



## **Athol-Royalston Middle School**

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### **Student Handbook 2018-2019**

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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**District Mission**

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

**Athol-Royalston Middle School Vision**

The Athol-Royalston Middle School community is committed to combining the best teaching practices of the past and present to transform our future learning environments to meet the intellectual, physical, social, emotional and creative needs of our 21<sup>st</sup> century learners. This will be accomplished using a challenging and diverse standards-based curriculum that includes the use of information and communication technologies as tools in the educational environment.

Translation

Any parent or guardian may request to have the Athol-Royalston Student Parent Handbook translated into his/her native language.  
Requests are to be made to the principal.

Spanish

Cualquier padre o guarda puede pedir para tener el manual del padre del estudiante de Athol-Royalston traducido a su lengua materna.

**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.

## WHO TO GO TO FOR INFORMATION

### Question/Concern

To get help with your schedule  
If you have a problem or question

### Who to see

Guidance Office  
Your Teachers  
Main Office  
Guidance  
An adult you feel comfortable with  
Main Office  
Your Teachers  
Main Office  
Guidance  
Any Adult  
Main Office  
Coach or Athletic Director  
Ms. Winters/Library  
Main Office

Morning Announcements  
If you are being bullied or feel unsafe

Absent/Tardy notes upon your return  
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Help in using the computers or any problem with your account

Main Office

Articles delivered to the school (homework, lunch, etc.)

Library

Library questions

### Attendance Policy

While there are a number of reasons that a student may be absent from school, the principal has legal responsibilities when the number of absences exceeds a certain limit. A student may be considered truant and court proceedings may be initiated when the student accumulates seven unexcused absences in a six-month period (Massachusetts General Laws, Chapter 76, Sec. 2). The decision whether an absence is determined to be excused is made by the principal, not by the parent/guardian. Diligent attention is given to attendance: all students need to attend school on a regular and consistent basis.

### 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.

### Arrival/Departure Times

Students should arrive at school between 7:15 a.m. and 7:25 a.m. and report directly to the gymnasium (grades 6-8) or the cafeteria (grade 5). Breakfast is served in classrooms at the start of school. No student should arrive before 7:00 a.m. The school day ends at 1:55 p.m. Students should leave school by 2:05 p.m., unless they are under direct supervision of an adult.

### Absences

If you are absent from school your parent/guardian must inform the school that morning by 8:00 am. If the school does not receive notice, a phone call will be placed to the parent/guardian informing them that you did not attend school that day. In any circumstance, you are also expected to make up work missed in your absence.

The principal shall meet with any student, and that student's parent/guardian, who has missed five (5) or more unexcused school days (a school day shall be equal to two (2) or more class periods in the same day) in a school year. The meeting shall be to develop action steps to improve student attendance and shall be developed jointly by the Principal or designee, the student, and the student's parent/guardian. The parties may seek input from other relevant school staff and/or officials from relevant public safety, health and human service, housing, and nonprofit agencies.

### Class Attendance

Your teachers take attendance during every class period and send an attendance record to the office at the end of the day. If you miss a particular class, the office will check to see why you were not in class. If you were not excused from the class, you will be seen by the administration and assigned a time to make up that class, and may receive further consequences. In addition, your family will be informed if you cut a class.

### Excused Absences

Reasons for an excused absence include:

|                     |                                   |                      |
|---------------------|-----------------------------------|----------------------|
| Civic Duty          | Medical                           | Religious Observance |
| Dental Appointments | School sponsored event/activities |                      |
| Court               | Educational trip                  | Bereavement          |

In any of these cases a phone call and/or note explaining your absences must be brought in and signed by your parent/guardian.

#### **Planned Absence**

It is extremely important that you attend school every day. It is impossible to fully benefit from a lesson when you are doing the assignments but not participating in the classroom activities. We understand that, occasionally you need to miss school due to a family activity and/or medical situation. Your parent/guardian must contact the Principal, in advance to notify the school of any planned absence. Teachers are available after school for make up work by parent request.

#### **Tardiness**

You will be considered tardy if you arrive to homeroom after the 7:30 a.m. bell. At this time you must report to the office to sign in and receive a late pass. If you have a reason for being tardy, you need to bring a written note from home signed by your parent/guardian that explains the reason. If you do not have a note for being tardy, you may be asked to make up time. A continued pattern of tardiness will be referred to the administration. A student may be subjected to disciplinary action for unexcused tardiness.

#### **Early Dismissal**

Students may be dismissed from school for the following reasons only:

|                              |                                       |
|------------------------------|---------------------------------------|
| Family or personal emergency | Illness or medical appointments       |
| Court appearances            | Other to be approved by the Principal |

If it becomes necessary for a student to be excused from school, a note must be presented from a parent or guardian to the Main Office. If a student is ill, he/she must see the nurse or an administrator to leave school. The parent or authorized adult should come into the office to sign the student out. Students are not to leave school without having gone through this process.

#### **General Rules**

School Rules apply and are enforced at all times when students are on school grounds, all ARRSD property, on school buses, during all athletic events, field trips, and during all school sponsored activities.

In all matters, the Principal/Administration reserves the right to exercise his/her discretion.

#### **Beverages**

Water, drinking bottles, twist-off bottle containers, or open containers of any kind are not permitted in school during school hours unless approved by administration.

#### **Bicycles/Scooters/Skateboards/Hoverboards**

Racks are provided for parking bicycles. The school is not responsible for damage or theft of bicycles or parts. Bicycles are to be parked upon arrival at school and are not to be used until the end of the school day, and only after the buses have left the campus. Students are reminded that the Massachusetts General law requires helmets. A helmet is also recommended for those who use skateboards, scooters, or hoverboards.

Scooters, skateboards, and hoverboards are to only be stored in the designated area. Students are not allowed to use scooters, skateboards, or hoverboards on Middle School grounds beginning at the school sign near the parking lot entrance, and not until after the buses have left the campus after school. For safety reasons, students may not ride scooters, skateboards, or hoverboards on school property beginning at the intersection of Pleasant Street.

After school, walkers may not leave the Middle School campus until after the buses have left. Students are expected to use the sidewalk. No short cuts through the woods or paths are allowed.

#### **Book Bags and Backpacks**

Book bags and backpacks must be stored in student lockers unless given permission by the administration. They are not to be carried throughout the day.

#### **Lunch Rules**

Students must show respect to all cafeteria workers and staff at all times. Students are not allowed to leave their seats except to get lunch, return their tray, and at dismissal time. Only eight students are allowed per table, four on each side. Students may not take food out of the cafeteria. All lunches must be eaten in the cafeteria, unless designated by the administration. Students should not be in the academic areas during lunch. Students may not throw, toss, or forcefully slide food or drink. Students must follow lunch supervisors' and cafeteria workers' directions in the food lines and at all times during lunch.

Students must walk quietly to and from lunch staying to the right in the hallways. Students must follow all other school rules while in the lunchroom. Appropriate disciplinary actions will be taken when there is a violation of the lunch rules. All disciplinary actions are at the discretion of the administration. These may range from a warning, to lunch suspension, to in school suspension, to out of school suspension.

### **Bus Rules**

The school is responsible for students doorstep to doorstep.

All school rules shall be in effect during this time. Please read the bus rules outlined below and follow them whenever you ride on a school bus.

Waiting for the bus:

While waiting for the bus, students must act in a safe manner and be respectful of neighboring property owners.

Students should be at their bus stops ten minutes before the schedule time.

Use common sense around roadways and avoid crossing streets when possible.

Do not move toward the bus to board until the bus has come to a full complete stop.

Riding the bus:

Students needing to ride a bus other than their regularly assigned bus, or stop, must have a note from a parent presented to the office, no later than the morning of the proposed change. Students will be accommodated when space is available.

While buses are in motion, students are to be seated quietly at all times, and cannot change seats.

Talk quietly and do not use profanity or offensive language.

Do 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 all directions issued by the driver.

Keep windows closed until directed by the driver to open them. When a window is open, students will not call to people outside or put any parts of their body outside of the bus.

Unloading from the bus:

Do not leave your seat until the bus has come to a full and complete stop and the driver has opened the door.

Obey all directions issued by the driver.

Leave the bus quickly but in a courteous manner, without pushing other pupils.

If you must cross a street as you leave the school bus, be sure to walk in front of the bus (never in back) at a distance of at least 12 feet from the bus. The driver may not be able to see you and a serious accident could occur.

Again, be sure to observe all safety precautions as you travel from your bus stop to your home.

When arriving at school, upon leaving the bus, immediately remove any headphones, earplugs, Walkman, Ipods, or MP3's, cell phones or electronic devices and store them in your locker.

Loss of riding privileges initiated from the Bus Behavior Report form:

Students engaging in unsafe or inappropriate behaviors may be suspended from riding the school bus for a period of time. Such suspension will be initiated by the administration. During any suspension of the bus privileges parents are responsible for transportation.

### **Car Transportation**

If your family chooses to drive you to school or pick you up, they should use the lower levels of the parking lot for pickup and drop-off. The upper level is reserved for buses and emergency vehicles from 7:00 to 7:40 a.m. and from 1:15 to 2:20 p.m. The ramp entrance near the cafeteria is available for students with special circumstances as long as the office is notified of the need.

### **Electronic Devices**

Cell phones are primarily allowed for emergency use only. The student's cell phone 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. The student shall receive office detention at discretion of the administration. Improper cell phone use, (texting, photography, talking) will initiate a consequence. Some improper use may be considered illegal and be referred to legal authorities. Cell phones are not allowed on extended, overnight field trips unless given permission by administrator. During field trips, adults have cell phones for student use. If you need to contact your child during the school day, call the main office and a message will be forwarded to your child. Do not contact your child via his/her cell phone during the school day.

### **Personal/Recreational Items**

Personal/recreational items such as Skateboards/Scooters/hoverboards must be stored during the school day.

### **Change of Address / Status**

Please be sure to inform the Main Office if there is a change of residence including custody, address, or telephone number during the school year. This is necessary for permanent records, as well as for the report cards, newsletters, and other mailings. An accurate record of your child's information is essential to communicate with you and those who the custodial parent chooses in the event they cannot be reached.

### **Computer Technology Rules**

All students must have a signed Internet Use Contract on file at the Middle School in order to use the Internet. It is important that students abide by the District's Computer and Internet Acceptable Use Policies.

We encourage you to use the computers at the school to do your 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.

### **Absolutely No Food or Drink at the Computers**

If a student violates any of the District's Acceptable Internet use rules, applicable state and federal laws, or posted classroom or middle school computer rules, the student may be subject to the loss of computer privileges and any other district disciplinary options as determined by the administration.

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 the middle school is a privilege, not a right.

Administration (Principal) will have final authority on usage of personal computers, pen drives, disks or other storage devices.

### **Computer Use Policies**

Students shall not:

Attempt to access or send email unless created by the school district.

Attempt to access chat rooms or personal gathering websites deemed inappropriate like myspace, facebook, etc.

Access or type in any Internet address (URL) unless directed to do so by their teacher.

Reveal their account password or shall not permit or authorize any other person to use their name or login password.

Gain unauthorized entry into a file, either to read or change information or transfer files.

Use another individual's account or vandalize another user's data.

Degrade damage or disrupt equipment or system performance.

Gain unauthorized access to network resources.

Download, install or load programs or disks onto a specific school computer.

Use the network to access and/or transmit material in violation of any U.S. or Commonwealth law, including copyrighted material.

Access, download, display, transmit, produce, generate, copy or propagate any material that is obscene or pornographic material; that advocates illegal acts, that contains ethnic slurs, or racial epithets; or that discriminates on the basis of gender, gender identity, national origin, sexual orientation, race, religion, ethnicity, disability or age.

Use of the Internet for personal commercial activities, product advertisement or political lobbying.

Refer also to the Internet Use Policy.

### **Dance Rules**

Dances are meant to be fun. It is everyone's hope that no problems arise. BUT just in case, we want everyone to know the rules.

Staff members and parents serving as chaperones have complete authority at dances and their directions are to be followed.

No student may leave the dance early without the permission from the staff member in charge of the event. If permission is granted, a student must call home and have a parent come to the school entrance before being allowed to leave.

All school rules apply – such as no profanity, no public display of affection, no rough housing, no hats, and no inappropriate clothing, etc. (see dress code) Any violation of student handbook rules and regulations may mean removal from the dance and follow up action with parents.

Students must wear shoes at all times that conform to school rules.

No guests from outside Athol-Royalston Middle School are allowed.

No moshing allowed – deliberate bumping and tossing of bodies too close.

Any use of alcohol, or drugs, inappropriate substances or possession of a weapon will mean immediate removal from the dance by police.

Students must attend school on the day of the dance in order to be able to go to the dance and must not be assigned to in-house suspension on the day of the dance (unless otherwise given permission by the administration).

Students may be removed from the dance, with a parent pick-up, for inappropriate behavior.

### **Delayed Opening and School Closing**

In the event of a storm, hazardous road conditions or other emergencies requiring schools to be closed and families will be alerted by the *One Call System*. No school or delayed openings will also be given over radio stations: Eagle (99.9 FM) in Orange, WJDF (97.3 FM) in Orange, WWLP (TV 22) in Springfield, WGGB (TV 40) in Springfield, WCVB (TV 5), WBZ (TV 4) in Boston, Fox Channel (TV 25), and CBS (TV 7).

#### **Directory Information**

Directory information is defined as: name, address, telephone number, date of birth, participation in officially recognized activities and sports, weight, height of members of athletic team, dates of attendance, and awards. Athol-Royalston Middle School reserves the right to exercise this judgment in releasing such directory information to requesting agencies, institutions, and individuals. It is the policy of this school to protect its students from invasion of privacy. The school will not release information when it is to be used for solicitation.

#### **Property Damage**

It is against the law to deface or damage public school property or the property of others. Parents and students will be held accountable for damage costs.

#### **Public Display of Affection**

Students are to refrain from displaying and/or participating in inappropriate public acts of affection on school premises. Such activity contradicts efforts to maintain acceptable decorum during school and at school activities. Students in violation of this policy will be subject to discipline as determined by the administration.

#### **Selling Gum/Candy Etc.**

Selling of any gum, candy, soda, snacks, etc. in school is not allowed by students unless under the direct supervision of a teacher. Selling of anything for personal profit is strictly against school rules.

#### **Smoking/Tobacco/E-Cigarette Products**

No one, including adults, is permitted to smoke on school grounds. Students who are in possession of cigarettes, lighters, or matches, on school grounds will face disciplinary consequences. Parents will be notified. The rule is simple: students are not to bring cigarettes, hold cigarettes or smoke a cigarette anywhere on school property. E-cigarettes and vapor cigarettes are included in this rule.

#### **Student Records**

Individual student records are on file in the school. They are open to parental review upon written request. The Principal will act on this request within 2 school days of the written request.

As set forth in the amended regulation, 603 CMR 23.07(5), non-custodial parents are eligible to obtain access to their children's student records *unless* the school or district has been given documentation that:

The parent has been denied legal custody or has been ordered to supervised visitation, based on a threat to the safety of the student and the threat is specifically noted in the order pertaining to custody or supervised visitation, or

The parent has been denied visitation, or

The parent's access to the student 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, or

There is an order of a probate and family court judge, which prohibits the distribution of student records to the parent.

#### **Substitute Teachers**

A substitute teacher is an important visitor whose impressions of our school will be carried into the community. Let us be certain that these are good impressions by being polite, helpful, respectful, and considerate. Students know what is expected when their regular teacher is present and no less is expected when a substitute teacher is with us for the day.

#### **Telephone Calls**

Classroom phones may be used by students with permission from the classroom teacher. School phones are not to be used for social calls. Incoming telephone calls or messages for students should be made on an emergency basis only. The occasional emergency message will be delivered to the student's classroom as soon as possible.

#### **Dress Code**

Students are expected to dress appropriately while attending school. Appropriate attire is that which is safe, does not call undue attention to the wearer, does not cause a disturbance in the school, does not promote or seem to promote the use of alcohol, tobacco, or illegal substances, and is not vulgar or profane.

If any item of clothing is viewed as inappropriate, students will be asked to fix the problem immediately. If necessary, parents will be contacted to bring a change of clothes. Students will not be allowed to return to class until the clothing issue has been remedied and may face disciplinary action.

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

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.

### **Drug, Alcohol or Intoxicant Incidents**

If, in light of reasonable suspicion, it becomes necessary to question a student, the following process will be followed:

The administrator or designee will hold a conference/interview with student regarding the issue. The investigation will continue as needed, which may include interviewing other students and/or searching the student and/or his/her locker with another adult present.

If necessary, the student will be given a GAZE NYSTAGMUS TEST (eye pupil dilation and movement test) by an administrator or nurse to determine eye response and its relationship to possible alcohol use. Parents will be notified if there is an issue. If the student refuses to cooperate with this test, the administrators without benefit of this information will make a judgment.

Once available information has been gathered, a collaborative conference will be held by the office administration to decide the course of action.

If, in the administrator's judgment, the student is found to be in violation, the following steps will take place:

Good faith effort will be made to notify parent/guardian or designated emergency contact. Student is to be immediately removed from school by a parent /guardian. If the school is unable to contact parent/guardian or designated emergency contact, or if said persons refuse to remove the student from school, the local police will be contacted and their usual procedures followed.

The due process procedure contained in Massachusetts General Laws Chapter 71, section 37H, 37H1/2, and 37H3/4 will be followed. (See Below.)

### **Drug Paraphernalia**

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.

### **Fire Safety Rules**

Students may not possess or ignite matches, lighters, or other flaming devices.

Students may not ignite any material except under supervised conditions, as, for example, in a laboratory experiment.

Setting fire to any material or property will be considered arson.

Students may not ignite or possess any incendiary device, firecracker, sparkler, stink bomb, etc.

Setting off a false fire alarm will be considered a criminal act as well as a violation of school rules.

### **Lockers and Belongings**

Student lockers are the property of the Athol-Royalston Regional School District and remain under control of the school.

Students should have no expectation of privacy of their contents stored in their assigned locker. The school reserves the right to inspect any locker at any time without student consent and without a search warrant. When it is possible the search will be conducted in the student's presence.

Students are expected to assume full responsibility for the locker and its contents.

Students will sign a locker usage form when the locker is used. A school lock will be provided if requested.

Locker combinations are to be kept confidential and students must not share combinations with other students.

Students are cautioned not to bring large amounts of money or other valuables to school, and if they wear glasses or watches, to keep track of them at all times.

The students, not the school, are responsible for their personal property.

The school is not responsible for lost or stolen items.

### **Lost and Found**

Articles unclaimed after a reasonable period of time will be donated to a charitable group.

### **Morning Announcements**

Information is provided in many different formats. It is the student's responsibility to listen to all announcements.

### **Public Display of Affection**

Students are to refrain from displaying and/or participating in inappropriate public acts of affection on school premises. Such activity contradicts efforts to maintain acceptable decorum during school and at school activities. Students in violation of this policy will be subject to discipline as determined by the administration.

### **Telephone Calls**

Classroom phones may be used by students with permission from the classroom teacher. School phones are not to be used for social calls. Incoming telephone calls or messages for students should be made on an emergency basis only. The occasional emergency message will be delivered to the student's classroom as soon as possible.

### **Visitors**

General Procedures:

Doors to the school will be locked during school hours. Visitors must ring the bell to be admitted into the school. Upon entering the school, all visitors must sign in at the main office and will be issued a visitor's pass. Parents/guardians are encouraged to visit the school and should contact the school to arrange details.

Students from other schools will not be permitted into the building during school hours unless given permission by an administrator.

### **Weapons/Banned Items**

Squirt guns, toy guns or knives, playing or trading cards, or other distracting items are not permitted on campus at any time without prior permission of administrators. A student violating the rule may face disciplinary action.

Matches and lighters are not allowed at ARMS for safety reasons. If any are found in a student's possession, it will result in (ISS or OSS).

All weapons, including but not limited to knives or any kind of guns, are banned from school. This includes penknives, exacto knives, laser pointers any other dangerous objects that could be used as weapons.

### **Student Code of Conduct**

The A.R.M.S. Code of Conduct, annually reviewed by the School Council and approved by the School Committee, is designed to provide all members of the school community with clear expectations regarding student behavior along with specific consequences for the violation of these expectations. It is the school's goal that all students can come to school in a safe and orderly educational and social environment and that they develop the necessary character, work-ethic, and sense of personal responsibility for students to be successful in school and in life.

While the infractions and consequences outlined below are meant to provide clear expectations for behavior, each disciplinary incident involves unique elements. Therefore, situations may be handled differently by the administration because of contributing factors.

For disciplinary actions that are deemed less severe in nature, a warning and/or parent notification may occur before first offense consequences are implemented. For those of a more serious nature, parent meetings may be required.

### **Descriptions**

**Conferences** are a formal warning where the school administration will clarify the behavior expectation and outline potential consequences for future infractions. These conferences are documented in a student's disciplinary record. Parents/guardians may participate in the conference or be contacted by the school administration to be informed of the purpose of the conversation.

**Teacher Detentions** are assigned by individual teachers or grade-level teams for violations of classroom academic or behavioral expectations. Students are expected to report to assigned detentions/extra help and to work productively. Any student who fails to report to the teacher detention or who refuses to work as asked will be referred to the administration.

**Office Detentions**, which are assigned from 2:00- 2:55, are formally recorded in a student's disciplinary record and result from a failure to report to a teacher detention or if he or she commits an infraction deemed by the administration to be serious in nature. After being assigned three office detentions, a student will face more severe consequences for poor behavior such as a Saturday detention or internal suspension.

**Saturday Detentions** will be scheduled on an as-needed basis and will be held from 8:00-11:00 AM. Saturday detentions are assigned at the discretion of the administration and are used with students for whom internal suspension has proven ineffective at changing poor behavior. They are also assigned for incidents of a less serious nature such as truancy, cutting class, chronic tardiness, excessive phone usage, or excessive referrals.

**In-School Restriction** is assigned when a student is unable to be in a classroom setting for disciplinary or other reasons and is held in the internal suspension room. All in-school suspension expectations and rules apply during this restriction period.

**In-School Suspension** is assigned to a student when a disciplinary offense warrants action more severe than detention but less severe than one that warrants an out-of-school suspension. Students assigned to in-school suspension must complete work sent to them. Those

who refuse to work productively may remain in in-school suspension until work is completed or may be assigned to a Saturday detention. Those who are assigned to a full-day of in-school suspension will not be allowed to participate in extracurricular activities on the day of the assigned suspension unless the administration feels an exception is warranted.

**Out-of-School Suspension** is assigned when a student has committed a serious disciplinary offense or when other consequences have proven ineffective at modifying behavior. Students who are suspended out-of-school may not attend school events and are prohibited from being on school grounds unless they have prior permission from school administration.

***Severe disciplinary infractions such as drug or alcohol possession, weapon possession, bullying, fighting/assault, and threats directed at faculty/staff will result in a long-term out-of-school suspension/possible exclusion hearing.***

### **Progressive Discipline, Additional Consequences, and Due Process**

The school's Code of Conduct provides a list of common infractions and the typical corresponding consequences for less severe violations of school rules. Consequences for such infractions range from detentions to short-term suspensions. Students who repeat the same offense will receive stronger penalties for subsequent offenses (at the discretion of the administration) which will likely include out-of-school suspension. The school administration reserves the authority to prevent students from participating in school events, keeping a leadership role, or being a member of a team if their behavior puts at risk other students or the reputation of the school. Students have the right to due process and appeal of decisions affecting them by faculty or the administration. The chain-of-command applies in processing such a complaint is as follows: teacher, principal, superintendent, school committee.

### **Disciplinary Infractions, Expectations, and Consequences**

The following is a list of common infractions of the school's Code of Conduct. Each infraction has its own unique set of circumstances and the school administration reserves authority to assign disciplinary consequences. The school administration also reserves the authority to take disciplinary action for other offenses not listed below.

|                                  |   |
|----------------------------------|---|
| <b>Infraction</b><br>Expectation | <b>Tardy to School</b><br>School starts at 7:30 AM. Those who repeatedly report late to school without a valid excuse will face disciplinary action.  |
| <b>Infraction</b><br>Expectation | <b>Tardy to Class</b><br>Students are expected to be in their assigned classroom on time. Those who report late to class without a valid pass will face disciplinary action.  |
| <b>Infraction</b><br>Expectation | <b>Full-Day Truancy</b><br>Students who are absent from school without a valid excuse will be considered truant and will face disciplinary and/or legal action.   |
| <b>Infraction</b><br>Expectation | <b>Cutting Class</b><br>Students are expected to report to their assigned classes. Those who are not in their assigned class without permission will be considered to be cutting class and will face disciplinary action.   |
| <b>Infraction</b><br>Expectation | <b>Cut Teacher Detention</b><br>Students who fail to report to an assigned teacher detention without a valid excuse will be considered to have cut the teacher detention and will face disciplinary action.   |
| <b>Infraction</b><br>Expectation | <b>Cut Office Detention</b><br>These detentions are not extra-help sessions and must be served in the designated office detention location. Students who fail to report to an office detention without a valid excuse will be considered to have cut the detention and will face disciplinary action.   |
| <b>Infraction</b><br>Expectation | <b>Cut Saturday Detention</b><br>Students who are assigned Saturday detentions are expected to report to the middle school at 8:00 and stay until 11:00. Students are also expected to bring enough work/material to last the duration of the detention. Those who have been assigned to Saturday detention because they could not properly behave in internal suspension –and cut Saturday detention – may face an out-of-school suspension. |
| <b>Infraction</b>                | <b>Leaving School Without Permission</b>  |

|                                  |  |
|----------------------------------|--|
| Expectation                      | Students are expected to report to school and remain for the entirety of the school day. Those who leave school without permission will face disciplinary action.  |
| <b>Infraction</b><br>Expectation | <b>Cell Phone/Electronics Violations</b><br>Students are expected to keep all electronic devices put away and out of view. Those found in use of electronic devices without explicit teacher permission will be expected to surrender the device until a parent/guardian can pick it up. Any student caught using an electronic device more than twice or refuse to surrender a device will face a Saturday detention.                                       |
| <b>Infraction</b><br>Expectation | <b>Food/Drink Violation</b><br>Students may consume food and drink outside of the cafeteria only with nurse, administration, or teacher permission. Those who consume food or drink without permission will face disciplinary consequences. Those who are asked to surrender food or drink items are expected to immediately do so.  |
| <b>Infraction</b><br>Expectation | <b>Dress Code Violation</b><br>Students are expected to dress in a manner that is safe and/or does not create a distraction to members of the school community. During warm weather, shorts may be worn but must be modest in nature. Hats, hoods, see-through attire, and tank-tops are not acceptable. At no point should undergarments be visible. Those who are in violation of the dress code will be required to make appropriate changes immediately. |
| <b>Infraction</b><br>Expectation | <b>Computer Violation</b><br>Students are expected to comply with the computer/internet acceptable use policy found in the student handbook. Failure to comply with the acceptable use policy will face disciplinary action. The disciplinary consequence will vary depending upon the nature of the violation. Action for the computer violation may be in addition to any disciplinary action for the offense that resulted from the infraction.           |
| <b>Infraction</b><br>Expectation | <b>Horseplay/Endangering Behavior (Teasing, Pushing, Throwing Objects)</b><br>Students are expected to conduct themselves in a manner that is safe and appropriate. Horseplay, roughhousing, or physically joking around can create an unsafe environment and those that engage in such behavior will face disciplinary consequences. Consequences will vary based on the nature of the action/activity.   |
| <b>Infraction</b><br>Expectation | <b>Disruptive Behavior</b><br>Students are expected to behave in a manner that supports the learning of all students. Those who engage in disruptive behavior will face disciplinary action. Consequences will vary based on the nature of the behavior of concern.  |
| <b>Infraction</b><br>Expectation | <b>Defiant Behavior</b><br>Students are expected to comply with all classroom rules and expectations. Those who blatantly disregard teacher/staff requests or defy rules or expectations will face disciplinary action. Consequences will vary based on the degree of defiance.  |
| <b>Infraction</b><br>Expectation | <b>Disrespectful Behavior</b><br>Students should act respectfully toward all members of the school community, as well appropriately toward the buildings and grounds. Failure to do so will result in disciplinary action and may include the assigning of community service in the building.  |
| <b>Infraction</b><br>Expectation | <b>Refusal to Follow a Staff Directive</b><br>Students are expected to follow all staff directives. Those who disagree with a reasonable directive should comply with the request and then express the concern to the teacher or an administrator at the appropriate time. Failure to comply with a staff directive will result in disciplinary action. Such action will vary based on the nature of the incident.   |
| <b>Infraction</b><br>Expectation | <b>Lying/Deceitful Behavior/Rudeness</b><br>Students are expected to be honest in their interactions with members of the school community. Those who are not truthful or attempt to deceive staff members will face disciplinary action.   |
| <b>Infraction</b><br>Expectation | <b>Tobacco Possession/Use</b><br>Students may not be in possession of tobacco products or any other products that contain nicotine or are designed to contain nicotine such as e-cigarettes and vaping devices. Those who are found in possession or use of such products will face disciplinary action.   |

**Infraction**  
Expectation

**Inciting a Fight**

Those who encourage others to fight, either in person or in an online forum, will be considered to be inciting a fight and will face disciplinary action

**Infraction**  
Expectation

**Harassment/Intimidation/Threats**

Harassment is unwanted, unwelcome, or uninvited behavior that demeans, threatens, or offends the victim and results in a hostile environment for the victim. Harassing behavior may include, but is not limited to, epithets, derogatory comments, slurs, lewd propositions, impeding movement, unwanted touching, and the posting of inappropriate images. Consequences for such behavior will depend on the nature of the activity.

**Infraction**  
Expectation

**Refusal to do Work**

To the best of their ability, students are expected to complete work that is assigned by a teacher. Those who blatantly refuse will face disciplinary consequences.

**Infraction**  
Expectation

**Inappropriate Language/Profanity/Obscenity**

Students are expected to speak and act in a manner that is appropriate and not offensive to others. Those who speak inappropriately or display images that are vulgar in nature will face disciplinary consequences. Those consequences will vary depending upon the nature of the activity.

**Infraction**  
Expectation

**Bus Misbehavior**

Expectations for behavior on buses are the same as they are in school. Students are expected to follow all driver requests. While electronic devices may be used on the bus (unless otherwise directed by the driver), they should not cause a distraction to others. Students must not take photographs or videos while on the bus. A student's privilege of riding the bus can be taken away. Disciplinary action taken by the administration will vary depending upon the nature of the behavior.

**Suspension Code: See Due Process for Suspensions**

**WHAT YOU SHOULD DO IF YOU ARE A VICTIM OF A HATE CRIME,  
HARASSMENT OR 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, 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, or exercise of civil rights. Any discrimination, speak to the District Administration Title IX Compliance Officers: Molly Superchi, 978-249-2430, 1062 Pleasant St. Athol, MA 01331, and Mary Jane Rickson, 978-249-2435, 2363 Main St. Athol, MA 01331. Harassment on the basis of race, color, religion, sex, national origin, age, disability, sexual orientation, 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:

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.

If the complaint is not resolved, it can then be appealed to the District Administration, the District's Equal Opportunity/Title IX/Section 504/A.D.A. 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.

The Equal Opportunity/Title IX/Section 504/A.D.A. 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.

The District's Equal Opportunity/Title IX Coordinator has been designated to respond to any questions about the district's policy, and is part of the review process for complaints or concerns about discrimination. Molly Superchi, 978-249-2430, 1062 Pleasant St. Athol, MA 01331, and Mary Jane Rickson, 978-249-2435, 2363 Main St. Athol, MA 01331 are the Title IX Coordinators.

**WHERE ELSE CAN YOU TURN FOR HELP?**

Your school should take appropriate action to protect you from physical harm and to stop hate-motivated harassment or intimidation and prevent it from happening again. If it does not, you should report the incident to one or more of the agencies listed below:

Massachusetts Department of Education (DOE)  
350 Main Street  
Malden, MA 02148

(617) 388-3000

The state DOE's Problem Resolution System allows you, your parents and others to file a complaint if you believe you have been harassed or discriminated against.

Massachusetts Office of the Attorney General, Civil Rights Division  
One Ashburton Place  
Boston, MA 02108

(617) 727-2200

The Attorney General's Civil Rights Division reviews complaints of harassment, intimidation and discrimination in schools and determines appropriate legal action, including obtaining a restraining order.

United States Department of Education, Office for Civil Rights  
John W. McCormack Building  
Post Office and Courthouse, Room 701  
Boston, MA 02109

(617) 223-9662

The Office for Civil Rights receives and investigates complaints of discrimination and harassment.

Massachusetts Commission Against Discrimination (MCAD)  
One Ashburton Place  
Boston, MA 02108

(617) 727-3990 or (413) 739-2145

The MCAD investigates complaints about discrimination in any public school program or course of study. Filing must occur within 6 months of the alleged discriminatory educational practice or harassment incident.

Massachusetts Department of Social Services (DSS)  
1-800-KIDS-508: Statewide Child Abuse/Neglect Reporting Line  
1-800-792-5200: Child at Risk Hotline/evenings, nights and weekends

DSS investigates reports involving a student under 18 years old who suffers physical or emotional injury from abuse (including sexual abuse) or severe neglect (including malnutrition).

United States Department of Justice  
Community Relations Service (CRS)  
99 Summer Street, Suite 1820  
Boston, MA 02110

(617) 424-5715

CRS is a specialized federal conciliation service that assists school districts to manage and prevent racial and ethnic conflicts and disruptions in schools.

#### OTHER RESOURCES

American Civil Liberties Union (ACLU) of Massachusetts (617) 482-3170

The ACLU provides free legal advice and advocacy to students and educates students on issues of discrimination, harassment, civil rights and civil liberties.

Anti-Defamation League (ADL) (617) 457-8800

The ADL provides advocacy, support and legal referral services to victims of hate crimes, harassment and discrimination. The ADL's "World of Difference" Program works with schools to fight anti-Semitism, prejudice, bigotry and racism.

Asian American Resource Workshop: SafetyNet Hate Violence Prevention Project (617) 426-5313

SafetyNet assists Asian Americans in reporting hate crimes and obtaining access to police, prosecutors and the court system, and provides free and confidential support and referral services. Interpretive services are available.

Boston Alliance of Gay & Lesbian Youth (BAGLY) 1-800-42-BAGLY or (617) 227-4313 (Main Office)

BAGLY is a youth-run, adult-advised social support group to discuss issues of concern to gay, lesbian, bisexual and transgender (GLBT) youth.

BAGLY also offers a peer counseling program and referrals to professional services.

Boston Asian: Youth Essential Services (YES) (617) 482-4243

Boston Asian YES provides violence prevention, counseling, crisis intervention, gang prevention and substance abuse services for Asian youth in the Greater Boston area.

Boston Gay and Lesbian Adolescent Social Services (GLASS) (617) 266-3349

Boston GLASS provides social services, peer support, educational opportunities and health promotion activities for LGBT and questioning young adults ages 25 and under.

Childhelp USA National Child Abuse Hotline 1-800-4-A-CHILD

The Child Abuse Hotline provides crisis counseling and referral to any caller in an abuse-related situation.

Children's Law Center of Massachusetts (781) 581-1977

The Children's Law Center represents students and provides advocacy and training on issues affecting the civil and legal rights of students and their education.

Coalition for Asian Pacific American Youth (CAPAY) (617) 287-5689

CAPAY is a youth-run organization that focuses on improving race relations, providing peer support and developing leadership skills for Asian Pacific-American youth.

Domestic Violence Ended (DOVE) Youth Hotline (617) 773-HURT or (617) 471-1235

DOVE's Youth Hotline provides a safe, confidential and anonymous place for young adults to talk about domestic violence issues and receive support and referral services.

Fenway Community Health Center (617) 267-2535 (Gay and Lesbian Peer Listening Line) (617) 267-0900, ext. 6250 (Violence Recovery Program)

The Peer Listening Line is staffed by volunteers who provide support to callers with questions regarding their sexual orientation and access to community services. The Violence Recovery Program provides support and referral services to victims of hate crimes and harassment.

Gang Peace (617) 989-1285

Gang Peace provides peer-based education and training to youth ages 9 through 25, with an emphasis on rehabilitating gang members and youth at risk, providing programs in violence prevention and intervention, crisis management, mediation and HIV education.

Gay & Lesbian Advocates & Defenders (GLAD) 1-800-455-GLAD or (617) 426-1350

GLAD provides legal information, referrals and may provide direct legal representation to students and their families to assist students who have been harassed or discriminated against on the basis of sexual orientation and/or HIV status.

Governor's Commission on Gay and Lesbian Youth (617) 727-7200, ext. 312

The Commission provides information about how to start a Gay/Straight Alliance (GSA) and how to find out about existing GSAs and other GLBT support services.

Governor's Task Force on Hate Crimes, Student Civil Rights Project of the Governor's Task Force on Hate Crimes

(617) 727-6300, ext.25339 Web site: [HYPERLINK "http://www.StoptheHate.org"](http://www.StoptheHate.org) <http://www.StoptheHate.org>

The Student Civil Rights Project receives reports of hate incidents and provides assistance and referrals for civil rights issues in schools.

La Alianza Hispana - Youth Outreach Program (617) 427-7175

La Alianza Hispana provides programs and services to the Latino community of Greater Boston, including intervention and referral services to victims of violence and harassment.

Lawyers' Committee for Civil Rights - Project to Combat Racial Hate (617) 482-1145The Lawyers' Committee provides free legal services to children and their families who have been harassed or discriminated against on the basis of race or national origin.

Massachusetts Advocacy Center (617) 357-8431

The Advocacy Center provides legal representation to income-eligible youth with special needs or disabilities and who face suspension or expulsion from school due to disciplinary concerns.

Massachusetts Office on Disability (MOD) 1-800-322-2020 or (617) 727-7440 (Voice and TDD)

MOD sponsors recreational and educational programs for youth with disabilities to share concerns about day-to-day issues and coping strategies, independence and self-care.

National Association for the Advancement of Colored People (NAACP)

Boston (617) 427-9494

New Bedford (508) 991-4416

Springfield (413) 734-2765

South Middlesex (508) 879-7612

Merrimack Valley (978) 975-5177

Cambridge (617) 661-9223

The NAACP provides counseling and legal referral services to African-American youth and empowers youth to resolve problems relating to violence, harassment and discrimination.

National Coalition of Advocates for Students (NCAS) (617) 357-8507

NCAS seeks equal access to quality public education for children of vulnerable groups, including children of color, children recently immigrated to the United States and children with disabilities.

National Conference for Community and Justice (617) 451-5010

The National Conference trains youth from diverse racial, ethnic and religious groups to develop leadership skills to address prejudice and intolerance and develop strategies for inclusion.

Samariteens 1-800-252-TEEN

Samariteens provides a free and confidential service staffed by teenage volunteers dedicated to assisting teenagers in need and also provides suicide prevention and intervention strategies.

Sociedad Latina (617) 442-4299

Sociedad Latina offers treatment and counseling services to Latino youth and programs designed to prevent HIV/AIDS transmission, substance abuse, teen pregnancy and domestic violence.

Urban League Eastern Massachusetts Office (617) 442-4519

Springfield Office (413) 739-7211

The Urban League provides services and advocacy programs relating to education for people of color, with a focus on poor and low-income urban areas.

## HATE CRIMES

You have the right to attend school without being the victim of physical violence, threats of harm, intimidation or damage to your personal property. A hate crime occurs when you or a fellow student is targeted for physical assault, threat of bodily harm or intimidation, at least in part because you are a member of a different race, color, religion, ethnic background, national origin, gender, gender identity, or sexual orientation from the offender or because you have a disability.

Certain types of language or conduct may indicate that a hate crime has occurred. Some indicators that a crime was hate-motivated include:

Use of racial, ethnic, religious, sexual or anti-gay slurs;  
Use of symbols of hate, such as a swastika or a burning cross;  
Similar behavior by the wrongdoer towards other students from the same racial, ethnic or religious group or against students of the same sexual orientation, gender identity, or gender; and  
The incident occurs while the victim was participating in an activity promoting a racial, religious, ethnic/national origin, disability, gender or sexual orientation group, such as attending a meeting of the National Association for the Advancement of Colored People (NAACP), a students' gay rights alliance, or a disability rights demonstration.

Hate crimes most frequently occur in the following ways:

A physical attack or a threat of bodily harm, on the basis of a student's race, color, religion, national origin, ethnic background, gender, gender identity, sexual orientation or disability; Intimidating or threatening language based on a student's race, color religion, national origin, ethnicity, gender, gender identity, sexual orientation or disability; Damage to a student's personal property or belongings because of the student's race, color, religion, national origin, ethnic background, gender, gender identity, sexual orientation or disability. Appropriate disciplinary action will be taken when there is a violation of the hate crime policy/rules. All disciplinary actions are at the discretion of the administration. These may range from a warning, to lunch suspension, to in-school suspension, to out of school suspension.

Erasing Hate  
A Guide to Your Civil Rights in School:  
Your Right to be Free From Discrimination, Harassment, and Hate-Motivated Violence

Attorney General Martha Coakley  
One Ashburton Place  
Boston, MA 02108  
617.727.2200

HYPERLINK "<http://www.ago.state.ma.us>" [www.ago.state.ma.us](http://www.ago.state.ma.us)

By joining together, we can erase hatred in our schools. I believe that all of us – students, teachers, school administrators, and law enforcement officials – share the responsibility to create a safe, diverse, and positive, learning environment that prepares young people for the world of the 21<sup>st</sup> century. We must celebrate our differences and applaud our diversity.

You have the right to learn in an environment that is free from hate-motivated violence, harassment, and discrimination based on race, color, religion, national origin, ethnic background, gender, gender identity, sexual orientation, or disability. This guide is designed to inform you of the laws protecting you against hate based crimes, as well as the resources available for reporting bias-motivated harassment, discrimination, or violence.

I am confident that, working together, we can ensure that all students in Massachusetts have access to an educational experience free from harassment and victimization by hate crimes. Sincerely,  
Martha Coakley

**Malicious Physical Abuse or Assault**

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.

A student who clearly assaults another may be subject to a complaint filed with District Court or local police.

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.

**Visitors**

**General Procedures**

Doors to the school will be locked during school hours. Visitors must ring the bell to be admitted into the school. Upon entering the school, all visitors must sign in at the main office and will be issued a visitor's pass. Parents/guardians are encouraged to visit the school and should contact the school to arrange details.

Students from other schools will not be permitted into the building during school hours unless given permission by an administrator.

**Home/Hospital Tutoring**

The school Principal will provide 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. Once this has been returned to the Special Education Office and approved by the Director of Special Education, the Special Education Office will initiate contact with a home tutor to plan services or contract with a hospital-assigned tutor and inform the Principal whom the tutor will be. 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, etc. and to change attendance status. The completed Physician Statement will remain on file in the Special Education Office.

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 educational 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.

**Health Issues**

The school nurse's function is to establish a comprehensive school health program consistent with the Massachusetts guidelines, regulations and statutes governing nursing, school health, and local school district policy.

### Health Screening

Vision screening will be conducted annually for 5<sup>th</sup> grade students.

7<sup>th</sup> grade students are screened yearly for vision and hearing loss; and height and weight is recorded.

Body Mass Index (BMI) screening will be conducted annually for 7<sup>th</sup> 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. Parent or guardian should notify the school nurse in writing should they feel that this screening is not necessary. All parents or legal guardians are advised to refer to the Athol-Royalston Regional School District Health Website for Growth and Development Screening.

Postural screening is provided to all students grade 5 through 8. If a parent or guardian refuses to have postural screening done by the school physician, written documentation provided by the family physician must be submitted to the school nurse.

Physical exams are required for 7<sup>th</sup> grade students and are required annually for all students before participation in competitive sports. The school physician will be available to perform these exams, with parental permission.

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.

Physician's evaluations should be returned to the nurse to be filed in the student's permanent health record.

### Illness/Injury

Students who are ill or injured must receive a pass from their teacher, and report to the Nurse's Office or the Main Office if the school nurse is unavailable. At no time should a student administer treatment to another student. 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. Early dismissal rules must be followed at this point.

### Immunizations

State law requires the following immunizations:

5<sup>th</sup> and 6<sup>th</sup> grade

Hepatitis B – 3 doses

DTaP/DTP – 4 doses

MMR - 2 doses measles, 1 mumps, 1 rubella

Varicella - 1 dose or physician certified reliable history of chickenpox

Polio – 3 doses

7<sup>th</sup>

Hepatitis B – 3 doses

DTaP/DTP 4 doses

Tdap – 1 dose

and

Polio

MMR – 2 doses

Varicella – 2 doses or physician certified reliable history of chickenpox

8<sup>th</sup>

–

3

grade

doses

### Medication Administration

Ideally, all medication should be given at home. If your child's physician feels it is necessary to receive medication during school hours, the school must receive the following:

A signed consent by the parent or guardian to give the medicine.

A signed medication order from your child's licensed prescriber.

Both of these forms are available from the school nurse and must be returned by the parent/guardian with the medication in a pharmacy or manufactured labeled container. This is applicable for all prescription and over the counter medications. No more than a thirty-day (30) supply of the medicine should be delivered to the school. Students are not allowed to carry any medication with them during school hours. A student will be allowed to carry an inhaler or epi-pen on his/her person provided the school nurse determines it is safe and appropriate and there is a physician's order to do so. Designated school staff may dispense medication when authorized to do so.

### Medical Excuses

Medical excuses are required for those students who cannot participate in physical education classes. A parental note will suffice for one gym class. After that, a note from a physician with the medical diagnoses, specifying the length and extent of the excused absence, must be submitted.

### Use of Elevator for Medical Reasons

If a student has a medical reason for using the school elevator, he/she must report to the nurse's office and receive a written pass to use the elevator.

### Academics

#### Academic Honesty

Cheating is to act dishonestly, to trick, or mislead regarding one's schoolwork. Plagiarism is taking another person's ideas, writings, or work, and passing it off as one's own. Any form of cheating or plagiarism is an act of dishonesty and is strictly prohibited. All students involved in such dishonesty are in violation of this rule and are subject to disciplinary action.

#### Cheating/Plagiarism Includes:

Copying of another student's test paper or any other school assignment

Using material during a test which is not authorized by the person giving the test

Knowingly using, buying, selling, stealing, transporting, or soliciting, in whole or part, the contents of a test or other assignment  
Substituting for another student or permitting another student to substitute for one's self to take a test or complete an assignment  
Bribing another person to obtain a test or other assignment that is to be administered  
Securing copies of a test or answers to a test or other assignment in advance of a test or assignment  
Copying or copy and pasting information from print or Internet sources without proper citation

### **Alternative Classroom Setting**

Students who continually disrupt the educational process in the classroom, and prevent other students from learning may be assigned to our alternative classroom for a period of time until the student learns to modify their disruptive behavior. Parents/guardians will be involved in this process with the goal of returning the student to the regular classroom setting.

### **Benchmarks and Targets**

Students have benchmarks in all subjects, which are tied to the state curricula, high school expectations, and real world requirements.

### **Extra Help**

Students or parents may seek extra help from teachers if the student does not understand an assignment, if the work is difficult, or if they have been absent and have missed assignments and class discussions.

A late bus (approximate 2:50 p.m. departure) is provided on Tuesdays, Wednesdays, and Thursdays to common stops in Athol and Royalston.

### **Homework**

There is always something to do each night. Students at least should be studying, reviewing, copying notes, reading, and organizing notebooks. Nightly assignments and studying usually requires one and one half hours.

If a student is absent from school for one day, he/she may make arrangements with classmates, or speak with the teachers the next day to get assignments or classroom notes. It is very difficult for the office to collect work for one day. If he/she will be absent for more than one day, parents/guardians may contact the Main Office.

### **Honor Roll**

Honor Roll – all classes are used for determining honor roll each quarter.

Gold – All 90's or above

Silver - All 80's or 90's (no grade lower than an 80%)

Bronze - All 80's or 90's, with one grade of 75% or higher permitted.

### **Library**

The middle school library is a learning center. The print and non-print materials are meant for student study, research, and browsing. The library is to be used in an orderly quiet manner. There are rules posted by the librarian, which must be followed. The following guidelines are to be followed at all times:

When you arrive at the library, check in at the main desk and present your library pass to the librarian.

You may not take materials out of the library unless you check them out through the librarian.

When you are ready to leave the library, please check out at the main desk with the librarian.

Other library rules are posted in the library. Please become familiar with these rules.

### **Make-Up Work**

Make-up work is the student's responsibility. If a student is absent for one day, he/she may make arrangements with classmates, or speak with their teachers the next day to get assignments or class notes. If s/he will be absent for more than one day, parents/guardians may contact the main office to request the homework assignments for the time the student will be out. Homework requested through the main office is available within 24 hours. Make-up work takes precedence over all extra-curricular activities including sports.

### **National Junior Honor Society**

To be eligible to apply for the ARMS National Junior Honor Society, 7<sup>th</sup> and 8<sup>th</sup> grade students must maintain silver or gold honor roll status. They must have no serious discipline issues. Students may be removed from NJHS for academic or disciplinary reasons. Students must also complete an application form on which they identify their participation in community service and leadership activities. Selection is made by a committee of teachers and administrators who rate the entire application package. Only those truly outstanding students in the areas of knowledge, leadership, service, and character are selected to the ARMS National Junior Honor Society.

### **Report Cards**

Quarterly report cards are distributed in November, February, April, and June.

Progress reports will be issued to all students halfway through each marking period.

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.

Separate grades will be given for conduct. Criteria include responsibility, self-control, respect for others, organization and preparation of work, attention, class participation, and use of time. Conduct will be graded as follows.

|                   |   |   |             |                |
|-------------------|---|---|-------------|----------------|
| 5 = Superior      | 2 | = | Improvement | Required       |
| 4 = Above Average | 1 | = |             | Unsatisfactory |
| 3                 |   | = |             | Average        |

A student is a candidate for retention if he/she fails two (2) or more major subjects (English/Language Arts, Mathematics, Social Studies, Science, and Unified Arts collective average) with a grade below 60 for the school year. Parents will be notified in writing at the beginning of the second semester if their child is in danger of being retained. Input from teachers, guidance personnel, parents, and the school administration will be sought; however, the final decision for retention rests with the administration.

A student who successfully completes a summer school program that is approved by the ARMS administration may be reconsidered for promotion.

Any eighth grade student who fails two or more subjects as listed previously will not be allowed to participate in the end of the year step-up ceremony.

### **A STUDENTS RIGHT TO LEARN**

All students have the right to learn in a disruption free environment.

### **Supplies and Materials**

Paper, notebooks, pens, pencils, etc., will not be supplied by the school. Students are expected to come to school prepared with supplies necessary to complete ordinary assignments.

### **Textbooks**

All students are expected to cover their textbooks and to replace the book jacket if it becomes worn during the school year. If a textbook is misused, a fee will be charged to repair the book. If a textbook is lost, it is to be paid for and another book will be issued.

### **Athletics and Activities**

Interscholastic sports are an important piece of the middle school experience. Students are encouraged to participate in grades 6, 7, and 8. Student eligibility for participation in interscholastic teams includes authorization by the school physician, written parent consent, and endorsement by the school Principal based on established school and MIAA rules.

The Athol-Royalston Regional School District adheres to a concussion policy for all students.

### **Sports Teams**

Subject to funding, teams may include the following: Baseball, Basketball, Cheerleading, Field Hockey, Football, Soccer, Softball, Track and Field, and Wrestling. User fees may apply.

### **Student Spectators**

Students are welcome to attend athletic competitions, but must leave school at dismissal time and return for the start of the game. Appropriate school behavior is expected at all athletic events. All school rules apply at these events.

### **Clubs and Activities**

Various clubs and activities may be offered throughout the school year. Students will be made aware of and may participate in activities/clubs that are offered.

### **Field Trips**

Teachers will provide students with a permission slip for field trips. These forms must be returned to the teacher prior to the day of the field trip. Students are expected to follow all school rules when on a field trip. A student who has consistently demonstrated poor attendance, continual tardiness, attitude or behavior problems, or who has not completed the required work may not be permitted to go on a field trip. This decision is up to the school administration.

**Athol-Royalston Regional School District**

**Handbook Policies, Laws, and Regulations**

***Equal Access & Non-Discrimination***

**ATTENDANCE LAWS**

School is compulsory for students under the age of sixteen. A student may be considered truant and court proceedings initiated when the student accumulates seven unexcused absences in a six-month period. (See MGL Ch. 76, S. 2).

**STUDENT RECORD REGULATIONS**

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

The Family Educational Rights and Privacy Act (FERPA) also specify 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 Kate Clark, Director of Pupil Services for the Athol-Royalston Regional School District at (978) 249-2400.

**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. 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.

## **EQUAL OPPORTUNITY GRIEVANCE PROCEDURE**

### **TITLE IX- CHAPTER 662**

### **NON-DISCRIMINATION**

In compliance with the requirements by the federal government (Title IX of the education Amendments of 1972, and the implementing regulations) and the Massachusetts state government (Chapter 622 of the Acts of 1971, and the implementing regulations) the Athol-Royalston Regional School District shall prohibit discrimination on the basis of race, color, national origin, religion, sex, age, disability, handicap and sexual orientation, gender identity, in regard to hiring practices by any and all schools and departments and also in regard to pupil admission to schools, courses of study, activities and any other opportunities for pupils made available within the School System.

Please see page 48 to review the procedure to have a complaint or concern about harassment or discrimination investigated. Any concerns or complaints regarding discrimination, please contact Molly Superchi, 978-249-2430, 1062 Pleasant St. Athol, MA 01331, and Mary Jane Rickson, 978-249-2435, 2363 Main St. Athol, MA 01331 the Title IX Coordinators for the district.

In addition, under Section 504 of the federal Rehabilitation Act of 1973, and other relevant law no otherwise qualified handicapped individual shall, solely by reason of a handicap, be excluded from the participation in, be denied the benefits of, or subjected to discrimination under any program or activity.

Any student or employee of the Athol-Royalston School District who believes he/she has been discriminated against, denied a benefit, or excluded from participation in any district education program or activity on the basis of sex, sexual orientation, disability, race, color, religion, gender identity, or national origin in violation of this policy, may file a written complaint.

A local complaint procedure has been established and any such complaint should be addressed to your students building principal.

The principal/assistant principal shall cause a review of the written complaint within ten working days after receipt of the written complaint. If the complainant is not satisfied with such response, he/she may submit a written appeal to the School Committee indicating with specifics the nature of the disagreement, stating his/her reasons for such disagreement. A copy of the written complaint shall then be provided to each member of the School Committee.

The School Committee shall consider the appeal which will be listed for action by the School Committee on the next regularly scheduled School Committee agenda. The School Committee shall permit the complainant to address the School Committee in public or in closed session, as appropriate and lawful. Any individual has the right at any time to address inquiries regarding their civil rights to the Office of Civil Rights, Boston, MA.

### **EQUAL EDUCATIONAL OPPORTUNITIES**

In recognition of the diversified characteristics and needs of our students and with the keen desire to be responsive to them, the committee will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration and sympathetic understanding of their personal feelings, particularly with reference to their race, creed, sex, sexual orientation, religion, nationality, gender identity, and disability.

To accomplish this, the committee and its staff will make every effort to comply with the letter and the spirit of the Massachusetts equal educational opportunities law (known as Chapter 622 of the Acts of 1971), which prohibits discrimination in public school admissions programs. The law reads as follows.

“No child shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantage, privileges and course of study of such public school on account of race, color, sex, disability, religion, gender identity, national origin or sexual orientation.”

This will mean that every student will be given equal opportunity in school admission, admissions to courses, course content, guidance and extracurricular and athletic activities.

### **AVAILABILITY OF IN-SCHOOL PROGRAMS FOR PREGNANT STUDENTS**

1. Pregnant students are permitted to remain in regular classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy, and after giving birth, are permitted to return to the same academic and extracurricular program as before the leave.
2. The district does not require a pregnant student to obtain the certification of a physician that the student is physically and emotionally able to continue in school.

### **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 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 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.

### **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  
Director of Pupil Personnel  
1062 Pleasant Street  
Athol, MA 01331  
(978) 249-2400

#### ***Student Safety***

### **TOBACCO FREE ZONE**

Use of any tobacco products 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.

### **ALCOHOLIC BEVERAGES IN SCHOOL**

Chapter 272, Section 40A. Whoever gives, sells, delivers or has in his 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 or other public board or officer, shall be punished by imprisonment for not more than thirty days or by a fine of not more than one hundred dollars, or both; provided, however, that a school committee of a city, town or district may authorize a public or nonprofit organization using a public school building with its permission during non school hours to possess and sell alcoholic beverages therein provided such nonprofit organization is properly licensed under the provisions of section fourteen of chapter one hundred and thirty-eight.

## **STUDENT DRESS**

Chapter 71, Section 83. School officials shall not abridge the rights of students as to personal dress and appearance except if such officials determine that such personal dress and appearance violate reasonable standards of health, safety and cleanliness.

## **EYE PROTECTION**

Chapter 71, Section 55C. Each teacher and pupil of any school, public or private, shall, while attending school classes in industrial art or vocational shops or laboratories in which caustic or explosive chemicals, hot liquids or solids, hot molten metals, or explosives are used or in which welding of any type, repair or servicing of vehicles, heat treatment or tempering of metals, or the milling, sawing, stamping or cutting of solid materials, or any similar dangerous process is taught, exposure to which may be a source of danger to the eyes, wear an industrial quality eye protective device, approved by the department of public health. Each visitor to any such classroom or laboratory shall also be required to wear such protective device.

## **IMMUNIZATION LAWS**

*MGL Ch.76, S. 15. No child shall, except as hereinafter provided, be admitted to school except upon presentation of a physician's certificate that the child has been successfully immunized against diphtheria, pertussis, tetanus, measles, and poliomyelitis and such other communicable diseases as may be specified from time to time by the Department of Public Health.*

## **ADMINISTERING OF MEDICINE IN SCHOOL**

The Athol-Royalston Regional School District Committee has adopted the state policies and procedures (105 CMR 210.00) concerning regulations governing the administration of prescription medications in public and private schools, and to adopt (105 CMR 210.007) training of school personnel responsible for administering prescription medication written by the Massachusetts Department of Public Health School Health Unit.

## **PHYSICAL RESTRAINT POLICY**

The Athol-Royalston Regional School District complies with the Department of Elementary and Secondary Education (DESE) restraint regulations, 603 C.M.R. 46.00 et seq., as required by law. These regulations apply not only while attending school, but also at school-sponsored events and activities, whether or not on school property. Copies of this law are available at <http://www.doe.mass.edu/lawsregs/603cmr46.html>, and in the office of the principal.

The Athol-Royalston Regional School District uses non-violent restraint such as redirection, escorts to quiet areas, talking to students and other such methods. Physical restraint is only used as a last resort.

## **PROHIBITION AGAINST FIREARMS IN SCHOOLS**

Chapter 269, Section 10. Whoever, not being a law enforcement officer, and notwithstanding any license obtained by him under the provisions of chapter one hundred and forty, carries on his person a firearm as hereinafter defined, loaded or unloaded or other dangerous weapon in any building or on the grounds of any elementary or secondary school, college or university without the written authorization of the board or officer in charge of such elementary or secondary school, college or university shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both. For the purpose of this paragraph, "firearm" shall mean any pistol, revolver, rifle or smoothbore arm from which a shot, bullet or pellet can be discharged by whatever means.

Any officer in charge of an elementary or secondary school, college or university or any faculty member or administrative officer of an elementary or secondary school, college or university failing to report violations of this paragraph shall be guilty of a misdemeanor and punished by a fine of not more than five hundred dollars.

## **SCHOOL SEARCH AND SEIZURE**

To maintain order and discipline in the schools and to protect the safety and welfare of students and school personnel, school authorities may search a student, student lockers or student automobiles under the circumstances outlined below and may seize any illegal, unauthorized, or contraband materials discovered in the search.

A student's failure to permit searches and seizures as provided in this policy will be considered grounds for disciplinary action.

### **1. PERSONAL SEARCHES**

A student's person and/or personal effects (e.g., purse, book bag, etc.) may be searched whenever a school authority has reasonable suspicion to believe that the student is in possession of illegal or unauthorized materials.

If a pat down search of a student's person is conducted it will be conducted in private by a school official of the same sex and with an adult witness present, when feasible.

If extreme emergency conditions require a more intrusive search of a student's person such a search may only be conducted in private by a school official of the same sex, with an adult witness of the same sex present and only upon the prior approval of the school superintendent or one of his/her designees, unless the health or safety of students will be endangered by the delay which might be caused by following these procedures.

2. LOCKER SEARCHES

Student lockers are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their lockers. Periodic general inspections of lockers may be conducted by school authorities for any reason at any time without notice, without student consent, and without a search warrant.

3. AUTOMOBILE SEARCHES

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. The interiors of student vehicles may be inspected whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.

Legal references: State v. F.W.E., 360 SO. 2D 148 (FLA. APP. 1978), ZAMORA v. POMEROY, 639 F.2D 622 (10<sup>th</sup> CIR. 1981), State v. D.T.W. 425 SO. 2D 1383 (FLA.APP.1983)

**19J POLICY SOLICITATIONS BY STUDENTS**

The Athol-Royalston Regional School District shall strive to safeguard the students and their parents from money raising plans of outside organizations, commercial enterprises and individuals.

This policy applies particularly to ticket sales and sales of articles or services except those directly sponsored or handled by the school authorities.

School sponsored or school approved activities must have the approval of the principal who will submit the proposal to the school committee in advance for information. Door to door sales projects are discouraged by the committee, but may be conducted by individual parent or student groups. Students in grades K-8 are required to be accompanied by a parent or guardian. Students in grades 9-12 need not be accompanied by a parent or guardian. Such sales will be limited to family and friends only and solicitation will not take place in public places (e.g. stores, malls, post offices, etc). Administrators and teachers will not be responsible for the distribution of materials or the collection of funds. Any such project shall be for the benefit of the students enrolled in schools only. The secondary students shall be involved in determining how the money raised shall be spent.

All participants shall be voluntary with written parent consent. On all school committee, approved projects, published information related to advertising, tickets, and other materials must carry the name of the sponsor. The use of the title, Athol-Royalston Regional School District, shall not be used on any materials, notices or advertising without the specific consent of the school committee.

The administrators of the school sponsoring the fundraising activities shall be responsible for the proper administration of each project in accordance with the provisions of the state law and appropriate accounting practices and procedures. All monies collected shall be deposited in the proper school account, subject to the administration of the regional school treasurer, such as, high school revolving account; middle school revolving accounts, elementary trust fund.

**DISTRIBUTION OF PRINTED MATERIALS**

Students of the Athol-Royalston Regional School District may distribute such materials with the approval of the building principal, at a place and time designated by the principal. Such place and time shall be determined to avoid disruption of the educational process. The committee instructs the principal to take appropriate legal action against distributors of printed materials deemed obscene or libelous or otherwise in violation of the law under the Commonwealth of Massachusetts or of the United States of America.

The school committee recognizes that distribution of such materials on public property, not part of the school premises, is not within its jurisdiction. Therefore, students may distribute such printed materials on the sidewalk area along Main Street or other approaches to

the school as they see fit. The committee cautions students that they are not immune from prosecution for offenses against the laws of obscenity and libel and other pertinent statutes.

## **ATHOL-ROYALSTON REGIONAL SCHOOL DISTRICT INTERNET USE POLICY**

### **Overview**

The Internet is an electronic communications network which provides vast, diverse and unique resources. Our goal in providing this service to teacher, staff and ultimately students, is to promote educational excellence in the Athol-Royalston Regional School District by facilitating resource sharing, innovation and communication.

With access to computers and people all over the world also comes the availability of material that may not be considered to be of educational value in the context of the school setting. There may be some material or individual communications which are not suitable for school-aged children. The Athol-Royalston Regional School District views information gathered from the Internet in the same manner as information gathered from other reference materials identified by the schools. Specifically, the district supports resources that will enhance the learning environment with directed guidance from the faculty and staff. Exploration and utilization of resources is encouraged. However, it is impossible to control all materials on a global network and an industrious user may discover inappropriate information.

In the schools, student access to, and use of, the Internet will be available through a school designated account and will be carried out at teacher direction and monitored as any other classroom activity. Training will be provided. Every school complies with the CIPA (Children's Internet Protection Act. The school district, however, cannot prevent the possibility that some users may access material that is not consistent with the educational mission, goals and policies of the school district.

### **Guidelines**

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. Internet access is a privilege, not a right. It shall be the policy of the Athol-Royalston Regional School District that every student who uses the District's internet connection shall have on file, at each school that the student attends, the official "Athol-Royalston Regional School District Contract Regarding the Use of the Internet" which is signed and dated by both the student and a parent/guardian. The Principal of each school shall be responsible for adherence to this policy and place such contracts in the student's temporary file. If a district user violates any of the acceptable use provisions outlined in this document, his/her account will be terminated and future access will be denied. Some violations may also constitute a criminal offense and may result in legal action. Any use violating these provisions, applicable state and federal laws, or posted classroom and district policies, is subject to loss of access privileges and any other district disciplinary options.

#### **1) Acceptable Use**

- Student use must be in support of education and research consistent with curriculum
- Student use must be consistent with the rules appropriate to any network being used/accessed.

#### **2) Unacceptable Use**

- Unauthorized use of copyrighted material is prohibited.
- Threatening or obscene material is prohibited.
- Distribution of material protected by trade secret is prohibited.
- Use for commercial activities is not acceptable.
- Product advertisement or political lobbying is prohibited.
- Plagiarism is prohibited.

#### **3) Netiquette**

- Do not watch when others type in their passwords.
- Be polite.
- Do not use vulgar or obscene language.
- Do not reveal your own home address, telephone #, or telephone # of others.
- Use caution when revealing your school address or e-mail number (or those of others).
- Electronic mail is not guaranteed to be private.
- Do not intentionally disrupt the network or other users.
- Abide by generally accepted rules of network etiquette.

#### **4) Security**

- If you identify a security problem, notify a teacher/administrator immediately.
- Do not show or identify a security problem to others.
- Do not reveal your account password or allow another person to use your account.
- Do not use another individual's account.

- Attempts to log on as another user will result in cancellation of your privileges.
- Any user identified as a security risk or having a history of problems with other computer systems may be denied access.
- The student user must notify their teacher/administrator of any change in account information.
- The student user may be occasionally required to update registration, password and account information in order to continue Internet access.
- The student user must use school accounts on school grounds.

**5) Vandalism/Harassment**

- Vandalism is defined as any malicious attempt to harm or destroy data or another user, the Internet or other networks. This includes, but is not limited to, creating and/or uploading computer viruses. Harassment is defined as the persistent annoyance of another user or the interference in another user’s work. This includes, but is not limited to, the sending of unwanted e-mail.
- Vandalism and/or harassment will result in the cancellation of privileges.

**6) Penalties**

- Any user violating these provisions, applicable state and federal laws or posted classroom and district rules is subject to loss of privileges and any other district disciplinary options, including criminal prosecution.
- School and district administrators will make the determination as to what constitutes unacceptable use and their decision will be final.

The Athol-Royalston Regional School District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The Athol-Royalston Regional School District will not be responsible for any damages a user may suffer, including loss of data. The District will not be responsible for the accuracy or quality of information obtained through this Internet connection.

All terms and conditions as stated in this document are applicable to all users of the Internet. These provisions reflect an agreement of the parties and shall be governed and interpreted in accordance with the laws of the state of Massachusetts and the United States of America.

***Student Discipline***

**REGULATIONS AND LAWS REGARDING STUDENT DISCIPLINE**

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.

Due process is a right of all students. The standards for minimum due process for suspensions from school for ten days or less are set forth in Goss v. Lopez.

To ensure the safety of all students and faculty, the following laws, memorandums, and case law also affect students and teachers in the Athol-Royalston Regional School District.

**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.

The District shall make appropriate procedures for the discipline of with disabilities and students with Section 504 Accommodation Plans. 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 it’s 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's 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/bzca/](http://www.doe.mass.edu/bzca/) 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 PLAN**

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.

## **DUE PROCESS FOR SUSPENSIONS**

### **NOTICE OF PROPOSED SUSPENSION**

Except in the case of an emergency removal or disciplinary offense defined under M.G.L. c. 71, §§37H or 37H½ or an in-school suspension as defined by 603 CMR 53.02(6), the school shall provide the student and parent/guardian with written and oral notice of the proposed out-of-school suspension, an opportunity to be heard at hearing, and the opportunity to participate at the hearing. Notice shall set forth in plain language:

- a) the disciplinary offense;
- b) the basis for the charge;
- c) the potential consequences, including the potential length of the student's suspension;
- d) the opportunity for the student to have a hearing with the principal concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent/guardian to attend the hearing;
- e) the date, time, and location of the hearing;
- f) the right of the student and student's parent/guardian to interpreter services at the hearing if needed to participate;

The principal shall make reasonable efforts to notify the parent/guardian orally of the opportunity to attend the hearing. In order to conduct a hearing without the parent/guardian present, the principal must be able to document reasonable efforts to include the parent/guardian. Reasonable effort is presumed if the principal sent written notice and documented at least two attempts to contact the parent/guardian in the manner specified by the parent/guardian for emergency situations.

All written communications regarding notice of proposed suspension shall be either by hand delivery or delivered by first-class mail, certified mail, or email to address provided by the parent/guardian for school communications (or other method agreed to by the principal and parent/guardian) in English, and in the primary language in the home if other than English, or other means of communication where appropriate.

### **SHORT-TERM SUSPENSIONS: HEARING AND PRINCIPAL DETERMINATION**

A short-term suspension is the removal of the student from the school premises and regular classroom activities for ten (10) consecutive days or less. Out-of-school short-term suspensions which do not cumulatively over the course of the school year exceed ten (10) days of suspension shall be conducted in accordance with this section.

**Principal Hearing.** The purpose of the hearing with the principal is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student has committed the disciplinary offense, the basis for the charge, and any other pertinent information. The student shall have an opportunity to present information, including mitigating facts. A parent/guardian present at the hearing shall have the opportunity to discuss the student's conduct and offer information, including mitigating circumstances.

Based on the available information, including mitigating circumstances, the principal will make a determination whether the student committed the disciplinary offense, and if so, the consequence. The principal will provide notification in writing of his/her determination in the form of an update to the student and parent/guardian, and provide reasons for the determination. If the student is suspended, the principal shall inform the parent/guardian of the type and duration of the suspension, and shall provide an opportunity for the student to make up assignments and other school work as needed to make academic progress during the period of removal. If the student is in grades pre-k through 3, the principal shall send his/her determination to the superintendent and explain the reasons prior to imposing an out-of-school suspension, before the short-term suspension takes effect.

All written communications regarding the hearing and principal determination shall be either hand delivery or delivered by first-class mail, certified mail, or email to the address provided by the parent/guardian for school communications (or other method agreed to by the principal and parent/guardian) in English, and in the primary language in the home if other than English, or other means of communication where appropriate.

### **LONG-TERM SUSPENSIONS: HEARING AND PRINCIPAL DETERMINATION**

A long-term suspension is the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year. The purpose of the hearing with the principal is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student has committed the disciplinary offense, the basis for the charge, and any other pertinent information. The student shall have an opportunity to present information, including mitigating facts, that the principal will consider in determining whether alternatives to suspension such as loss of privileges, detention, an apology, a student contract, restitution, and/or probation are appropriate.

Additionally, the student shall have the following additional rights:

- i. In advance of the hearing, the opportunity to review the student's record and the documents upon which the principal may rely in making a determination to suspend the student or not;
- ii. the right to be represented by counsel or a lay person of the student's choice, at the student's and or parent's/guardian's expense;
- iii. the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so; and
- iv. the right to cross-examine witnesses presented by the school district;
- v. the right to request that the hearing be recorded by the principal. All participants shall be informed that the hearing is being recorded by audio. A copy of the audio recording will be provided to the student or parent/guardian upon request.

Based on the evidence submitted at the hearing the principal shall make a determination as to whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension (the use of evidence-based strategies and programs, such as mediation, conflict resolution, restorative justice, and positive interventions and supports) what remedy or consequence will be imposed. If the principal decides to impose a long-term suspension, the written determination shall:

- i. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
- ii. Set out key facts and conclusions reached by the principal;
- iii. Identify the length and effective date of the suspension, as well as a date of return to school;
- iv. Include notice of the student's opportunity to receive a specific list of education services to make academic progress during removal, and the contact information of a school member who can provide more detailed information.
- v. Inform the student of the right to appeal the principal's decision to the superintendent or his/her designee (only if a long-term suspension has been imposed) within five (5) calendar days, which may be extended by parent/guardian request in writing an additional seven (7) calendar days.

The long-term suspension will remain in effect unless and until the superintendent decides to reverse the principal's determination on appeal.

If the student is in grades pre-k through grade 3, the principal shall send his/her determination to the superintendent and explain the reasons prior to imposing an out-of-school suspension, whether short-term or long-term, before the suspension takes effect.

All written communications regarding the hearing and principal determination shall be either hand delivery or delivered by first-class mail, certified mail, or email to the provided by the parent/guardian for school communications (or other method agreed to by the principal and parent/guardian) in English, and in the primary language in the home if other than English, or by other means of communication where appropriate.

### **APPEAL OF LONG-TERM SUSPENSION**

A student who is placed on a long-term suspension shall have the right to appeal the principal's decision to the superintendent if properly and timely filed. A good faith effort shall be made to include the parent/guardian at the hearing. The appeal shall be held within three (3) school days of the appeal, unless the student or parent/guardian requests an extension of up to seven (7) additional calendar days, which the superintendent shall grant.

The student and parent/guardian shall have the same rights afforded at the long-term suspension principal hearing. Within five (5) calendar days of the hearing the superintendent shall issue his/her written decision which meets the criteria required of the principal's determination. If the superintendent determines the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than that of the principal. The superintendent's decision shall be final.

### **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.

During the emergency, removal the principal shall make immediate and reasonable efforts 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.

#### **IN-SCHOOL SUSPENSION UNDER 603 CMR 53:02(6) & 603 CMR 53.10**

In-school suspension is defined as the removal of a student from regular classroom activities, but not the school premises, for not more than ten (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions over the course of the school year.

A Principal may impose an in-school suspension as defined above according to the following procedures:

The principal shall inform the student of the disciplinary offense charged and the basis for the charge, and provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident. If the principal determines that the student committed the disciplinary offense, the principal shall inform the student of the length of the student's in-school suspension, which shall not exceed ten (10) days, cumulatively or consecutively, in a school year.

On the same day as the in-school suspension decision, the principal shall make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The principal shall also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the principal is unable to reach the parent after making and documenting at least two (2) attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.

The principal shall send written notice to the student and parent about the in-school suspension, including the reason and the length of the in-school suspension, and inviting the parent to a meeting with the principal for the purpose set forth above, if such meeting has not already occurred. The principal shall deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or by other method of delivery agreed to by the principal and the parent.

#### **SUSPENSION OR EXPULSION FOR DISCIPLINARY OFFENSES UNDER M.G.L. 71 §§37H and 37H½**

The due process notification and hearing requirements in the preceding sections do not apply to the following disciplinary offenses:

Possession of a dangerous weapon, possession of a controlled substance, or assault of staff

A student may be subject to expulsion if found in possession of a dangerous weapon, possession of a controlled substance, or the student assaults a member of educational staff, and the principal determines the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

The Principal shall notify the student and parent(s)/guardian(s) in writing of the opportunity for a hearing, and the right to have representation at the hearing, along with the opportunity to present evidence and witnesses. After said hearing, a principal may, in his/her discretion, decide to levy a suspension rather than expulsion. A student expelled for such an infraction shall have the right to appeal the decision to the Superintendent. The expelled student shall have ten (10) days from the date of the expulsion in which to notify the Superintendent of his/her appeal. The student has the right to counsel at the hearing before the Superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student was guilty of the alleged offense.

#### **Felony complaint or issuance of felony delinquency complaint**

Upon the issuance of a criminal complaint charging a student with a felony, or the issuance of a felony delinquency complaint against a student, the Principal may suspend a student for a period of time determined appropriate by the Principal 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.

The Principal shall notify the student in writing of the charges, the reasons for the suspension (prior to such suspension taking effect), and the right to appeal. The Principal will also provide the student and parent(s)/guardian(s) the process for appealing the suspension to the Superintendent. The request for appeal must be made in writing within five (5) calendar days. The hearing shall be held within three (3) days of the request. The suspension shall remain in effect prior to any appeal hearing before the Superintendent. At the hearing, the student shall have the right to present oral and written testimony, and the right to counsel. The Superintendent has the authority to overturn or alter the decision of the Principal. The Superintendent shall render a decision on the appeal within five (5) calendar days of the hearing.

#### **Felony conviction or adjudication/admission in court of guilt for a felony or felony delinquency**

The Principal may expel a student convicted of a felony, or has an adjudication or admission of guilt regarding a felony, 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.

The student shall receive written notification of the charges and reasons for the proposed expulsion. The student shall also receive written notification of his right to appeal the decision to the Superintendent, as well as the appeal process. The expulsion shall remain in effect prior to any appeal hearing conducted by the Superintendent.

The student shall notify the Superintendent in writing of his/her request for an appeal the decision no later than five (5) calendar days following the date of the expulsion. The Superintendent hearing shall be held with the student and parent(s)/guardian(s) within three (3) calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony, and shall have the right to counsel. The Superintendent has the authority to overturn or alter the decision of the Principal. The Superintendent shall render a decision on the appeal within five (5) calendar days of the hearing.

Any student expelled from school for such an offense shall be afforded an opportunity to receive educational services and make academic progress.

#### **STUDENT ARRESTED**

The Principal of the school may suspend, exclude or place on academic 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 academic probation and may not participate in any extracurricular activities, i.e., sports, student council, class offices, NHS, plays, dances. When a student is placed on academic probation he/she will have the right to attend school during the academic day only. The duration of the academic probation will be determined by the principal. (Refer to MGL Chapter 71, Section 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.

#### **DISRUPTION AND HARASSMENT OF SCHOOL ACTIVITIES**

Any student or group of students who disturb or harass students and school activities will be subject to immediate suspension from school and possible exclusion by the building principal, or may be expelled by the school committee.

#### **CHAPTER 722 - AN ACT INCREASING THE PENALTIES FOR DEFACTING 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.

## ***Harassment & Bullying***

### **SEXUAL HARASSMENT POLICY**

#### **I. Definition of Sexual Harassment**

In Massachusetts, the legal definition for sexual harassment is this:

“Sexual harassment” means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- (a) Submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of basis for employment decisions or education development.
- (b) Submission to or rejection of such conduct by an individual is used as the basis for employment or education decisions affecting such individual.
- (c) Such conduct has the purpose or effect of unreasonably interfering with an individual’s work or educational performance or creating an intimidating, hostile or offensive working or educational environment.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating, or humiliating to male or female workers or students may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its persuasiveness:

- Unwelcome sexual advances - whether they involve physical touching or not;
  - Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one’s sex life; comment on an individual’s body, comment about an individual’s sexual activity, deficiencies, or prowess;
  - Displaying sexually suggestive objects, pictures, cartoons;
  - Inquiries into one’s sexual experiences; and,
  - Discussion of one’s sexual activities.
- All employees and students should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individual for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by this organization.

#### **II. Complaints of Sexual Harassment**

If any of our employees or students believe that he or she has been subjected to sexual harassment, they have the right to file a complaint with our organization in writing or orally. If you would like to file a complaint, you may do so by contacting the Superintendent of Schools, 1062 Pleasant Street, Athol, MA. 01331, (978)249-2400.

This person is also available to discuss any concerns you may have and to provide information to you about our policy on sexual harassment and our complaint process.

#### **III. Sexual Harassment Investigation**

When we receive the complaint, we will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way to maintain confidentiality to the extent practicable under the circumstances. Our investigation will include a private interview with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed sexual harassment. When we have completed our investigation, we will, to the extent appropriate inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation. If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate we will also impose disciplinary action.

#### **IV. Disciplinary Action**

If it is determined that inappropriate conduct has been committed by one of our employees, we will take such action as is appropriate under the circumstances. Such action may range from counseling to termination from employment or suspension from school, and may include such other forms of disciplinary action, as we deem appropriate under the circumstances.

#### **V. State and Federal Remedies**

In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint subjected to sexual harassment, you may file a formal complaint with either or both of the government agencies set forth below.

Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC - 180 days; MCAD - 6 months).

1. The United States Equal Employment Opportunity Commission (EEOC), 1 Congress Street - 10th floor, Boston, MA 02114 (617) 565-3200
2. The Massachusetts Commission against Discrimination (MCAD)

|                  |                       |
|------------------|-----------------------|
| Boston Office:   | Springfield Office    |
| Room 601         | Room 220              |
| Boston, MA 02108 | Springfield, MA 01103 |
| (617) 727-3990   | (413) 739-2145        |

## **SEXUAL HARASSMENT POLICY/COMPLAINT PROCEDURE FOR STUDENTS**

### **PURPOSE**

To create for all Athol-Royalston Regional School District students a study environment free of sexual harassment.

The Athol-Royalston Regional School District is committed to safeguarding the right of all persons associated with the Athol-Royalston Regional School District, including students, employees, school committee members and volunteers to a work and educational environment that is free from all forms of sexual harassment. Therefore, the Athol-Royalston Regional School District condemns and prohibits all 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 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. In these circumstances, the School's attorney will be immediately contacted to give advice and guidance on how to process these actions with the appropriate authorities.

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 at once.

Management representatives are charged with the responsibility of discouraging any sexually harassing behaviors within or outside of their areas of supervision. 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. No person will suffer retaliation or intimidation as a result of using the internal 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 Coordinators for the Athol-Royalston Regional School District are:

Molly Superchi, 978-249-2430, 1062 Pleasant St. Athol, MA 01331  
Mary Jane Rickson, 978-249-2435, 2363 Main St. Athol, MA 01331

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

### **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:**

1. Assault, inappropriate touching, intentionally impeding movement, comments, gestures, or written communications of a suggestive or derogatory nature.
2. Continuing to express sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction between peers is not considered sexual harassment.)
3. Implying or actually withholding grades earned or deserved, suggesting that a poor performance evaluation will be prepared, or suggesting that a scholarship recommendation or college application will be denied.
4. Coercive sexual behavior used to control, influence or affect the educational opportunities, grades and/or the learning environment of a student.
5. 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.

**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 directly to the Superintendent. The administrator and/or Superintendent are to 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 Superintendent and the Title IX Coordinator will look at the totality of the circumstances and the context in which the alleged incidents occurred. They 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 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 immediately 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 Superintendent and 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 complaint must be signed by the complainant. 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 ten 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 hearing. If the complainant and respondent agree to pursue mediation, a date mutually acceptable to both parties will be set within ten working days. If the mediation results in a mutually acceptable agreement, copies of the agreement will be forwarded to both parties. If the mediation does not result in an agreement, the case will be forwarded to the Superintendent for a hearing unless the Superintendent is the alleged harasser in which case the hearing will be before the Athol-Royalston Regional School Committee.
5. When a hearing is requested, the Title IX Coordinator will inform the Superintendent or the School Committee, as the case may be, and the case 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 pursuant to M.G.L., c. 71, § 42.

#### **FORMAL HEARING**

1. The purpose of the Superintendent or School Committee Hearing is to determine whether the school system's policy on sexual harassment has been violated, and, if so, to determine the appropriate consequences for the violation.
2. Both parties will be given a full and fair hearing. The proceeding, although formal, is not a court proceeding and the Superintendent or School Committee is not bound by the procedures and rules of evidence of a court of law. In most instances, complainants and respondents will be expected to speak for themselves, although, if desired, each party may be accompanied by counsel or an advocate.
3. The presiding officer of the hearing may have counsel present for purposes of assisting in the orderly conduct of the hearing and the questioning of witnesses. The complainant and the respondent will be asked to clarify the issues and to define the areas of disagreement. To encourage a fair and focused hearing, at the start of the proceedings the points of agreement and disagreement will be reviewed. The Superintendent or the Committee, as the case may be, will hear testimony and consider whether the School Committee Policy on Sexual Harassment has been violated, and, if so, will recommend appropriate consequences.
4. The presiding officer will:
  - a. ensure an orderly presentation of all evidence;
  - b. ensure that the proceedings are accurately recorded by means of a tape or stenographic recording; and

- c. see that a decision is issued no later than ten working days after the conclusion of the hearing or, when written arguments are submitted, ten working days after their submission.
5. The Superintendent or the Committee, as the case may be, will:
- a. conduct a fair and impartial hearing which ensures the rights of all parties involved;
  - b. define issues of contention;
  - c. receive and consider all relevant evidence which reasonable people customarily rely upon in the conduct of serious business;
  - d. ask relevant questions of the complainant, respondent, and any witnesses if needed to elicit information which may be of assistance in making a decision; and
  - e. ensure that the complainant and respondent have full opportunity to present their claims orally or in writing, and to present witnesses and evidence which may establish their claims.

**DECISION OF THE SUPERINTENDENT OR THE COMMITTEE**

- 1. After all the evidence, testimony, and written arguments have been presented, the committee will convene for deliberations to determine whether the school system’s policy on sexual harassment has been violated. If the Committee finds after a roll call vote that the policy has not been violated, that fact will be registered in the records of the hearing, and the written decision will be forwarded to the complainant and the respondent no later than fifteen working days after completion of the hearing.

In hearings before the Superintendent, if the Superintendent finds that the policy has not been violated, the Superintendent will issue a written decision to the complainant and the respondent no later than fifteen working days after the completion of the hearing.

- 2. If the Committee finds after a roll call vote that the charge of violating the District’s policy on sexual harassment has been substantiated, the hearing Committee will prepare findings and will determine a penalty for the respondent and relief for the complainant. The Committee will issue such decision to the complainant and the respondent no later than fifteen working days after the completion of the hearing.

In hearings 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 fifteen working days after the completion of the hearing.

The findings of fact as well as the penalty and relief will be based solely on the testimony and evidence presented at the hearing.

- 3. 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. 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.

**BULLYING**

Bullying or harassment of any type, including cyber-bullying, will not be tolerated and may result in suspension or exclusion from AHS. Bullying that occurs outside of school may result in disciplinary action if the behavior causes problems at school.

**PROHIBITION AGAINST BULLYING AND RETALIATION**

Acts of bullying, which include cyber bullying, 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.

As stated in M.G.L. c. 71, § 37O, nothing in this Plan requires the district or school to staff any non-school related activities, functions, or programs.

## **DEFINITIONS**

**Aggressor** is a student who engages in bullying, cyber bullying, or retaliation.

**Bullying**, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students 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.

**Cyber bullying**, is bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, and Internet postings. See M.G.L. c. 71, § 37O for the legal definition of cyberbullying.

**Hostile environment**, as defined in M.G.L. c. 71, § 37O, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of a student's education.

**Retaliation** is any form of intimidation, reprisal, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying.

**Staff** includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

**Target** is a student against whom bullying, cyber bullying, or retaliation has been perpetrated.

## **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.

### **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 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.

- A. 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. (Align this with school or district procedures.)

- B. 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.

## **RELATIONSHIP OF BULLYING LAW TO OTHER LAWS**

Consistent with state and federal laws, and the policies of the school or district, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, sex, religion, national origin, or sexual orientation. Nothing in the Plan prevents the school or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or school or district policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, other applicable laws, or local school or district policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

### **43A. CRIMINAL HARASSMENT; PUNISHMENT**

(a) Whoever willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person, which seriously alarms that person and would cause a reasonable person to suffer substantial emotional distress, shall be guilty of the crime of criminal harassment and shall be punished by imprisonment in a house of correction for not more than two and one-half years or by a fine of not more than \$1,000 or by both such fine and imprisonment. Such conduct or acts described in this paragraph shall include but not be limited to, conduct or acts conducted by mail or by use of a telephonic or telecommunication device including, but not limited to, electronic mail, internet communications or facsimile communications.

(b) Whoever, after having been convicted of the crime of criminal harassment, commits a second or subsequent such crime, or whoever commits the crime of criminal harassment having previously been convicted of a violation of section 43, shall be punished by imprisonment in a house of correction for not more than two and one-half years or by imprisonment in the state prison for not more than ten years.

### **CHAPTER 536 - AN ACT PROHIBITING THE ACT OF HAZING**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows: Chapter 269 of the General Laws is hereby amended by adding the following three sections:

**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 three thousand dollars (\$3,000.00) or by imprisonment in a house of correction for not more than one hundred days or by both such fine and imprisonment.

The term “hazing” as used such in this section eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

**Section 18:** Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such a crime shall, to the extent that such person can do so without danger or peril to himself or others, report such a crime to the appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine no more than one thousand dollars (\$1,000.00).

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

An officer of each such group or organization, and each individual receiving a copy of said sections seventeen and eighteen shall sign an acknowledgment stating that such group, organization or individual has received a copy of said sections seventeen and eighteen.

Each secondary school and each public or private school or college shall file, at least annually, a report with the regents of higher education and in the case of secondary schools, the board of education, certifying that such institution has complied with the provisions of this section and also certifying that said school has adopted a disciplinary policy with regards to the organizers and participants of hazing. The board of regents and in the case of secondary schools, the board of education shall promulgate regulations governing the content and frequency of such institution, which fails to make such report.

#### ***Public Complaints***

### **PUBLIC COMPLAINTS ABOUT SCHOOL PERSONNEL**

The following procedures are established to ensure that a citizen’s complaint is given respectful attention and that the integrity of the educational program is upheld. “Complaint” in this regulation will be restricted in meaning to that criticism of particular school employees by a citizen of the school district, which includes or implies a demand for action by school authorities. Other comments, suggestions, and/or concerns will be promptly referred informally to affected personnel.

1. If a complaint comes first to the person against whom it is directed, he/she will listen courteously and may try to resolve the difficulty by explaining the background and educational purpose involved. If the complaint remains unresolved, either party may move the complaint to the building principal or other immediate supervisor to have his/her views considered further. Whether the complaint terminates with the individual staff member involved or seems likely to go further, the staff member will inform his/her supervisor of the complaint.

2. If a complaint comes first to the principal or other supervisor of the person criticized, he/she should listen courteously or acknowledge a letter promptly and politely, but should make no judgments whatsoever. If the complaint involves a particular employee, the supervisor will promptly inform that person of the complaint and will arrange a conference between the complainant, the person criticized, and supervisor (if necessary).

At Superintendent's level, supervisor refers to the Chairman of the School Committee.

If the complainant has already met with the person criticized and remains unsatisfied, the supervisor should invite the complainant to file his/her complaint in writing and return it.

3. No further action on the complaint should be taken unless the complainant submits the complaint in writing.
4. When a written complaint is received, the principal or other supervisor will promptly schedule a conference with himself/herself, the complainant, the person criticized, and if advisable, the department chairman or other person that either the supervisor, the person criticized or the complainant feels could contribute resolution of the problem.
5. If the complainant is not satisfied with the results of the conference above, he/she should then be referred to the superintendent, who will promptly handle the complaint personally or refer it to his/her designee.
6. Should dissatisfaction remain after the above steps have been taken, the matter will be placed on the agenda for the next regularly scheduled school committee meeting. The decision of the committee will be communicated in writing to all interested persons.