***-A variety of instructional strategies are used to teach students with different learning styles and rates. This instruction is delivered through a three-tier approach:

Tier 1- involves the classroom teacher using different strategies and additional or different materials to assist student learning. If a child is not progressing as expected, they will need to spend some additional time receiving Tier 2 support.

Tier 2- happens beyond the core instruction already occurring in reading and math. We provide additional small group instruction 3-4 days per week for 20 minutes. Sometimes children need additional and more frequent help to meet standards. If that is the case, we will need to look at Tier 3 interventions.

Tier 3- involves an individualized intervention plan (4-6 weeks in length) that will be developed for the child. Instruction will be tailored to specific learning goals.

## **English Language Education**

ARRSD provides English language instruction and support for students whose native language is not English. English language learners (ELL students) study language appropriate materials to increase their English language reading, writing, listening, and speaking skills. The English as a Second Language (ESL) teacher collaborates with the classroom teacher and sends home quarterly reports. If your family speaks a language other than English and you believe your child needs English language support, please contact your child's classroom teacher or building principal.

## **Guidance Department**

. The counselors are here for your children. If something is happening with your child that may affect them at school, please know that you may reach out to your child's counselor at any time. They will provide any assistance that you and/or your child may need during a difficult time at home or school.

## **School Wide Academic Support (TITLE I)**

Athol-Royalston Regional School District Schools receive Title I Federal Grant aid based on enrollment numbers and federal guidelines. These funds are used to provide academic assistance to students who are identified as at-risk or unable to meet the state's content and performance standards in literacy.

**TITLE I- Right to Know Provision:** The Elementary and Secondary Education Act requires all local education agencies (LEA) to notify parents of all children in all Title I schools that they have the right to request and receive timely information on the professional qualifications of their children's classroom teachers. This notice must be sent at the start of each school year. The notice does not itself contain the teacher information; it simply tells parents the types of information they may request. At a minimum, if a parent requests it, LEA/school must report:

- Whether the teacher has met state qualifying and licensing criteria for the grade levels and subject areas in which the teacher is teaching;
- Whether the teacher is a teacher under emergency or other provisional status through which state qualification or licensing criteria have been waived;
- The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, including the field of discipline of the certification or degree; and
- Whether the child is provided services by a paraprofessional and, if so, their qualifications.

In addition, if a child is assigned, or taught by, a teacher who is not "highly qualified" for four or more consecutive weeks, the parents must receive timely notice. These and other communications with parents must be in an understandable and uniform format and, to the extent practical, in a language the parents can understand. If there is no other way to provide information, it should be provided in oral translation. Requests must be in writing to the principal. This applies only to Title I schools.

## **Special Education**

ARRSD provide special education services in accordance with IDEA and CMR 28.00. Students may be referred for a special education evaluation following modifications to the regular classroom program and a pre-referral meeting at the building level. A student is determined eligible for services if they have a qualifying disability and require specially designed instruction or the provision of a related service. The educational team will write an Individualized Educational Program, which defines the type and frequency of services. Our schools provide special education services in the regular classroom whenever possible.

### **Section 504 of the Rehabilitation Act of 1973**

Section 504 of the Rehabilitation Act of 1973 is a broad civil rights law that protects handicapped or disabled individuals in programs that receive federal funds. Under this Act, a qualified disabled person is “one who has had a physical or mental disability which substantially limits a major life activity or, has a record of such or is regarded as disabled by others.” Major life activities include the ability to care for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. A disability need only limit one major life activity for an individual to be eligible. Typically, students with disabilities who do not qualify for special education under IDEA 2004 or IDEA do qualify under Section 504. These disabilities might include students with Attention Deficit Disorder (AD/HD), students with AIDS, heart conditions, and other physical disabilities such as severe asthma, juvenile diabetes, severe arthritis, and cerebral palsy, etc. All of these conditions under 504 allow a student to receive the necessary related services to make their education comparable to non-disabled students.

Services given to students under section 504 are considered the responsibility of regular education, as they are not in need of basic skills help and can function with adjustments in the regular classroom. Many of the specific regulations found in IDEA 2004 or IDEA do not apply to Section 504. However, the due process rights of students and parents or guardians are protected and a specific grievance procedure must be in place including the right to mediation or an impartial hearing and the right to be represented by an attorney. If students are thought to have a disability under Section 504, they have a right to an evaluation. A team knowledgeable about the student will make recommendations regarding modifications and/or placement in the least restrictive environment. A written plan must be developed documenting the presence of a disability, which limits a major life activity, and a statement of the adjustments that will be made.

### **Tutoring**

If your child has to be out of school for an extended period of time (exceeding 10 school days) due to a serious medical issue, the school district may be able to provide short term tutoring. Please contact the Principal as soon as possible if your child has a medical condition that will prevent or otherwise limit his or her daily school attendance. The school district wants to work with families to maintain continuity in learning and to minimize the educational impact that could occur from any loss of instructional time.



## **Health and Safety**

### **Health Office Procedures**

Students who are ill or injured must receive a pass from their teacher, and report to the Nurse's Office. If the school nurse or administration finds it necessary to dismiss a student due to health reasons such as illness or accident, a parent/guardian will be notified. A parent/guardian or authorized person must pick up the student at the main office and sign them out.

### **Emergency Contact Information**

The school office must have an accurate and current emergency contact list. If your family's home or work phone numbers change, or your address changes, please notify the school right away so that we are able to reach an authorized caregiver in the event of illness or accident.

### **Medication at School**

Ideally, all medication should be given at home. If the physician feels it is necessary for the student to receive medication during school hours, the school must receive the following before we begin to give *any* medicine at school, both over the counter and prescription medication:

1. A written, signed, dated, note from the parent.
2. A written, signed, dated, note from the physician.
3. Medicines should be delivered to the school in a pharmacy or manufacturer labeled container by the student's parent/guardian. Please ask your pharmacy to provide separate bottles for school and home. No more than a thirty (30) day supply of the medicine should be delivered to the school.
4. Students may not carry medication. All medication must be kept in the nurse's office.

Medication for Field Trips - for a student to have medication available for field trips, they must have the above completed forms on file in the health office.

Please note: inhalers, EpiPens and as needed medications must have MD orders to include consent for self-administration.

### **Health Screenings**

- Vision screening will be conducted annually for all elementary students. Hearing screening is conducted annually for students in Kindergarten through 3rd grade
- Body Mass Index (BMI) screening will be conducted annually for 1st and 4th grade students. BMI is a measure used to show a person's weight for height and age. It is a tool that is used to determine possible health risks. Parents or guardians should notify the school nurse in writing by November 1st, if they feel that this screening is not necessary.
- Physical exams are required for Kindergarten and 4th grade students. The completed physical should be returned to the nurse to be filed in the student's permanent health record. This physical is best done by your family physician, who has a comprehensive knowledge of your child's health. If this requirement poses a financial hardship for you, the school physician can conduct a physical examination of your child at school. A physical exam is required for all new students within the first year of transfer and upon special request.

The parent or guardian of any student with an area of concern discovered during these screenings shall be notified in writing for follow-up and/or evaluation.

### **Massachusetts Immunization Requirements**

Under state law, in order for a student to enter/attend school, the student must have received for:

#### **Entry into Preschool:**

- At least four (4) DPT (diphtheria, pertussis, tetanus) immunizations.
- At least three (3) polio immunizations.
- One (1) MMR (Measles, mumps and rubella) immunizations
- Three (3) Hepatitis B immunizations
- One (1) varicella (chicken pox) immunization or proof of disease
- One (1) to Four (4) Hib (Haemophilus influenzae type B)

#### **Entry into Kindergarten:**

- At least five (5) DPT (diphtheria, pertussis, tetanus) immunizations
- At least four (4) polio immunizations
- Two (2) MMR (Measles, mumps and rubella) immunizations
- Three (3) Hepatitis B immunizations
- Two (2) varicella (chicken pox) immunizations or Proof of disease
- Lead test with results

### **Pediculosis - Head Lice**

Pediculosis head checks will be done periodically throughout the school year as needed. Those found to have lice will have parental notification to include education. Students will be sent home for treatment if live lice are found. Follow up will be prior to returning to school. Additional intervention will be addressed on an individual basis.

### **Services for Home/Hospital Students**

The school Principal will provide a Parent/Guardian with the Physician Statement (28R/3) form to be completed and signed by the student's physician. (The person signing this form must be a medical doctor, not a psychologist.) There is no waiting period (required absence days) for services to begin. The school Principal will direct the Guidance Counselor to contact each of the student's classroom teachers and assist the tutor in contacting teachers for materials, transferring grades, and to change attendance status.

In the case of students attending private school at parent expense, home/hospital services are available if the child has been found to be a student with special education needs. In cases where a child is not a child in need of special educational services, the District will consider the Physician's Statement and the impact of that statement on the child's status. Services can be provided, or a determination to make a referral for testing or additional information may be requested depending on the circumstances. Each request will be considered on an individual basis. The Physician's Statement must be completed and sent to the Special Education Office.

### **Fire Safety Rules**

Students may not be in possession of a lighter or matches. Students may not ignite matches, lighters, or other flaming devices. Students may not ignite any material except under supervised, experimental conditions. Setting fire to any material or property will be considered a criminal act -- arson. Students may not ignite or possess any incendiary device, firecracker, sparkler, etc. Setting off a false fire alarm will be considered a criminal act as well as a violation of school rules.

### **Fire/Building Evacuation Plans**

Each room has displayed a conspicuous and well-marked evacuation plan map.

### **Fire Drill Procedures**

We ask that each student respond to every fire drill as though an actual fire existed. All students and staff are to follow all fire drill procedures without exception. The objective of the fire plan and drill is to clear the entire building with no confusion and no injury as quickly and safely as possible.

At the sound of the fire alarm all students will rise and exit the classroom according to the fire exit plan. The students will close all windows and doors if the teacher or staff member instructs them to do so. The teacher or staff member will escort the group from the classroom according to the fire plan.

The last person out of each room needs to close the door. Students are expected to walk quickly and silently. During a fire drill groups of students may be rerouted. In this instance, students should listen for alternative instructions from their teacher or other adult.

#### **General Conduct during Drills**

- All students will obey the instructions of staff members without exception.
- Students are to remain quiet throughout a fire drill.
- When outside the building, all walks and roadways must remain clear.
- All students will wait in groups with the adult supervisor for the signal to return to the building.

In the event that there is an emergency situation at one of the schools or in town, we ask that parents please think about the safety of all students. We ask that you call the school first to find out what the procedures are, if you are unable to reach someone, please call Central Office. You can be assured that we will be working on keeping all children safe at all times. In an effort to minimize confusion, we ask that parents not dismiss at this time. We will keep you updated anyway possible on the situation.

### **Tobacco Free Zone**

Use of any tobacco products or tobacco related products such as e-cigarettes or vaping devices within the school buildings, school facilities, on school grounds, including vehicles or school busses by any individual, including school personnel and students, is prohibited at all times. Students who are in possession of cigarettes, cigars, e-cigarettes, vaporizers, lighters, matches, or any other tobacco products or tobacco related products, on school grounds will face disciplinary consequences. The student's parent/guardian will be notified.

## **Alcohol, Drugs, and Intoxicants**

Under Massachusetts Laws, it is illegal to give, sell, deliver or have in one's possession any alcoholic beverage, except for medicinal purposes, in any public school building, or on any premises used for public school purposes and under the charge of a school committee. Violation can result in punished by imprisonment for not more than thirty days or by a fine of not more than one hundred dollars, or both.

Students may not possess alcohol, drugs or other intoxicants.

Students may not be under the influence of alcohol, drugs or other intoxicants. All pills or other forms of prescription and non-prescription drugs are banned.

Any substance used as an intoxicant is banned.

All medicines and drugs prescribed by a physician must be dispensed only under the supervision of the school health office.

The school building and grounds may be searched by trained police dogs if deemed necessary by school administration.

Students may not be in possession of pipes, tools, papers, or other paraphernalia that the administration considers to be related to marijuana or other drug use.

## **Weapons**

All weapons including but not limited to knives or any kind of guns are banned from school. This includes penknives and exacto knives. Any item that may be used to cause harm is also considered a weapon (rocks, stones, sticks, chains, etc.). A student in possession of any "weapon" will be immediately removed from class and/or school. Toy weapons are also not allowed at school and will be confiscated and returned to the student's parents. A toy may result in a disciplinary action including suspension from school.

## **Lockdown/Stay In Place**

Depending on the circumstance, it may be necessary to have all students remain in the classroom for their safety. In this event either the "lockdown" or "stay in place" command will be given over the intercom.

"Lockdown" – When "lockdown" is called there is an immediate threat and all students should follow the lockdown procedures and attempt to conceal their location.

"Stay in place" – When "stay in place" is called there is not an immediate threat, but students should not be in the common areas of the building. Students should remain in their classroom but the class should continue as usual.

These procedures should be posted in each room and will be reviewed and practiced periodically through drills.

## **FAMILY INVOLVEMENT**

### Parent-School Communication

We encourage parents to visit and become active in the school! Please feel free to contact your child's teacher with any compliments or concerns as soon as they arise. Teachers are available through the district's email system or by phoning the main office at 978-249-2406.

### **Open House**

Open House will be held within the first month of school. This is an opportunity for students and parents to visit classrooms and learn about school programs and curriculum. This is a wonderful time for students to show off their school, please be mindful this is not a time for parent conferences.

### **Parent Conferences**

A formal Parent-Teacher conference will be held once a year. This conference provides an opportunity for parents and teachers to exchange information in all areas that affect a student's school performance. Conferences are a wonderful opportunity for parents to learn about their children's experiences and to collaborate with teachers.

### **Parent/Teacher Organizations & Councils**

#### **Parent-Teacher Organization (PTO)**

Parents and community members are encouraged to participate in our PTO. This group meets monthly to provide enrichment opportunities for students and build community through planning and organizing family involvement activities.

#### **School Improvement Council**

Parents and community members are vital parts of the council to work alongside teachers, and the building principal to review and update the School's Improvement Plan each year. If you are interested or considering becoming a member of the council, please contact the school through email or phone.

#### **Special Education Parent Advisory Council**

Each elementary school in the district welcomes parents/guardians of children with disabilities to consider participation in our district's Parent Advisory Council. Membership is open to all parents of children with disabilities and other interested parties. The parent advisory council duties shall include but not be limited to: advising the school committee on matters that pertain to the education and safety of students with disabilities; meeting regularly with school officials to participate in the planning, development, and evaluation of the school committee's special education programs. The parent advisory council shall establish by-laws regarding officers and operational procedures. In the course of its duties under this section, the parent advisory council shall receive assistance from the school committee without charge, upon reasonable notice, and subject to the availability of staff and resources.

# **LAWS PERTAINING TO SCHOOL POLICIES AND PROCEDURES**

(STATE AND FEDERAL REGULATIONS)

## **STUDENT RECORD REGULATIONS**

### **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) specifies rights related to educational records. This Act gives the parent or guardian the right to:

1. inspect and review his/her child's educational records
2. make copies of these records
3. receive a list of all individuals having access to these records
4. ask for an explanation of any item in the records
5. ask for an amendment to any report on the grounds that it is inaccurate, or violates the child's rights
6. a hearing on the issue if the school refuses to make an amendment

If there are any questions, please feel free to contact Darcy Fernandes, Superintendent or Kathryn Clark Director of Pupil Services & 504 Coordinator for the Athol-Royalston Regional School District at (978) 249-2403.

#### **23.01 : Application of Rights**

603 CMR 23.00 is promulgated to insure parents and students' rights of confidentiality, inspection, amendment, and destruction of student records and to assist local school systems in adhering to the law. 603 CMR 23.00 should be liberally construed for these purposes.

(1) These rights shall be the rights of the student upon reaching 14 years of age or upon entering the ninth grade, whichever comes first. If a student is under the age of 14 and has not yet entered the ninth grade, these rights shall belong to the student's parent.

(2) If a student is from 14 through 17 years of age or has entered the ninth grade, both the student and his/her parent, or either one acting alone, shall exercise these rights.

(3) If a student is 18 years of age or older, he/she alone shall exercise these rights, subject to the following. The parent may continue to exercise the rights until expressly limited by such student. Such student may limit the rights and provisions of 603 CMR 23.00 which extend to his/her parent, except the right to inspect the student record, by making such request in writing to the school principal or superintendent of schools who shall honor such request and retain a copy of it in the student record. Pursuant to M.G.L. c. 71, section 34E, the parent of a student may inspect the student record regardless of the student's age.

(4) Notwithstanding 603 CMR 23.01(1) and 23.01(2), nothing shall be construed to mean that a school committee cannot extend the provisions of 603 CMR 23.00 to students under the age of 14 or to students who have not yet entered the ninth grade.

### **23.02 : Definition of Terms**

The various terms as used in 603 CMR 23.00 are defined below:

**Access** shall mean inspection or copying of a student record, in whole or in part.

**Authorized school personnel** shall consist of three groups:

- (a) School administrators, teachers, counselors and other professionals who are employed by the school committee or who are providing services to the student under an agreement between the school committee and a service provider, and who are working directly with the student in an administrative, teaching counseling, and/or diagnostic capacity. Any such personnel who are not employed directly by the school committee shall have access only to the student record information that is required for them to perform their duties.
- (b) Administrative office staff and clerical personnel, including operators of data processing equipment or equipment that produces microfilm/microfiche, who are either employed by the school committee or are employed under a school committee service contract, and whose duties require them to have access to student records for purposes of processing information for the student record. Such personnel shall have access only to the student record information that is required for them to perform their duties.
- (c) The Evaluation Team which evaluates a student.

**Eligible student** shall mean any student who is 14 years of age or older or who has entered 9th grade, unless the school committee acting pursuant to 603 CMR 23.01(4) extends the rights and provisions of 603 CMR 23.00 to students under the age of 14 or to students who have not yet entered 9th grade.

**Evaluation Team** shall mean the team which evaluates school-age children pursuant to M.G.L. c. 71B (St. 1972, c. 766) and 603 CMR 28.00.

**Parent** shall mean a student's father or mother, or guardian, or person or agency legally authorized to act on behalf of the student in place of or in conjunction with the father, mother, or guardian. Any parent who by court order does not have physical custody of the student, is considered a non-custodial parent for purposes of M.G.L. c. 71, § 34H and 603 CMR 23.00. This includes parents who by court order do not reside with or supervise the student, even for short periods of time.

**Release** shall mean the oral or written disclosure, in whole or in part, of information in a student record.



**School-age child with special needs** shall have the same definition as that given in M.G.L. c. 71B (St. 1972, c. 766) and 603 CMR 28.00.

**School committee** shall include a school committee, a board of trustees of a charter school, a board of trustees of a vocational-technical school, a board of directors of an educational collaborative and the governing body of an M.G.L. c. 71B (Chapter 766) approved private school.

**Student** shall mean any person enrolled or formerly enrolled in a public elementary or secondary school or any person age three or older about whom a school committee maintains information. The term as used in 603, CMR 23.00 shall not include a person about whom a school committee maintains information relative only to that person's employment by the school committee.

**The student record** shall consist of the transcript and the temporary record, including all information recording and computer tapes, microfilm, microfiche, or any other materials regardless of physical form or characteristics concerning a student that is organized on the basis of the student's name or in a way that such student may be individually identified, and that is kept by the public schools of the Commonwealth. The term as used in 603 CMR 23.00 shall mean all such information and materials regardless of where they are located, except for the information and materials specifically exempted by 603 CMR 23.04.

**The temporary record** shall consist of all the information in the student record, which is not contained in the transcript. This information clearly shall be of importance to the educational process. Such information may include standardized test results, class rank (when applicable), extracurricular activities, and evaluations by teachers, counselors, and other school staff.

**Third party** shall mean any person or private or public agency, authority, or organization other than the eligible student, his/her parent, or authorized school personnel.

**The transcript** shall contain administrative records that constitute the minimum data necessary to reflect the student's educational progress and to operate the educational system. These data shall be limited to the name, address, and phone number of the student; his/ her birth date; name, address, and phone number of the parent or guardian; course titles, grades (or the equivalent when grades are not applicable), course credit, grade level completed, and the year completed.

**23.03 : Collection of Data: Limitations and Requirements**

All information and data contained in or added to the student record shall be limited to information relevant to the educational needs of the student. Information and data added to the temporary record shall include the name, signature, and position of the person who is the source of the information, and the date of entry into the record. Standardized group test results that are added to the temporary record need only include the name of the test and/or publisher, and date of testing.

**23.04 : Personal Files of School Employees**

The term student record does not include notes, memory aids and other similar information that is maintained in the personal files of a school employee and is not accessible or revealed to authorized school personnel or any third party. Such information may be shared with the student, parent or a temporary substitute of the maker of the record, but if it is released to authorized school personnel it becomes part of the student record subject to all the provisions of 603 CMR 23.00.

**23.05 : Privacy and Security of Student Records**

(1) The school principal or his/her designee shall be responsible for the privacy and security of all student records maintained in the school.

(2) The superintendent of schools or his/her designee shall be responsible for the privacy and security of all student records that are not under the supervision of a school principal, for example, former students' transcripts stored in the school department's central administrative offices or student records of school-age children with special needs who have not been enrolled in a public school.

(3) The principal and superintendent of schools shall insure that student records under their supervision are kept physically secure, that authorized school personnel are informed of the provisions of 603 CMR 23.00 and M.G.L. c. 71, § 34H and are educated as to the importance of information privacy and confidentiality; and that any computerized systems employed are electronically secure.

**23.06 : Destruction of Student Records**

(1) The student's transcript shall be maintained by the school department and may only be destroyed 60 years following his/her graduation, transfer, or withdrawal from the school system.

(2) During the time a student is enrolled in a school, the principal or his/her designee shall periodically review and destroy misleading, outdated, or irrelevant information contained in the temporary record provided that the eligible student and his/her parent are notified in writing and are given opportunity to receive the information or a copy of it prior to its destruction. A copy of such notice shall be placed in the temporary record.

(3) The temporary record of any student enrolled on or after the effective date of 603 CMR 23.00 shall be destroyed no later than seven years after the student transfers, graduates, or withdraws from the school system.

(3 cont) Written notice to the eligible student and his/her parent of the approximate date of destruction of the record and their right to receive the information in whole or in part, shall be made at the time of such transfer, graduation, or withdrawal. Such notice shall be in addition to the routine information letter required by 603 CMR 23.10.

(4) In accordance with M.G.L. c 71, section 87, the score of any group intelligence test administered to a student enrolled in a public school shall be removed from the record of said student at the end of the school year in which such test was so administered.

### **23.07 : Access to Student Records**

(1) **Log of Access.** A log shall be kept as part of each student's record. If parts of the student record are separately located, a separate log shall be kept with each part. The log shall indicate all persons who have obtained access to the student record, stating: the name, position and signature of the person releasing the information; the name, position and, if a third party, the affiliation if any, of the person who is to receive the information; the date of access; the parts of the record to which access was obtained; and the purpose of such access. Unless student record information is to be deleted or released, this log requirement shall not apply to:

- (a) authorized school personnel under 603 CMR 23.02(9) (a) who inspect the student record;
- (b) administrative office staff and clerical personnel under 603 CMR 23.02(9) (b), who add information to or obtain access to the student record; and
- (c) school nurses who inspect the student health record.

(2) **Access of Eligible Students and Parents.** The eligible student or the parent, subject to the provisions of 603 CMR 23.07 (5), shall have access to the student record. Access shall be provided as soon as practicable and within ten days after the initial request, except in the case of non-custodial parents as provided in 603 CMR 23.07 (5). Upon request for access, the entire student record regardless of the physical location of its parts shall be made available.

- (a) Upon request, copies of any information contained in the student record shall be furnished to the eligible student or the parent. A reasonable fee, not to exceed the cost of reproduction, may be charged. However, a fee may not be charged if to do so would effectively prevent the parents or eligible student from exercising their right, under federal law, to inspect and review the records.
- (b) Any student, regardless of age, shall have the right pursuant to M.G.L. c. 71, section 34A to receive a copy of his/her transcript.
- (c) The eligible student or the parent shall have the right upon request to meet with professionally qualified school personnel and to have any of the contents of the student record interpreted.

(d) The eligible student or the parent may have the student record inspected or interpreted by a third party of their choice. Such third party shall present specific written consent of the eligible student or parent, prior to gaining access to the student record.

(3) **Access of Authorized School Personnel.** Subject to 603 CMR 23.00, authorized school personnel shall have access to the student records of students to whom they are providing services, when such access is required in the performance of their official duties. The consent of the eligible student or parent shall not be necessary.

(4) **Access of Third Parties.** Except for the provisions of 603 CMR 23.07(4)(a) through 23.07(4)(h), no third party shall have access to information in or from a student record without the specific, informed written consent of the eligible student or the parent. When granting consent, the eligible student or parent shall have the right to designate which parts of the student record shall be released to the third party. A copy of such consent shall be retained by the eligible student or parent and a duplicate placed in the temporary record. Except for information described in 603 CMR 23.07(4)(a), personally identifiable information from a student record shall only be released to a third party on the condition that he/she will not permit any other third party to have access to such information without the written consent of the eligible student or parent.

(a) A school may release the following directory information: a student's name, address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of members of athletic teams, class, participation in officially recognized activities and sports, degrees, honors and awards, and post-high school plans without the consent of the eligible student or parent; provided that the school gives public notice of the types of information it may release under 603 CMR 23.07 and allows eligible students and parents a reasonable time after such notice to request that this information not be released without the prior consent of the eligible student or parent. Such notice may be included in the routine information letter required under 603 CMR 23.10.

(b) Upon receipt of a court order or lawfully issued subpoena the school shall comply, provided that the school makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance.

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

(d) Federal, state and local education officials, and their authorized agents shall have access to student records as necessary in connection with the audit, evaluation or enforcement of federal and state education laws, or programs; provided that except when collection of personally identifiable data is specifically authorized by law, any data collected by such officials shall be protected so that parties other than such

officials and their authorized agents cannot personally identify such students and their parents; and such personally identifiable data shall be destroyed when no longer needed for the audit, evaluation or enforcement of federal and state education laws.

- (e) A school may disclose information regarding a student to appropriate parties in connection with a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. This includes, but is not limited to, disclosures to the local police department and the Department of Social Services under the provisions of M.G.L. c. 71; section 37L and M.G.L. c. 119, section 51A.
  - (f) Upon notification by law enforcement authorities that a student, or former student, has been reported missing, a mark shall be placed in the student record of such student. The school shall report any request concerning the records of the such child to the appropriate law enforcement authority pursuant to the provisions of M.G.L. c. 22A, section 9.
  - (g) Authorized school personnel of the school to which a student seeks or intends to transfer may have access to such student's record without the consent of the eligible student or parent, provided that the school the student is leaving, or has left, gives notice that it forwards student records to schools in which the student seeks or intends to enroll. Such notice may be included in the routine information letter required under 603 CMR 23.10.
  - (h) School health personnel and local and state health department personnel shall have access to student health records, including but not limited to immunization records, when such access is required in the performance of official duties, without the consent of the eligible student or parent.
- (5) Access Procedures for Non-Custodial Parents. As required by M.G.L. c. 71, § 34H, a non-custodial parent may have access to the student record in accordance with the following provisions.
- (a) A non-custodial parent is eligible to obtain access to the student record unless:
    - 1. the parent has been denied legal custody based on a threat to the safety of the student or to the custodial parent, or
    - 2. the parent has been denied visitation or has been ordered to supervised visitation, or
    - 3. the parent's access to the student or to the custodial parent has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record.
  - (b) In order to obtain access, the non-custodial parent must submit a written request for the student record to the principal annually. The initial request must include the following:

1. a certified copy of the court order or judgment relative to the custody of the student that either indicates that the requesting parent is eligible to receive access as set forth in 603 CMR 23.07 (5) (a), or a certified copy of a court order specifically ordering that the student records be made available to the non-custodial parent, and
  2. an affidavit from the non-custodial parent that said court order or judgment remains in effect and that there is no temporary or permanent order restricting access to the custodial parent or any child in the custodial parent's custody.
- (c) The non-custodial parent must submit a written request for access each year stating that said parent continues to be entitled to unsupervised visitation with the student and is eligible to obtain access as set forth in 603 CMR 23.07 (5) (a).
- (d) Upon receipt of the request (initial and annual) the school must immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in 603 CMR 23.07 (5) (a).
- (e) The school must delete the address and telephone number of the student and custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.
- (f) Upon receipt of a court order which prohibits the distribution of information pursuant to G.L. c. 71, §34H, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

**23.08 : Amending the Student Record**

- (1) The eligible student or the parent shall have the right to add information, comments, data, or any other relevant written material to the student record.
- (2) The eligible student or the parent shall have the right to request in writing deletion or amendment of any information contained in the student record, except for information, which was inserted into that record by an Evaluation Team. Such information inserted by an Evaluation Team shall not be subject to such a request until after the acceptance of the Evaluation Team Educational Plan, or, if the Evaluation Team Educational Plan is rejected, after the completion of the special education appeal process. Any deletion or amendment shall be made in accordance with the procedure described below:
  - (a) If such student or parent is of the opinion that adding information is not sufficient to explain, clarify or correct objectionable material in the student record, either student or

parent shall present the objection in writing and/or have the right to have a conference with the principal or his/her designee to make the objections known.

- (b) The principal or his/her designee shall within one week after the conference or receipt of the objection, if no conference was requested, render to such student or parent a decision in writing, stating the reason or reasons for the decision. If the decision is in favor of the student or parent, the principal or his/her designee shall promptly take such steps as may be necessary to put the decision into effect.

### **23.09 : Appeals**

(1) In the event that any decision of a principal or his/her designee regarding any of the provisions contained in 603 CMR 23.00 is not satisfactory in whole or in part to the eligible student or parent, they shall have the right of appeal to the superintendent of schools. Request for such appeal shall be in writing to the superintendent of schools.

(2) The superintendent of schools or his/her designee shall within two weeks after being notified of such appeal (longer should the appellant request a delay) review the issues presented and render a written decision to the appellant, stating the reason or reasons for the decision. If the decision is in favor of the appellant, the superintendent of schools or his/her designee shall promptly take such steps as may be necessary to put the decision into effect.

(3) In the event that the decision of the superintendent of schools or his/her designee is not satisfactory to the appellant in whole or in part, the appellant shall have the right of appeal to the school committee. Request for such appeal shall be in writing to the chairperson of the school committee.

(4) The school committee shall within four weeks after being notified of such appeal (longer should the appellant request a delay) conduct a fair hearing to decide the issues presented by the appellant.

(a) School officials shall have the burden of proof on issues presented by the appellant.

(b) The appellant shall have the right to be represented by an advocate of his/her choosing, to cross-examine witnesses, to present evidence, to make a tape or other recording of the proceedings, and to receive a written decision within two weeks after the hearing.

(c) If the appeal concerns statements by an employee of the school committee, such person(s) shall have the right to be present and to have an advocate of his/her own choosing.

(5) Nothing in 603 CMR 23.00 shall abridge or limit any right of an eligible student or parent to seek enforcement of 603 CMR 23.00 or the statutes regarding student records, in any court or administrative agency of competent jurisdiction.

**23.10 : Notification**

(1) At least once during every school year, the school shall publish and distribute to students and their parents in their primary language a routine information letter informing them of the following:

- (a) The standardized testing programs and research studies to be conducted during the year and other routine information to be collected or solicited from the student during the year.
- (b) The general provisions of 603 CMR 23.00 regarding parent and student rights and those copies of 603 CMR 23.00 are available to them from the school.

(2) In those school systems required under M.G.L. c. 71A to conduct a bilingual program, all forms, regulations, or other documents regarding 603 CMR 23.00 that a parent receives or is required to receive shall be in the language spoken in the home of the student, provided that it is a language for which the school system is required to provide a bilingual program.

**23.11 : Monitoring**

The Department of Education may, pursuant to a request by an eligible student or parent or on its own initiative, conduct reviews to insure compliance with 603 CMR 23.00. The school committee and the specific school(s) involved shall cooperate to the fullest extent with such review.

**23.12 : Severance Clause**

The provisions of 603 CMR 23.00 is severable and should any section be found upon judicial review to exceed the authority of the State Board of Education, the remaining sections should not be affected.



## **PUBLICATION OF NAMES POLICY**

We plan to publish the names of students who will receive recognition at the Honor Society Induction, sports assemblies, quarterly honor rolls, special awards and assemblies, and graduation. If you do not wish to have such information about you released to the news media or printed in school programs, you must inform the principal in writing. This requirement is in compliance with student record release regulations.

Athol-Royalston Regional School District Elementary Schools may release the following directory information: a student's name, address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of members of athletic teams, class, participation in officially recognized activities and sports, degrees, honors and awards, and post-high school plans without the consent of the eligible student or parent; provided that the school gives public notice of the types of information it may release under 603 CMR 23.07 and allows eligible students and parents a reasonable time after such notice to request that this information not be released without the prior consent of the eligible student or parent. Such notice may be included in the routine information letter required under 603 CMR 23.10

## **REHABILITATION ACT OF 1973**

Several important pieces of federal and state legislation are listed here for your benefit. These laws prohibit discrimination in public schools. The essence of these laws is presented in the following paragraphs:

### **TITLE IX**

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal assistance”. Molly Superchi 978-249-2430 [msuperchi@arrsd.org](mailto:msuperchi@arrsd.org) and Mary Jane Rickson 978-249-2435 [mrickson@arrsd.org](mailto:mrickson@arrsd.org) is the Title IX, Chapter 622 Coordinator.

### **CHAPTER 622**

“No person shall be excluded from or discriminated against in admission to a public school or any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion or national origin.”

## **SECTION 504 OF THE REHABILITATION ACT OF 1973**

Section 504 of the Rehabilitation Act of 1973 is a broad civil rights law that protects the handicapped or disabled individuals in programs that receive federal funds. Under this Act, a qualified disabled person is “one who has had a physical or mental disability which substantially limits a major life activity or, has a record of such or is regarded as disabled by others.” Major life activities include the ability to care for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. A disability need only limit one major life activity for an individual to be eligible.

Typically, students with disabilities who do not qualify for special education under IDEA do qualify under Section 504. These disabilities might include students with Attention Deficit Disorder (AD/HD), students with AIDS, heart conditions, and other physical disabilities such as severe asthma, juvenile diabetes, severe arthritis, cerebral palsy, etc. All of these conditions under 504 allow a student to receive the necessary related services to make their education comparable to non-disabled students.

Services given to students under section 504 are considered the responsibility of regular education, as they are not in need of basic skills help and can function with adjustments in the regular classroom.

Many of the specific regulations found in IDEA do not apply to Section 504. However, the due process rights of students and parents or guardians are protected and a specific grievance procedure must be in place including the right to mediation or an impartial hearing and the right to be represented by an attorney. If students are thought to have a disability under Section 504, they have a right to an evaluation. A team knowledgeable about the student will make recommendations regarding modifications and/or placement in the least restrictive environment. A written plan must be developed documenting the presence of a disability, which limits a major life activity, and a statement of the adjustments that will be made.

MGL Chapter 76 specifically states, “No person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion, national origin or sexual orientation.”

Molly Superchi & Mary Jane Rickson are the Title IX, Chapter 622 Coordinator(s). They will coordinate Athol-Royalston Regional School District Elementary Schools’ efforts to carry out the responsibilities of the regulations. Any inquiries concerning the application of the regulations to the practices and policies may be addressed to them or Office for Civil Rights, Department of Health, Education and Welfare, Washington, D.C. 20221.

POLICIES AND PROCEDURE SECTION 504 OF THE REHABILITATION ACT OF 1973

A. Statement of Intent:

It is the policy of Athol-Royalston Regional School District to comply with all the relevant and applicable provisions of Section 504. The Athol-Royalston Regional School District will not discriminate against its personnel or students because of a person's physical or mental disability. The Athol-Royalston Regional School District will also make reasonable adjustments wherever necessary for all employees or applicants with disabilities and students provided that any adjustments made do not require significant difficulty or expense. The Athol-Royalston Regional School District policy of nondiscrimination applies to all personnel and employment practices (See ADA policies and practices) and all public preschool, elementary and secondary programs and activities.

B. Access to Programs and Services:

The Athol-Royalston Regional School District will review all procedures used to identify student's eligibility under Section 504, and access to appropriate educational services. The principal of the building is responsible for Section 504 for the Athol-Royalston Regional School District and has the complete support of management in the implementation of this program.

Any person having inquiries concerning The Athol-Royalston Regional School District's compliance with Section 504 is directed to contact:

Kathryn Clark  
1062 Pleasant Street  
Athol, Ma 01331  
978-249-2403  
[kclark@arrsd.org](mailto:kclark@arrsd.org)

## **NOTICE OF NON-DISCRIMINATION**

The Athol-Royalston Regional School District reaffirms that it does not discriminate on the basis of race, color, religion, sex, national origin, age, disability, sexual orientation, gender identity, or exercise of civil rights in admission to, access to, treatment in or employment in its programs or activities. The Athol-Royalston Regional School District also affirms its commitment to maintain a school and work environment free of harassment based on race, color, religion, sex, national origin, age, disability, sexual orientation, gender identity, or exercise of civil rights. Any harassment on the basis of sex, race, national origin, religion, age, disability, sexual orientation, gender identity, or exercise of civil rights will not be tolerated.

If you should have a complaint or concern that there has been discrimination, you may also utilize the following procedure:

1. Report the violation to the building principal. The building principal will meet with you and other persons who might have information about the issue promptly and will attempt to resolve the issue. Any additional investigation will be commenced within a reasonable period of time. The building principal will issue his/her decision in writing to you within ten (10) days of the conclusion of the investigation.
2. If the complaint is not resolved, it can then be appealed to the district's Equal Opportunity/Title IX Coordinator. This appeal must be in writing, describe the circumstances, and the relief you seek. This appeal should be taken within one week after receipt of the principal's decision.
3. The Equal Opportunity/Title IX Coordinator will meet with you within a reasonable time. Following a review of the materials presented to the principal and any additional investigation which will be conducted promptly, the Coordinator will make a final determination on whether there has been a violation of the district's policy within ten (10) days after the conclusion of any additional investigation. If there has been a violation, the Coordinator will indicate the steps to be taken to correct it.

Inquiries concerning the application of nondiscrimination policies may also be referred to the Regional Director, Office for Civil Rights, U. S. Department of Education, J. W. McCormack POCH, Room 222, Boston, MA 02109-4557.

## **UNIVERSAL PRECAUTIONS FOR SCHOOL SETTING**

Universal precautions refer to the usual and ordinary steps all school staff need to take in order to reduce their risk of infection with HIV, the virus that causes AIDS, as well as all other blood-borne organisms (such as Hepatitis B virus). They are universal because they refer to steps that need to be taken in all cases. They are precautions because they require foresight and planning, and should be integrated into existing safety guidelines.

Appropriate equipment (mops, buckets, bleach, hot water, hand soap, disposable towels and latex gloves) must be readily available to staff members who are responsible for the clean-up of body fluid spills.

1. Treat human blood spills with caution.
2. Clean up blood spills promptly.
3. Inspect the intactness of skin on all exposed body parts, especially the hands. Cover any and all open cuts or broken skin, or ask another staff member to do the clean-up. Latex gloves contribute an added measure of protection, but are not essential if skin is intact.
4. Clean up blood spills with a solution of one-part household bleach, ten parts water, pouring the solution around the periphery of the spill. Disinfect mops, buckets and other cleaning equipment with fresh bleach solution.
5. Always wash hands after any contact with body fluids. This should be done immediately in order to avoid contaminating other surfaces or parts of the body (be careful not to touch your eyes before washing up.) Soap and water will kill HIV.
6. Clean up other body fluid spills (urine, vomitus, feces), unless grossly blood contaminated, in the usual manner. They do not pose a significant risk of HIV infection.

## **BULLYING PROTOCOL**

**Definition:** the repeated use by one or more students or a member of a school staff of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that: i. causes physical or emotional harm to the target or damage to the target's property; ii. places the target in reasonable fear of harm to himself or herself or of damage to his or her property; iii. creates a hostile environment at school for the target; iv. infringes on the rights of the target at school; or v. materially and substantially disrupts the education process or the orderly operation of a school.

### **1. GOALS**

The Athol-Royalston Regional School District is committed to providing our students equal educational opportunities, and a safe learning environment free from bullying. This will be possible when all members of the school communities treat each other with respect, appreciating the individual differences in our schools. This protocol is an integral part of the Athol-Royalston Regional School District's comprehensive efforts to promote learning and eliminate all forms of violent, harmful and disruptive behavior. All students require this support to reach their personal and academic potential.

As stated in the Massachusetts Anti-bullying Law, "Bullying", the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that: (i) causes physical or emotional harm to the victim or damage to the victim's property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. Acts of bullying, which include cyberbullying, are prohibited:

- (i) on school grounds and property immediately adjacent to school grounds, at a school sponsored or school-related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district or school; or through the use of technology or an electronic device owned, leased, or used by a school district or school, and
- (ii) at a location, activity, function, or program that is not school-related through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

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

Athol-Royalston Regional School District responses to bullying actions will include, when appropriate, referral to a law enforcement agency. The Athol-Royalston Regional School District will support this protocol in all aspects of their activities, including their curricula, instructional programs, staff development, extracurricular activities and parental involvement.

## **2. RATIONALE**

The Athol-Royalston Regional School District prohibits all forms of harassment, discrimination and hate crimes based on race, color, religion, national origin, gender identity, ethnicity, sex, sexual orientation, age or disability. The civil rights of all school community members are guaranteed by law. The protection of those rights is of utmost importance and priority to our school district. The Athol-Royalston Regional School District also prohibits bullying of school community members for reasons unrelated to their race, color, religion, national origin, ethnicity, sex, sexual orientation, gender identity, age or disability. Further, the Athol-Royalston Regional School District will not tolerate retaliation against persons who take action consistent with this protocol.

## **3. APPLICATION**

This protocol applies to all sites and activities under the supervision and control of the Athol-Royalston Regional School District, or where they have jurisdiction under the law. The protocol applies to all students and staff on school premises or in school-related activities, including school-related transportation. Nothing in this protocol is designed or intended to limit the District's authority to discipline or take remedial action under General Laws Chapter 71, §37H, or in response to violent, harmful, or disruptive behavior, regardless of whether this protocol covers the conduct.

## **4. DISCIPLINARY AND CORRECTIVE ACTION**

Violation of this protocol is a serious offense. Violators may be subject to appropriate disciplinary and/or corrective action to stop the conduct and prevent its reoccurrence. The District is committed to protecting the complainant, and all students, from bullying. Procedural manuals containing responsibilities of staff and students, reporting procedures, complaint process, resolution, and protection against retaliation shall be in place at each level. All disciplinary incidents will be reported using the school disciplinary action process.

### **A. Reporting bullying or retaliation.**

Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. A school or district staff member is required to report immediately to the principal or designee any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously. The school or district will make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form, a voicemail box, a dedicated mailing address, and an email address.

- B. Use of an Incident Reporting Form is not required as a condition of making a report. The school will: 1) make it available in the school’s main office, the counseling office, the school nurse’s office, and other locations determined by the principal or designee; and 2) post it on the school’s website. The Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

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

1. Reporting by Staff

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

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

The school or district expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the principal or designee. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a staff member to complete a written report. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member, or with the principal or designee.

C. Responding to a report of bullying or retaliation.

1. Safety

Before fully investigating the allegations of bullying or retaliation, the principal or designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. Responses to promote safety may include, but not be limited to, creating a personal safety plan; pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a “safe person” for the target; and altering the aggressor’s schedule and access to the target.



The principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary. The principal or designee will implement appropriate strategies for protecting from bullying or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation.

2. **Obligations to Notify Others**
  - a. Notice to parents or guardians. Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.
  - b. Notice to Another School or District. If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the principal or designee first informed of the incident will promptly notify by telephone the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.
  - c. Notice to Law Enforcement. At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the principal will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

In making this determination, the principal will, consistent with the Plan and with applicable school or district policies and procedures, consult with the school resource officer, if any, and other individuals the principal or designee deems appropriate.

D. Investigation.

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

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

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

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

E. Determinations.

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

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

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

F. Responses to Bullying.

1. Teaching Appropriate Behavior Through Skills-building

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

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

2. Taking Disciplinary Action

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

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

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

3. Promoting Safety for the Target and Others

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

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal or designee will contact the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the principal or designee will work with appropriate school staff to implement them immediately.

## **HARASSMENT POLICY**

If you feel that you are the victim of any type of harassment, including, but not limited to, cyber bullying, you should follow the policy listed below:

1. Report the matter to a school administrator, counselor, teacher and/or other staff member.
2. The assistant principal will then arrange for a prompt investigation. The assistant principal will meet with all of those involved who will have an opportunity to give a statement.
3. If the accusation of harassment has been substantiated by the assistant principal, the principal will be notified. Appropriate discipline will be administered depending on the nature of the offense.
  - a. Verbal first offenses will be handled by a warning to be followed by much stricter discipline if the offending behavior continues. Parents will be notified.
  - b. Physical offenses will be taken very seriously. Appropriate discipline will be administered. Parents will be notified.

The Committee recognizes that children learn best and teachers teach best when schools are safe. In safe schools, students and teachers feel physically secure, respected and supported. The Committee promotes Civil Rights and Protecting Students from Harassment, Bullying, and Hate Crimes. The Complaint Procedure in this handbook may also be followed in appropriate circumstances.

## **SEXUAL HARASSMENT**

The school's support of equal educational opportunity includes the recognition that sexual harassment of students will not be tolerated. "Harassment" means unwelcome sexual advances, request for sexual favors and other verbal or physical contact of a sexual nature when such conduct by its unreasonable nature creates an intimidating, hostile, or offensive school environment. Sexual harassment is defined by the victim, thus an individual's feelings and reactions to inappropriate behavior may determine whether sexual harassment has taken place. Any student who feels that he or she has been the victim of sexual harassment should report the matter immediately to a school administrator, counselor, teacher, and/or other staff member who will arrange for a prompt investigation and corrective action where appropriate.

### **Sexual Harassment Definition**

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature where:

1. Submission to such conduct is either explicitly or implicitly made a term or condition of a student's education; or
2. Submission to or rejection of such conduct is used as a basis for education decisions affecting such student; or
3. Such conduct has the purpose or effect of substantially interfering with a student's educational performance, or creating an intimidating, hostile or offensive educational environment. Sexual harassment may include, but is not limited to:
  - a. Assault, inappropriate touching, intentionally impeding movement, comments, gestures, or written communications of a suggestive or derogatory nature.
  - b. Continuing to express sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction between peers is not considered sexual harassment)
  - c. Implying or actually withholding grades earned or deserved, or suggesting that a scholarship recommendation or college application will be denied.
  - d. Coercive sexual behavior used to control, influence or affect the educational opportunities, grades and/or the learning environment of a student.
  - e. Offering or granting favors or educational benefits, such as grades or recommendations, in exchange for sexual favors.

Other sexual harassing behavior directed towards students, whether committed by management, staff, or students, is also prohibited. Such conduct includes but is not limited to:

1. Unwelcome sexual flirtations, advances or propositions;
2. Sexually explicit language or gestures;
3. Touching that an individual interprets as sexual in nature;
4. Any unwelcome physical contact;
5. The presence of sexually provocative photographs, pictures or other material, and the telling of sexual stories or jokes.
6. Verbal or nonverbal behavior about an individual's body that is interpreted as sexual in nature.

## **SEXUAL HARASSMENT COMPLAINT PROCEDURE**

A copy of this policy and its accompanying regulations are posted in appropriate places, and made available to individuals upon request.

The Title IX Coordinator for the Athol-Royalston Regional School District is:

Molly Superchi & Mary Jane Rickson

Title IX Coordinator(s)

1062 Pleasant Street

Athol, Ma 01331

978-249-2430 /978-249-2435

Legal References: Title VII, Section 703, Civil Rights Act 1964 as amended  
45 Federal Regulations 746776 issued by Chapter 622/EEOC Title IX of 1972 Education Amendments

### **PURPOSE**

\*To create for all Athol-Royalston Regional School District students an environment free of sexual harassment.

\*The Athol-Royalston Regional School District is committed to safeguarding the right of all persons associated with the Athol High School, including students, employees, school committee members and volunteers to a work and educational environment that is free from all forms of sexual harassment on its premises.

\*All individuals associated with the District, but not necessarily limited to the School Committee, the administration, the staff, students and members of the public while on campus, are expected to conduct themselves at all times so as to provide an atmosphere free from sexual harassment. Any person who engages in sexual harassment while acting as a member of the school community or while on school property will be in violation of this policy.

\*Appropriate disciplinary action, up to and including dismissal, will be taken in any instance where an employee violates this policy. Sexual harassment by a student will result in disciplinary action up to and including expulsion. Sexual harassment by others will result in their being excluded from School premises or if it is required that they enter the premises, they will be accompanied by a School District representative at all times.

\*If the sexual harassment is criminal in nature, the offense shall be reported to the police department as well as the Title IX Coordinator. If the sexual harassment requires the intervention of State social service or protective agencies, the proper authorities will be contacted.

\*Any student who believes that he or she has been subjected to sexual harassment should make a complaint to any administrator, the Title IX Coordinator, or directly to the Superintendent, so that appropriate action may be taken.

\*Management representatives and school employees are charged with the responsibility of discouraging any sexually harassing behaviors within or outside of their areas of supervision or on school premises. This includes directly confronting the harasser when a management representative observes harassing behavior, and immediately reporting the activity to the Title IX Coordinator.

The Title IX Coordinator will investigate complaints promptly, and corrective action will be taken where appropriate. In the absence of the Title IX Coordinator the Superintendent or Principal will investigate complaints. No person will suffer retaliation or intimidation as a result of using the internal complaint procedure, or for cooperating in an investigation of a sexual complaint. A copy of this policy and its accompanying regulations are posted in appropriate places, and made available to individuals upon request. The Title IX Coordinator for the Athol-Royalston Regional School District is Molly Superchi & Mary Jane Rickson.

### **COMPLAINT PROCEDURE--INFORMAL PROCESS FOR STUDENTS**

In determining whether an alleged incident constitutes sexual harassment, the Title IX Coordinator will be vested with the authority and responsibility of processing all sexual harassment complaints in accordance with the procedure outlined below, unless the Title IX Coordinator is the subject of the complaint.

1. Any student of the District who believes that he/she has been subjected to sexual harassment is to report the incident(s) to any administrator, Title IX Coordinator, or an administrator. The administrator will immediately contact the Title IX Coordinator. A written record of the complaint will be made by the party receiving the complaint. A separate file system will be maintained, apart from the student's personal record, regarding these complaints and as to all matters relating to the complaints.
2. If the alleged harassment involves the Title IX Coordinator, the Superintendent of Schools will act as the Title IX Coordinator.
3. If the alleged harassment involves the Superintendent of Schools, the Secretary of the School Committee will act as the Title IX Coordinator.
4. The Title IX Coordinator will look at the totality of the circumstances and the context in which the alleged incidents occurred. He/she will attempt to resolve the problem by conferring with both parties in order to obtain a clear understanding of the facts. All matters involving sexual harassment complaints will remain confidential to the extent possible.
5. Students may choose to be accompanied, at any phase of this process or subsequent hearing before the Committee, by a parent, guardian or representative of their choosing. Parents will be notified by the Title IX Coordinator of the existence of a student's report of sexual harassment.
6. The Title IX Coordinator will explain each phase of the Informal and Formal Complaint Process to a student who wishes to file a complaint and will assist the student in the processing of the complaint. In addition, the Title IX Coordinator will inform the student of additional forums for resolution of the complaint such as the Office of Civil Rights (O.C.R.) and the Massachusetts Commission Against Discrimination (M.C.A.D).
7. Under normal circumstances, the Title IX Coordinator's investigation will be completed within five working days of the initial complaint. Upon completion of the investigation, the Title IX Coordinator shall issue his/her findings in writing to the student and the alleged harasser.

### **COMPLAINT PROCEDURE--FORMAL PROCESS FOR STUDENTS**

1. A complainant may file a formal complaint immediately or may do so after the Title IX Coordinator's efforts to reach a settlement under the informal process have proven unsuccessful.
2. The complaint will state clearly and concisely the complainant's description of the incident and it will also indicate any

remedy sought. The Superintendent's office will send the respondent a copy of the complaint within five working days after it is received. A separate file system shall be maintained as to all matters relating to the complaint. Confidentiality shall be maintained to the extent possible.

3. The respondent will have five working days to respond in writing. This statement will contain full and specific references to each claim in the complaint, admitting, denying or explaining the complainant's allegations. The respondent must sign his or her statement which will then be appended to the original complaint. Within three working days, the Superintendent's office will forward both statements to the complainant and the respondent.
4. There will be two modes of resolution for formal complaints. A complaint may be settled through mediation or through a formal meeting. If the complainant and respondent agree to pursue mediation, a date mutually acceptable to both parties will be set within five working days.
5. If the mediation results in a mutually acceptable agreement, copies of the agreement will be forwarded to both parties.
6. If the mediation does not result in an agreement, the case will be forwarded to the Superintendent for a meeting unless the Superintendent is the alleged harasser in which case the meeting will be before the Athol-Royalston Regional School District, School Committee.
7. When a meeting is requested, the Title IX Coordinator will inform the School Committee, and the matter will be heard at the next regularly scheduled meeting of the School Committee pursuant to the provisions of the Commonwealth's Open Meeting Law and/or before the Superintendent as the case may be.

#### DECISION OF THE COMMITTEE OR THE SUPERINTENDENT

1. After all the information has been presented, the school committee will convene for deliberations to determine whether the school system's policy on sexual harassment has been violated.
2. If the Committee finds after a roll call vote that the policy has not been violated the written decision will be forwarded to the complainant and the respondent no later than five working days after completion of the meeting. If the Committee finds after a roll call vote that the policy has been violated, the Committee will determine the penalty for the respondent and the relief for the complainant no later than five working days after completion of the meeting.
3. In meetings before the Superintendent, if the Superintendent finds that the charge of violating the school system's policy on sexual harassment has been substantiated, the Superintendent will prepare findings and will determine a penalty for the respondent and relief for the complainant. The Superintendent will issue such decision to the complainant and the respondent no later than five working days after the completion of the hearing.
4. The penalty should reflect the severity of the harassment. The penalties may include, but will not be limited to, any one or combination of the following: verbal admonition, written warning placed in the respondent's personnel file or student record, probation, suspension without pay, dismissal, demotion, or removal from administrative duties within a department; students may be subject to suspension or expulsion proceedings following a finding that the policy has been violated.
5. The Committee or Superintendent may also make appropriate recommendations, such as professional counseling, and may recommend relief for the complainant which reinstates and restores, as much as possible, the aggrieved party.



## **HAZING**

Massachusetts General Law, Chapter 269, Sections 17-19 strictly prohibits any type of hazing or initiation into any student organization which will endanger, either physical or mental, a student's person. The law specifically states:

**\*Section 17:** Whoever is a principal organizer or participant in the crime of hazing as defined herein shall be punished by a fine of not more than one thousand dollars or by imprisonment in a house of correction for not more than one hundred days, or both such fine and imprisonment. The term hazing as used in this section and in sections 18 and 19, shall mean any conduct or method of initiation into any student organization whether public or private property, which willfully or recklessly may endanger the physical or mental health of any student or other person.

**\*Section 18:** Whoever knows that another person is the victim of hazing as defined in section 17 and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than five hundred dollars.

**\*Section 19:** Each secondary school and each public and private college shall issue to every group or organization under its authority or operation on or in conjunction with its campus or school, and to every member, plebe, pledge or applicant for membership in such group or organization, a copy of this section and sections 17 and 18.

Full documentation and explanations are available from the building principal or his designee.

## **MALICIOUS PHYSICAL ABUSE OR ASSAULT**

Any intentional act, which results in the serious abuse or injury of another individual may be considered an assault or assault and battery and treated accordingly by notifying police. A student who clearly assaults another may be subject to a complaint filed with District Court or local police. A student who abuses others and with whom normal school disciplinary action is not effective may be subject to a complaint filed by school officials with District Court or local police.

## **ASSAULT/BATTERY ON SCHOOL TEACHERS**

Whoever commits an assault and battery on a school teacher, teacher's aide, faculty member, school administrator or school staff member of a public or private elementary, vocational, secondary school, junior college, college or a university while said school teacher, teacher's aide, faculty member, school administrator or school staff member is on or within the real property comprising a public or private elementary, vocational, secondary school, junior college, college or university whether or not in session shall be punished by imprisonment for not less than ninety days nor more than two and one-half years in a house of correction or by a fine of not less than five hundred nor more than five thousand dollars, and a violator may be arrested without a warrant by any officer having police power in the jurisdiction of the act.

## **POLICY ON PHYSICAL RESTRAINT**

The Athol-Royalston Regional School District complies with the Department of Education (DOE) restraint regulations, 603 CMR 46.00 et seq. (“regulations”), as required by law on school ground and at school-sponsored events and activities.

Physical restraint is direct physical contact which prevents or significantly restricts a student’s freedom of movement. Physical restraint does not include: brief physical contact to promote safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.

Physical restraint shall only be used in emergency situations of last resort, after other lawful and less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution. Physical restraint is prohibited as a form of punishment, when it cannot be safely implemented because of student medical safety concerns, as a response to student misbehavior (not resulting in assault or imminent, serious, physical harm), or as a standard response.

Whenever possible, physical restraint must be witnessed by at least one person who is not participating in the restraint. When the use of physical restraint is appropriate, properly trained employee(s) shall only use the amount of force reasonable necessary to protect a student or another member of the school community from assault or from imminent, serious, physical harm.

Physical restraint shall only be used by employees who have received the necessary training under 603 CMR 46.04(2) or 603 CMR 46.04(3). Employees shall use physical restraint with two goals in mind:

1. To administer a physical restraint only when needed to protect a student and/or a member of the school community from assault or imminent, serious, physical harm; and
2. To prevent or minimize any harm to the student as a result of the use of physical restraint.

The use of physical restraint shall be done in the safest method available and appropriate to the situation in a manner to prevent or minimize physical harm. Program staff shall review and consider any known medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention. Physical restraint shall not be administered in a manner in which the student is prevented from breathing or speaking.

During the restraint a staff member must continuously monitor the physical status of the student, including skin temperature and color, and respiration. If, at any time during a physical restraint, the student expresses or demonstrates significant physical distress including, but not limited to, difficulty breathing, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.

Any use of physical restraint shall end as soon as the student is no longer an immediate danger to him/herself and/or others. If a student is restrained for a period longer than twenty (20) minutes,

program staff shall obtain the approval of the Principal. The approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint.

The use of mechanical restraint, medication restraint, and seclusion are prohibited in all instances. Prone restraint is prohibited, except when all of the following criteria are met:

- the student has a documented history of repeatedly causing serious injury to self or others;
- all other forms of restraint have been unsuccessful in ensuring safety;
- there are no medical contraindications as documented by a licensed physician;
- there is psychological or behavioral justification with no psychological or behavioral contraindications as documented by a licensed mental health professional;
- the program has obtained consent from the parent to use prone restraint in an emergency, and the consent has been approved in writing by the principal;
- the program has documented all of the above in advance of the use of prone restraint.

As stated above, seclusion is prohibited. Time-outs, however, are a permitted behavioral support strategy. Time-outs involve a temporary separation of a student from learning activities or from the classroom, either by choice or by direction of staff for the purpose of calming. Time-outs must end as soon as the student has calmed. If time-outs are used as a behavioral support strategy, there must be a procedure in place for the use of time-outs that includes a process for obtaining principal approval for time-outs of more than thirty (30) minutes. During a time-out the student must be continually observed by staff member(s). Staff member(s) must be with the student or immediately available to the student at all times.

The space used for time-out shall be clean, safe, sanitary, and appropriate for the purpose of calming.

## **CODE OF CONDUCT**

### **Student Discipline**

In order to maintain a safe and orderly learning environment all students are expected to meet our code of conduct standards. The District assumes the responsibility to provide every student with an opportunity to make academic progress during the period of suspension whether in-school, out-of-school, or expulsion.

Consequences for behavioral infractions may include, but are not limited to:

Loss of Privilege	Apology of Action
Parent/Guardian Phone Call	After School Detention
Community Service	Office Detention
In- School Suspension	Out of School Suspension

The building principal will be in contact with a parent or guardian if a disciplinary action is being taken.

Behaviors listed below are considered serious and will result in disciplinary actions that could include loss of privilege as well as school suspension, and/or expulsion.

- Threats, Harassment or Bullying
- Tardiness to school, tardiness to class
- Truancy from class or part of a class
- Forged absence note or dismissal note
- Forged signature on any school-related document such as hall pass, note from home, etc.
- Disruption in class or out of class
- Lunch period misconduct
- Refusal to follow direct instructions in disruptive or conflict situations
- Unauthorized possession or use of lighters, matches, or other flaming devices ▪

Misconduct on field trips

- Misconduct on school buses or at school bus stops
- Improper or disruptive conduct such as verbal harassment, inappropriate language, pushing, shoving, tripping, kicking, wrestling in hallways, classrooms or other areas
- The use of derogatory language referring to gender, gender identity, sexual orientation, religion, race, disability, or ethnicity.

### **Police Action**

If a student is extremely disruptive or has seriously broken the law, the administration of the school may call the police. The police will interview students at their own discretion.

Parents will be notified if the police need to be called in response to their child's behavior or actions.

## **Property Damage**

It is against the law to deface or damage public school property or the property of others. Students will be held accountable for damage costs. Students need to respect school property during the school day and after hours.

### **DUE PROCESS**

The Discipline Code of the District is administered within the guidelines set by the U.S. Supreme Court with regard to due process for students. The Supreme Court holds that the Due Process Clause of the Fourteenth Amendment to the United States Constitution requires that a student facing temporary (up to ten days) suspension from a public school be given oral or written notice of the charge(s) against them, explanation of the basis for the accusation(s) and an opportunity to present their version of the facts. In addition the Court holds that unless the student's continued presence at school endangers persons or property or "threatens disruption of the academic process," the hearing must precede rather than follow the suspension.

The Court points out that due process does not require that hearings in connection with suspensions be trial-like in nature. Therefore, school officials are not required to give the student an opportunity to secure counsel, to confront and cross-examine witnesses supporting the charges, or to call their supporting witnesses.

### **STUDENT SEARCHES**

The right of inspection of students' school lockers is inherent in the authority granted school committees and administrators. This authority may be exercised as needed in the interest of safeguarding children, their own and school property. Nevertheless, exercise of that authority by school officials places unusual demands upon their judgment so as to protect each child's constitutional rights to personal privacy and protection from coercion and to act in the best interest of all students and the schools. Searches by school officials of students' automobiles or the student will be conducted in a way that protects the students' rights consistent with the responsibility of the school system to provide an atmosphere conducive to the educational process.

### **EMERGENCY REMOVAL**

A student may be temporarily removed prior to notice and hearing when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption. The temporary removal shall not exceed two (2) school days, following the day of the emergency removal.

The principal shall not remove a student from any Athol-Royalston Elementary School until adequate provisions have been made for the student's safety and transportation, and immediate and reasonable efforts are made to orally notify the student and student's parent/guardian of the emergency removal and the reason for the emergency removal. The principal shall also provide the due process requirements of written notice for suspensions and provide for a hearing which meets the due process requirements of a long-term suspension or short-term suspension, as applicable, within the two (2) school day time period, unless an extension of time for the hearing is otherwise agreed to by the principal, student, and parent/guardian.

A decision shall be rendered orally on the same day as the hearing, and in writing no later than the following school day. The decision shall meet all of the due process requirements of a principal's determination in a long-term suspension or short-term suspension, as applicable.

### **SOCIAL PROBATION**

Any student who is placed on probation at any Athol-Royalston Elementary School will be allowed to attend only regularly scheduled classes. He/she will not be allowed to participate in any extra-curricular activities, including athletics. Students on social probation may appeal to the school administration to be able to participate in some activities while on probation. Administrative approval of this participation request is contingent upon the student making a contractual commitment to adhere to academic and/or disciplinary improvement goals.

Students on social probation due to incomplete grades may be removed from social probation if they obtain the minimum number of passing grades once incomplete work is completed.

### **MASSACHUSETTS GENERAL LAW, c 71, s. 37H**

By State Law the following procedure is followed in certain cases of serious student misconduct as specified below:

- (a) Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.
- (b) Any student who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal.
- (c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in

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

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

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

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

(g) Under the regulations promulgated by the department, for each school that suspends or expels a significant number of students for more than 10 cumulative days in a school year, the Commissioner shall investigate and, as appropriate, shall recommend models that incorporate intermediary steps prior to the use of suspension or expulsion. The results of the analysis shall be publicly reported at the school district level.

**FELONY COMPLAINT OR CONVICTION OF STUDENT; SUSPENSION;  
EXPULSION, RIGHT TO APPEAL (M.G.L., c. 71 & 37H 1/2)**

(1) Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal or headmaster of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal or headmaster if said principal or headmaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and the

reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of his/her right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in effect prior to any appeal hearing conducted by the superintendent.

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

(2) Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the principal or headmaster of a school in which the student is enrolled may expel said student if such principal or headmaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and reasons for such expulsion prior to such expulsion taking effect. The student shall also receive written notification of his/her right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to an appeal hearing conducted by the superintendent.

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

Section 37H3/4.

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

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

(c) For any suspension or expulsion under this section, the principal or headmaster of a school in which the student is enrolled, or a designee, shall provide, to the student and to the parent or guardian of



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

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

“out-of-school suspension” shall mean a disciplinary action imposed by school officials to remove a student from participation in school activities for 1 day or more.

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

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

## **DISCIPLINING STUDENTS WITH SPECIAL NEEDS**

All students are expected to meet the requirements for behavior as set forth in this handbook. However, students eligible for special education are entitled to certain additional protections under state and federal law.

Specifically, these laws include M.G.L. c. 71B and its implementing regulations (603 CMR 28.00) and 20 USC 1401 et.seq. (“IDEA”) and its implementing regulations (34 CFR 300 et. seq.).

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

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

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

If the behavior is not a manifestation of the student’s disability, then the student may be removed from his educational placement to the same extent that a regular education student would be removed, provided that the special education student must continue to receive educational services to enable the child to continue to receive his special education services in order to participate in the general education curriculum, although in another setting, and to continue to progress toward meeting the goals set out in the student’s IEP. Additionally, the student should receive, as appropriate, a functional behavioral assessment and behavior intervention plan to prevent the behavior from happening again.

There are certain situations in which school personnel may order a change in placement of a special education student without regard to whether the student’s behavior is determined to be a manifestation of the student’s disability. These situations include when a special education student:

1. Carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of a State or local educational agency;

2. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a State or local educational agency; or

3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a State or local educational agency.

In these situations, school personnel may remove the special education student to an appropriate Interim Alternative Educational Setting (IAES) for not more than forty-five (45) school days without regard to whether the student's behavior is determined to be a manifestation of the student's disability. A student may also be placed in such a setting on the authority of a hearing officer if the officer orders the alternative placement after the district provides evidence that the student is substantially likely to injure him/herself or others.

If a special education student commits an offense, which causes the student to be expelled from school, the school district continues to be responsible for providing the student with a free appropriate public education in another educational setting.

For more information regarding the rights of special education students see the Massachusetts Department of Education Procedural Safeguards Notice, which is available in many languages, at [www.doe.mass.edu/sped/prb/](http://www.doe.mass.edu/sped/prb/). Additionally, copies of the state and federal special education laws are available online at the Massachusetts Bureau of Special Education Appeals website, at [www.doe.mass.edu/bsca/](http://www.doe.mass.edu/bsca/) or can be requested from the Director of Special Education at 978-249-2403.

### **DISCIPLINE OF STUDENTS NOT YET ELIGIBLE FOR SPECIAL EDUCATION**

A child who has not been determined to be eligible for special education and related services and who has engaged in behavior that violates the Student Code of Conduct, may assert any of the protections provided for special education students if the school had knowledge (as determined by the IDEA) that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred. The school district may be considered to have prior knowledge if, before the behavior that resulted in the disciplinary action occurred:

1. The parent of the student expressed concern in writing to supervisory or administrative personnel of the student's school or to a teacher of the student that the student is in need of special education and related services; or
2. The parent requested an evaluation of the student; or
3. District staff expressed, directly to the special education director or other supervisory personnel, specific concerns about a pattern of behavior demonstrated by the student. The district may not be deemed to have had knowledge if the parent has not consented to an evaluation of the student or has refused special education services, or if an evaluation of the student was completed and resulted in a determination of ineligibility. If the district had no

knowledge that the student is a student with a disability prior to taking disciplinary action, the student may be subjected to disciplinary measures applied to students without disabilities. However, if an evaluation is requested during the time period in which the student is subjected to these disciplinary measures, the district must conduct the evaluation in an expedited manner.

### **DISCIPLINE OF STUDENTS ON 504 PLANS**

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

### **STUDENT ARRESTED**

The Principal of the school may suspend, exclude or place on social probation, a student who has been charged with a felony or is the subject of a felony delinquency complaint, if the principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

Any student found guilty of a felony and who is not removed from school, may be placed on social probation. When a student is placed on social probation he/she will have the right to attend school during the academic day only. The duration of the social probation will be determined by the principal. (Refer to MGL Chapter 71, Sect. 37H1/2)

### **STUDENT DISTURBANCES**

The school committee recognizes the authority of the school administrator to administrate and provide the best possible education for the student or students in his/her school.

Any student who deliberately disrupts the orderly process of education, no matter the pretext, will be subject to immediate suspension from school, and the principal of the school will make any recommendations as to the final disposition of this disciplinary action.

This includes any organized disturbance, sit-down strike, walkout, bomb scare, false alarm, or any serious vandalism. In the event a large number of students leave the premises or disturb the premises, the principal and other staff members in conjunction with the local police, will disperse this gathering, attempt to make identification of those participating and immediately suspend those students involved. The leader of the organized disturbance will be recommended for immediate expulsion.

**CHAPTER 722 - AN ACT INCREASING THE PENALTIES FOR DEFACING OR DESTROYING STATE, COUNTY OR MUNICIPAL PROPERTY**

Section 96: Whoever willfully, intentionally and without right defaces, marks or injures the walls, wainscoting or any other part of any building belonging to the Commonwealth, or the appurtenances thereof, by cutting, writing or otherwise, shall be punished by a fine of not less than one hundred thousand dollars or by imprisonment for not more than two years. Any person convicted under the provisions of this section shall, in addition to any fine assessed, reimburse the Commonwealth for the total amount of damages incurred.

**ACADEMIC PROGRESS**

Any student who is suspended or expelled shall have the opportunity to earn credits, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. The Principal shall inform the student and parent of this opportunity in writing, in English and in the primary language of the home, when such suspension or expulsion is imposed.

Any student who is expelled or suspended from school for more than ten (10) consecutive days, whether in school or out of school, shall have an opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.

The Principal shall develop a school-wide education service plan describing the education services that the school district will make available to students who are expelled or suspended from school for more than ten (10) consecutive days. The plan shall include the process for notifying such students and their parents of the services and arranging such services. Education services shall be based on, and be provided in a manner consistent with, the academic standards and curriculum frameworks established for all students under the law.

The Principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.

For each student expelled or suspended from school for more than ten (10) consecutive days, whether in-school or out-of-school, the school district shall document the student's enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department of Elementary and Secondary Education.

### **COLLECTION AND REVIEW OF DISCIPLINE DATA**

The District shall collect and annually report data to the DESE regarding in-school suspensions, short- and long-term suspensions, expulsions, emergency removals, access to education services, and such other information as may be required by the DESE.

The Principal of each school shall periodically review discipline data by selected student populations, including but not limited to race and ethnicity, gender, socioeconomic status, English language learner status, and student with a disability status in accordance with laws and regulations.